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<b>Title</b>	Embodiment of Safety Management System (SMS) requirements into Commission Regulation (EC) No 2042/2003 – Part-145
<b>NPA Number</b>	NPA 2013-01 (C)

**Aeronautical Repair Station Association (ARSA)** (craig.fabian@arsa.org) has placed **33** unique comments on this NPA:

Cmt	Segment description	Page	Comment	Attachments
632	NOTICE OF PROPOSED AMENDMENT (NPA) 2012-25 (C) 'Embodiment of Safety Management System (SMS) requirements into Commission Regulation (EC) No 2042/2003' – Part-145	1	The Aeronautical Repair Station Association (ARSA) respectfully submits comments to this proposed amendment, but emphasizes that it supports the establishment of a single safety management system (SMS) covering multiple regulated activities (e.g., design, production, maintenance).	
637	Explanatory Note – SECTION A – Management system	8 - 10	The proposed amendment uses the terms "compliance monitoring" or "safety" where the term "quality" was previously used. Since it is common understanding within the industry that "quality" includes both compliance monitoring and safety aspects, we suggest maintaining prior usage of the term.	
643	Draft Opinion/Decision – ANNEX II (Part-145) – CONTENTS	42 - 44	The "title" for 145.A.15 should be changed to read "Application for an organisation certificate" to meet the title of the applicable rule.  Similarly, the "title" for 145.A.35 should be changed to "Certifying staff and support staff."	
646	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.10 Scope	45 - 46	We suggest the addition of a new paragraph (e) stating that: "Maintenance carried out under the terms of 145.A.75(d) is not considered Line Maintenance or Base Maintenance."	
649	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation	47	Paragraph (b) should be deleted from 145.A.15 as its content is covered by 145.A.70(c) and 145.A.85(c).	

	Requirements — 145.A.15 Application for an organisation certificate			
652	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — 145.A.30 Personnel requirements	48 - 51	The procedures mentioned in 145.A.30(b)(4) should be kept regarding assignment of persons charged with ensuring regulatory compliance.	
653	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — 145.A.30 Personnel requirements	48 - 51	Curiously, the safety manager referenced in AMC1 145.A.30(c) does not appear in the regulation. The safety manager should be specifically included in the regulatory text, or the AMC should be rewritten.	
657	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — AMC1 145.A.30(b) Personnel requirements	51 - 52	The compliance monitoring function appears in 145.A.30(c) and the reference to compliance monitoring manager should therefore only appear in AMC1 145.A.30(c).  Assuming the safety manager position will be specifically mentioned in the rule - also in 145.A.30(c), perhaps - then this reference too should only appear in AMC1 145.A.30(c).	
654	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — AMC1 145.A.30(c) Personnel requirements	52 - 53	This section should note that the quality manager is responsible for ensuring compliance monitoring and safety management functions, unless the organization decides to delegate those functions to separate individuals.	
659	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — AMC1 145.A.42(b) Acceptance of components	72	Paragraph (2) should be deleted from this section as it conflicts with 145.A.50(d) and equivalents to EASA Form 1.	
660	Draft Opinion/Decision — ANNEX II;	77	The note regarding unsalvageable components should be deleted as there is no measure or indication of persons or organizations "known to return unsalvageable components	

	Section A – Technical and Organisation Requirements – AMC1 145.A.43(d) Control of unserviceable components		back into the aviation supply system."	
662	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.45(d) Maintenance data	77	The procedure should allow practical demonstration by the mechanic to qualified personnel authorized by the quality manager.	
664	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.47(b) Production planning – FATIGUE RISK MANAGEMENT	77 - 78	To allow for differences between organizations, paragraph (a) should be rephrased to state that: "In order to manage the fatigue related risk of personnel as an aviation hazard, based on its operating requirements the organisation should..."	
666	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.47(b) Production planning – FATIGUE RISK MANAGEMENT	77 - 78	This section should clearly indicate that it, and the content of the referenced Directive, does not apply to facilities located outside of the European Union.	
667	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – GM1 145.A.47(b) Production planning	78 - 84	This section should be deleted; the Directive stands on its own for facilities located within European Union.	
669	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation	84 - 85	Since the context of the independent inspections should relate only to on-wing maintenance that cannot be verified through system operational and functional tests, paragraph (b) should be revised to state that: "An independent inspection on an aircraft shall be carried out..."	

