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Mr. Timothy W. Shaver
Acting Manager, Aircraft Maintenance Division
Federal Aviation Administration
950 L'Enfant Plaza SW, 5th Floor
Washington DC 20024-2123

Re: Continue-in-Service Processes

Dear Tim:

It has come to the Aeronautical Repair Station Association's (ARSA) attention that some FAA local offices are questioning the legitimacy of repair station procedures for the removal and reinstallation of components, also referred to as "salvaged part," "cannibalized part," "part recovery" or "continue-in-service" processes.

(I) Issue

(A) Questions

- (1) Does a repair station's rating¹ allow it to make a determination of whether internal or attached articles ("sub-articles") contained in a "top assembly"² may continue in service? That is, may an appropriately rated repair station review, inspect, check or test sub-articles to determine if they are "serviceable as removed" and therefore eligible for installation (i.e., can continue in service without further maintenance steps)?
- (2) If the answer to question (1) is yes, can the repair station implement procedures that allow it to place the sub-article into stock for future use?

¹ For the purposes of this issue, ratings are associated with maintenance, preventive maintenance or alteration of articles (i.e., top assemblies), not specialized services ratings that are associated with processes.

² For purposes of this inquiry, top assembly would mean the highest rating or capability that a repair station holds. Thus, the specific "top assembly" and "sub-articles" would vary depending on the repair station's specific ratings and capabilities.

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(B) Industry perspective

An air agency certificate with appropriate ratings and limitations defines the type of work a repair station may accomplish and what articles it may approve for return to service. The privileges, indeed, the obligations of the certificate include the ability to determine whether items are eligible for installation on or in the articles covered by the repair station's rating (e.g., those listed in the repair station's OpsSpecs or capability list or under its class rating).

Sub-articles are removed from and replaced in top assemblies for convenience, usability, further maintenance, and a variety of other reasons. The capability and ability to determine whether a sub-article can continue in service (i.e., is "serviceable") is essential to the normal course of maintenance.

The ability to make a determination of current condition, that is, eligibility for installation and to "continue in service," is a basic requirement of a maintenance certificate. The incoming inspection system of all repair stations must be capable of making a determination of eligibility for stocking (which requires some type of review or inspection). During the performance of work, a repair station must determine whether sub-articles can be continued in service or must be repaired by further maintenance steps or replaced. Since that determination must be made for any unit received or coming off and going back on the same article, it applies equally to a unit coming off and going into stock or used for installation on or in another assembly.

The requirements for performing maintenance, preventive maintenance and alterations are contained in part [43](#). The standards for performing work are clearly set forth in § [43.13](#). All maintenance providers must use methods, techniques and practices acceptable to the agency and the work performed must return the article to at least its original condition. In the case of "robbed" or "cannibalized" or "recovered" part procedures, the methods, techniques and practices may be contained (a) in the top assembly maintenance instructions or (b) in the repair station's quality procedures ("other methods, techniques and practices) as required by § [43.13\(a\)](#).

A rating for each type of article being reviewed, inspected or tested is unnecessary. When a continue in service review is performed—during either an incoming inspection or in the course of maintaining the "rated" article—and it reveals that repairs or alterations must be performed, the repair station must have the proper rating to perform the necessary work on the sub-article. However, it is not necessary to have a rating or capability list for each sub-article, only for the top assembly to make the "continue in service" and/or "further work is needed" determination.

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(C) FAA perspective

Unless a repair station has ratings for each individual sub-article removed from a top assembly during maintenance, a procedure that allows removing a part from one article and installing it on another or placing it into stock results in non-compliance with §§ [43.3\(e\)](#), [43.7\(c\)](#) and [145.201](#).

The “inspection” in a recovered parts procedure is considered maintenance under the definition in § [1.1](#). Therefore the repair station must have a rating for each removed article before it can perform an inspection (maintenance) under part [145](#); the “top assembly” rating does not include the privilege of performing *any work* on individual articles removed from the top assembly for or during maintenance.

To perform maintenance (*i.e.*, the inspection) on any sub-article requires the repair station to have a rating applicable specifically to that article.

