



U.S. Department
of Transportation
Federal Aviation
Administration



APR 14 2016

Mr. Marshall S. Filler
Managing Director & General Counsel
Aeronautical Repair Station Association
121 North Henry Street
Alexandria, VA 22314-2905

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Dear Mr. Filler:

On October 7, 2015 you submitted an email to the Federal Aviation Administration (FAA) and the European Aviation Safety Agency (EASA), regarding Change 5 to the Maintenance Annex Guidance (MAG CHG 5) required to implement Annex 2 of the U.S.-EU Aviation Safety Agreement. You and the representatives of the associations specified in your correspondence requested assistance from the FAA and the EASA regarding compliance with the September 9, 2015 change to the MAG which clarifies the requirement that new parts received by a certificated repair station be accompanied by a Federal Aviation Administration (FAA) Form 8130-3, *Airworthiness Release Certificate, Airworthiness Approval Tag*, issued by a U.S. Production Approval Holder (PAH) when those parts will be installed in articles for which a dual airworthiness release is to be issued. MAG CHG 5 became effective December 8, 2015.

You stated that the timelines established by MAG CHG 5 would make it exceedingly difficult for a repair station subject to the agreement to receive a FAA Form 8130-3 issued by the PAH for all new parts. These concerns were noted and it was the joint position of both the FAA and the EASA that a transition period for implementation of the requirement clarified in MAG CHG 5, for the issuance of FAA Form 8130-3 for new parts, should be provided to better align the requirement with the current effective date for the implementation of Amendment 21-28 to Part 21. Alignment of the effective dates for the changes should have provided those PAHs wishing to supply new parts to repair stations for use in articles subject to EASA regulatory oversight, with the ability to revise their quality manuals and readily introduce FAA Form 8130-3 as the airworthiness release certificate.

This joint FAA/EASA position was communicated to you by letter on November 25, 2015, extending the implementation deadline of aforementioned MAG CHG 5 provisions until April 1, 2016.

However, in March 2016, at the occasion of ARSA's Annual Repair Station Symposium, you informed us that the actual implementation of the provisions/privileges contained in Title 14, Code of Federal Regulations section 21.137(o) was taking much longer than expected and that the extended deadline of April 1, 2016, was not allowing most of the PAHs to get the required approval under section 21.137(o) by their supervising Manufacturing Inspection District Offices (MIDOs).

In order to allow the above mentioned implementation of the privileges under section 21.137(o) to the greatest extent possible, the FAA and the EASA have agreed to extend the deadline provided in MAG CHG 5, Section B Appendix 1, paragraph 10, from April 1, 2016, until October 1, 2016. In addition, both authorities have agreed that parts released by a PAH prior to October 1, 2016 will not be required to be accompanied by an FAA Form 8130-3. Only parts released from a PAH's quality system, on or after that date, must be accompanied by the form if intended to be installed on articles subject to the U.S.-EU Aviation Safety Agreement.

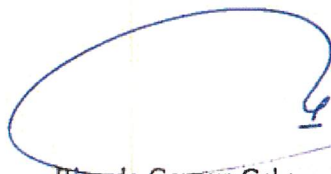
Note: New parts currently in inventory must, at a minimum, have a document or statement (containing the same technical information as an FAA Form 8130-3) issued by the PAH or supplier with direct ship authority. The parts currently in inventory and documented with the required information will be grandfathered and remain suitable for installation into EU articles provided the date on the document is prior to October 1, 2016. Annex 1 provisions of the agreement regarding the export of parts remain unchanged (i.e., parts that are exported to a customer under the regulatory jurisdiction of the EU will require the export certification as detailed in the Technical Implementation Procedures for Airworthiness independent from the aforementioned grandfathering provision). All other provisions of the MAG CHG 5 will remain in effect.

We appreciate the opportunity to assist you. Should you have any additional questions regarding this please contact Tim Shaver, Aircraft Maintenance Division, AFS-300, at (202) 267-1675.

Sincerely,



John S. Duncan
Director, Flight Standards Service



Ricardo Genova Galvan
Director, Flight Standards Directorate
European Aviation Safety Agency