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Rebecca B. MacPherson, BY E-MAIL: rebecca.macpherson@faa.gov  
Assistant Chief Counsel for Regulations (AGC-200)  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, DC 20591-0001

RE: Unilateral Changes to Air Agency Operations Specifications

Dear Ms. MacPherson:

The Aeronautical Repair Station Association (ARSA) requests the Office of Chief Counsel to expeditiously issue a memorandum clarifying the proper procedure for changing air agency (repair station) certificates.

It has come to our attention that certain Aviation Safety Inspectors (ASIs) have unilaterally issued new Operations Specifications (OpsSpecs), which the certificate holders are asked to sign. The revised OpsSpecs have made changes to ratings and in two cases removed all ratings. These amendments have been made without any prior request from or notification to the repair station. While the companies have not signed the revised OpsSpecs, the ASIs have indicated that it has an immediate effect on the certificate.

Under 14 CFR<sup>1</sup> §145.55, a repair station certificate, including the associated ratings, OpsSpecs and limitations, is valid until revoked or surrendered. Any unilateral action changing the certificate must be taken in accordance with 49 U.S.C. § 44709, part 13 and Federal Aviation Administration Order 2150.3. While the FAA can take immediate action in the interests of safety, the proper procedures for certificate action are being circumvented by removing or changing ratings set forth in OpsSpecs without the certificate holder's request or due process.

ARSA requests that a memorandum be issued reminding all ASIs that revisions to OpsSpecs change repair station certificates. Unless the certificate holder requests the change under § 145.57(b), the FAA cannot initiate it outside of the statute, part 13 and Order 2150.3.

Please let us know if you have any questions or desire additional information.

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

cc: Jim Ballough (AFS-1) | Peter Lynch (AGC-300)

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<sup>1</sup> All regulatory references are to 14 CFR unless otherwise noted.