(D) EASA perspective

EASA regulations allow the performance of maintenance and installation of recovered parts without issuing return to service documentation so long as the repair station has the appropriate procedures in place. Specifically, [145.A.50\(d\)\(Certification of maintenance\)](#) provides that—

A certificate of release to service shall be issued at the completion of any maintenance on a component whilst off the aircraft. The authorised release certificate “EASA Form 1” referred to in Appendix II of Annex I (Part-M) constitutes the component certificate of release to service except if otherwise specified in point M.A.502(b) or M.A.502(e). When an organisation maintains a component for its own use, an EASA Form 1 may not be necessary depending upon the organisation’s internal release procedures defined in the exposition. (Emphasis added.)

Given the agency’s efforts to harmonize maintenance activities with its international regulatory partners, especially under the current EU/U.S. aviation safety agreement, EASA’s perspective is particularly relevant in this case.

(II) Applicable regulations and guidance

(A) Regulations

(1) Section [1.1](#) for the definitions of maintenance and preventive maintenance. Inspection is included in the definition of maintenance; however, the “inspection” in question here is and must be performed during maintenance on the top assembly for which the repair station holds a rating.

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- (2) Sections [43.3](#), [43.5](#), [43.7](#), [43.9](#) and [43.13](#) for the persons authorized to perform maintenance, preventive maintenance, rebuilding or alterations, issuing the approval for return to service for the work performed, and the performance standard for the work. A properly rated repair station may perform inspections under its general rating for determinations of whether an internal or attached piece part or article must be discarded, replaced or may be continued in service. If an internal or attached part may continue in service, the inspection, check or test may be recorded as the maintenance performed for purpose of further use or the part may be reinstalled in the top assembly being maintained.
 - (3) Ratings issued under §§ [145.59](#) or [145.61](#). The repair station must hold an appropriate rating for the “top assembly” from which the sub-article is removed.
 - (4) Privileges and limitations of repair stations under § [145.201](#). The repair station has the privilege of performing maintenance on articles for which it is rated. That privilege includes the ability to make continue-in-service determinations for internal or attached components of the articles under its class or limited rating.
- (B) Public guidance
- Unfortunately, there is nothing in the agency’s advisory material to the public on this specific issue.
- (C) FAA internal guidance
- While not consistent with respect to all ratings, Order 8900.1 provides an example of how internal guidance deals with one rating. [Volume 2, Chapter 11, Section 1, Table 2-19](#) states in part: An airframe rating provides the privilege of performing maintenance and alterations of airframes and airframe components in accordance with part 43 on any article for which it is rated and within the limitations in its OpSpecs. This rating also allows the removal and installation of powerplants, propellers, radios, instruments, and passenger convenience items, but not the performance of maintenance to internal sections of these components. (Emphasis added.)
- (D) Legal interpretations and decisions
- No legal interpretation or decision is helpful on this issue.
- (E) Ambiguities or inconsistencies in regulations, guidance or correspondence
- The agency’s guidance material is unclear on the exact privileges and limitations associated with any particular rating; the issue of what can be done is constantly under scrutiny.
- However, in this case, the question is whether any repair station rating for articles (as opposed to specialized services) includes the ability to inspect

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internal and attached sub-articles for current condition to determine whether they may be “continued-in-service” or require further maintenance steps to be performed.

(III) Precedent: FAA decisions on the issue

In February 2013 the Dallas Fort Worth International Field Office (IFO) opened an enforcement investigative report against a part 145 repair station located in Costa Rica (FAA case number 2013SW230022). One of the findings questioned the repair station’s utilization of a recovered parts procedure that would allow installation of articles that had not been returned to service in accordance with part 43.

In response, the repair station suspended the use of its recovered parts procedure while noting that similar processes were used by other part 145 certificated companies with their local office’s blessing.

While that case was later closed with a letter of correction, the repair station’s efforts to obtain “approval” of a revised recovered parts procedure have been unsuccessful. According to the IFO, the procedure “does not have a regulatory basis [and] circumvents several regulatory requirements...”

(IV) Suggested Resolution

The association recommends and requests that the agency—

- (A) Confirm that the privileges of a repair station’s ratings, as provided for under § [145.201](#), allow it to make a determination of whether sub-articles contained in a top assembly may continue in service;
- (B) Confirm that a repair station may implement procedures that allow it to place a sub-article into stock as eligible for installation for future use; and
- (C) Update FAA internal guidance to ensure consistency with these determinations.

Thank you for your consideration of this request; we look forward to its prompt resolution.

Sincerely,



Sarah MacLeod
Executive Director

cc: Patricia Williams

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