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David Hempe
Manager
Aircraft Certification Service
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Washington, D.C. 20024-2123

Steven Douglas
Manager
Flight Standards Service
Aircraft Maintenance Division
Federal Aviation Administration
950 L'Enfant Plaza, S.W., 5th Floor
Washington, D.C. 20024-2123

Re: U.S. Acceptance of EASA-Approved Data

Dear Messrs. Hempe and Douglas:

It has come to the association's attention that despite the existence of a bilateral agreement between the United States and the European Union, extra work is still being performed by the agency and industry.

Issue 1: Acceptance of EASA-approved data by U.S. owner/operators

While paragraph 3.3.2 of the Technical Implementation Procedures (TIP) allows for the reciprocal approval and acceptance of design data, U.S. carriers and other repair station customers are reluctant to accept EASA-approved data without the unnecessary addition of an FAA approval, e.g., FAA Form 8110-3 or letter of approval.

We believe the reluctance is due to maintenance personnel's lack of exposure to the certification procedures, i.e., the TIP. Since education will reduce unnecessary work for both the industry and the agency, the requested solution will help maximize the positive impact of the bilateral agreement.

Requested solution

Issue a memorandum from the Aircraft Certification (AIR) and Flight Standards Services (AFS) pointing to the TIP, specifically subparagraphs 3.3.2(b) and 3.3.2.1. This would heighten the industry's awareness of how EASA-approved data is acceptable to the FAA without further showing or documentation in most situations.

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Issue 2: Non-standard “letters” of approval

Paragraphs 3.3.2.1(b)(2) and (4) specifically references “a letter” being issued by the FAA verifying the approval of certain data. Unfortunately, the FAA approval does not always come in the form of a letter; indeed, sometimes it is issued as a memorandum, electronic mail or by a designee acting on the agency’s behalf. Unfortunately, some adhere to a strict interpretation of the word “letter” and expect a “formal” document, e.g., FAA letterhead with formal greeting, body and conclusion.

Requested solution

Issue a memorandum from AIR and AFS pointing to the fact that any written communication (not just letters) from the FAA and/or appropriate designees are acceptable under paragraphs 3.3.2.1(b)(2) and 3.3.2.1(b)(4).

Conclusion

By issuing the suggested memorandum provided in the attachment, the FAA would help enhance the industry’s knowledge of the bilateral agreement and alleviate redundant and unnecessary approvals of technical data. Alternatively, ARSA requests a joint AFS-AVR letter confirming our understanding of the applicable provisions so we can disseminate this knowledge to the industry.

Regards,



Marshall Filler
Managing Director & General Counsel

Attachments Suggested AIR-AFS Memorandum

cc: Trevor Woods, EASA Approvals & Standardisation Director,
trevor.woods@easa.europa.eu
Karl Specht, EASA Continuing Airworthiness Organisations Manager,
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Attachment—Suggested Memorandum

MEMORANDUM

TO: AIR EMPLOYEES
AFS EMPLOYEES
DESIGNEES

FROM DAVID HEMPE, AIR-100
STEVEN DOUGLAS, AFS-300

RE ACCEPTANCE OF EASA-APPROVED DATA IN SUPPORT OF
MAJOR REPAIRS

It has come to our attention that extra work may be generated despite the bilateral agreement between the United States and the European Union.

The Technical Implementation Procedures (TIP) set out the requirements for EASA approval of data that is acceptable to the FAA.

Please review paragraphs 3.3.2(b) and 3.3.2.1(a) to understand the conditions under which EASA-approved data is acceptable to the FAA without further showing.

When specific FAA review and approval of EASA-approved data is needed, any written communication from the FAA (not just a letter) containing the information required by paragraphs 3.3.2.1(b)(2) and 3.3.2.1(b)(4) is acceptable.

Similarly, an appropriately-issued FAA Form 8110-3 or 8100-9 that specifically references EASA repair data and the applicable paragraphs in the TIP are acceptable documentation for establishing compliance.