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July 28, 2008

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Federal Aviation Administration
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By e-mail to: carol.e.giles@faa.gov

RE: Maintenance or Alteration Specifications

Dear Ms. Giles:

Please find attached to this electronic communication two draft documents for the agency's consideration:

1. Draft Advisory Circular 43—XXX Development and Approval of Maintenance and/or Alteration Specifications; and,
2. Draft Order 8300.14—Maintenance and/or Alteration Specification Procedures

Background

In October 2007, the Aeronautical Repair Station Association (ARSA) urged the agency to develop guidance on an acceptable method for repair stations and other certificated maintenance providers to develop independent maintenance or alteration methods, techniques and practices. In December 2007, the agency released Order 8300.14, which unfortunately became the subject of much controversy. Consequently, implementation of the order was delayed pending further consideration.

In June 2008, ARSA met with you and your managers on a host of issues, one of which was the aforementioned order. During that meeting, ARSA committed to providing the agency with a draft advisory circular and corresponding order that would accomplish the following objectives:

- Provide an acceptable method for certificated maintenance providers to develop maintenance and/or alteration methods, techniques and practices that differ or are in addition to those that are provided by design approval holders. The ability to develop those instructions is set forth in 14 CFR § 43.13(a) (i.e., "other methods, techniques and practices acceptable to the FAA.")

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- Provide an acceptable method for ensuring that the application of the developed specification returns the article worked on to at least its original or properly altered condition. This is required by 14 CFR § 43.13(b).
- Provide an acceptable method for ensuring that the technical data supporting specifications that result in major repairs or major alterations are approved.
- Provide guidance to the Federal Aviation Administration workforce on how to—
 - Review these specifications;
 - Determine when those specifications need to be supported by approved technical data;
 - Approve the technical data through the Aircraft Certification Office or appropriately authorized designees and,
 - Evaluate certificate holders' use of those specifications.

Actions to Date

The attached documents were developed with the above objectives in mind and to ensure coordination with other efforts currently underway within the agency. Namely, harmonization with the Repair and Alteration Fabrication Team's efforts to revise AC 120-77 and to develop "best practices" for making determinations of major versus minor.

Finally, we also carefully considered the FAA's resource allocation issues when developing these documents. Specifically, the original order contemplated:

- Flight Standards review and approval of the methods, techniques and practices prior to a company being able to utilize the maintenance or alteration specification.

We could find no regulatory requirement for such a review, nor do we believe the agency has the manpower to accomplish it. The requirement to ensure the specification is sequentially logical, internally consistent and contains the information necessary to accomplish the work properly is in 14 CFR § 43.13(b). That is, the work must be done in such a manner as to return the article to at least its original or properly altered condition; this responsibility is covered in the draft AC.

- Flight Standards placing all independently developed maintenance or alteration specifications on a repair station's Operations Specifications.

The justification seemed to be the language of 14 CFR § 145.61(c). However, that section applies only to limited rated specialized service repair stations; further, it only

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applies to those specifications that will be used to perform the limited specialized services. It does not apply to maintenance or alteration specifications that contain methods, techniques and practices for performing work on specified aviation articles, whether those instructions are created by the manufacturer or are otherwise compliant with 14 CFR § 43.13(a). Requiring that all maintenance or alteration specifications be listed on a repair station's Operations Specifications would expend unnecessary agency resources.

Requiring that certificate holders properly identify the maintenance/alteration data used and have a method for keeping it current ensures compliance with 14 CFR §§ 43.9(a)(3), 43.13(a) and 145.109(d)(7). The necessity to track, update and record maintenance and alteration specifications' usage is contained in the draft AC.

- The addition of a repair station DER designation.

In order to ensure that such a designation is properly administered, changes to Aircraft Certification orders are needed. The qualifications, duties, responsibilities and oversight of this designation must be clearly defined. We appreciate that designees (both individuals and company designees) authorized to review and approve substantiation data associated with major repairs and major alterations need to have appropriate qualifications. Indeed, we believe that knowledge and experience in evaluating application of procedures to actual articles, more common in the manufacturing environment, are essential.

Until the orders can be changed, we believe the current designations for evaluating major repairs and/or major alterations ensure compliance with the regulations.

On-Going Efforts

After you have had a chance to review these draft documents internally, I would appreciate the opportunity to meet with your team and review any issues relating to regulatory compliance.

In the meantime, we will post these draft documents on our Web site for industry comments to ensure we are capturing the best practices. Additionally, while we certainly worked diligently to ensure the draft AC and order contained exactly the same language and references, I know that we have missed items. Therefore, we will continue our review and update the documents to eliminate inconsistencies. All edits

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will be consolidated, incorporated in the documents under the “tracked changes” option in Word; and the files will be renamed with a different date before being forwarded to the agency for its consideration.

If you have any questions, please do not hesitate to contact me.

Your Servant,

A handwritten signature in blue ink that reads "Sarah MacLeod". The signature is fluid and cursive, with the first name "Sarah" and last name "MacLeod" clearly legible.

Sarah MacLeod
Executive Director

Attachments Draft Advisory Circular 43—XXX Development and Approval of
Maintenance and/or Alteration Specifications
Draft Order 8300.14—Maintenance and/or Alteration Specification
Procedures

cc: Steven W. Douglas
Dan Bachelder
Ronald T. Wojnar
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