	Requirements — 145.A.48 Performance of maintenance			
671	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — AMC1 145.A.48(b) Performance of maintenance — INDEPENDENT INSPECTIONS	85 - 86	It should be clarified that independent inspections apply only to work carried out on an aircraft.	
672	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — AMC1 145.A.55 Maintenance records — GENERAL	87	The reference in 2.6.2(a) should be changed from "Annex I or Annex II of Commission Regulation (EC) No. 2042/2003" to "approved under Part-M or Part-145."	
673	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — GM7 145.A.65(a) (3) Management system — FATIGUE RISK MANAGEMENT SCHEME — A. GENERAL	111	The definitions in paragraphs (c) and (d) should fall under paragraph (b). That is, paragraphs (c) and (d) should be changed to (b)(1) and (b)(2), respectively. In turn, paragraphs (e) and (f) should become (c) and (d), respectively.	
674	Draft Opinion/Decision — ANNEX II; Section A — Technical and Organisation Requirements — GM7 145.A.65(a) (3) Management system — FATIGUE RISK MANAGEMENT SCHEME — A.	111	Sub-paragraph (e)(1) is overly prescriptive as written; reference to "8 hours of uninterrupted sleep" should be deleted and replaced with "an appropriate amount of uninterrupted sleep."	

	GENERAL			
675	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC5 145.A.65(a) (6) – Management system – FEEDBACK SYSTEM OF FINDINGS	119 - 120	The retention period should be the same as the requirement for management system records in AMC1 145.A.68(d).	
676	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.70(a) Maintenance organisation exposition – PART 1 GENERAL	128	Part 1, paragraph 1.12 should be revised to state "Other ways to meet AMC intent" so as not to confuse the issue with alternative means of compliance (AMOC) to an airworthiness directive (AD) - which is the common understanding of that terminology.	
677	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.75(b) Privileges of the organisation	134 - 136	The acronym "FAR" currently refers to the United States Federal Acquisition Regulations. As such, the reference in the note to paragraph (a) should be revised to state "United States Federal Aviation Administration (FAA) under Title 14 Code of Federal Regulations (14 CFR) part 145."	
678	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – AMC1 145.A.75(b) Privileges of the organisation	134 - 136	The reference to EN9110 should be changed to "such as ISO9000" since it appears in the paragraph addressing subcontractors which may not be focused on aviation, and would therefore be unfamiliar with the EN9110 aerospace maintenance standard.	
679	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – 145.A.82 Means of	136 - 137	The terminology "alternative means of compliance" should be changed to "other ways to meet the intent of AMCs" to avoid confusion with AMOCs to ADs.	

	compliance			
680	Draft Opinion/Decision – ANNEX II; Section A – Technical and Organisation Requirements – 145.A.85 Changes to the organisation	137 - 138	Paragraph (b) of this section should be revised, in light of exposition and amendment approval in 145.A.70(b) and procedural changes in GM1 145.A.85(a)(a)(8) and (9), to state a reasonable timeframe - such as 5 working days - for authority action. Otherwise, clarifications should be made to indicate that prior approval is not required.	
681	Draft Opinion/Decision – ANNEX II; Section B – Procedures for Competent Authorities – 145.B.12 Means of compliance	143	The "alternative means of compliance" paragraph should be changed to read "Other ways meeting the intent of AMCs may be used to establish compliance with the Implementing Rules." Otherwise, it causes confusion with AMOCs to ADs.	
682	Draft Opinion/Decision – ANNEX II; Section B – Procedures for Competent Authorities – 145.B.20 Management system	144 - 145	To promote standardization, paragraph (d) should be revised to state that procedures shall be made available "to the Agency and to regulated entities upon request..."	
683	Draft Opinion/Decision – ANNEX II; Section B – Procedures for Competent Authorities – 145.B.32 Initial certification procedure	154 - 155	Paragraph (e) should be corrected to read "specified in 145.A.30(b) and (c)..."	
684	Draft Opinion/Decision – ANNEX II; Section B – Procedures for Competent Authorities – 145.B.32 Initial certification procedure	154 - 155	Paragraph (h) should be clarified to state that items not covered by 145.A.85(a) can be approved by the organization, with notification to the competent authority as provided in 145.A.85(c).	
685	Draft Opinion/Decision – ANNEX II; Section B –	163 - 164	Revise paragraph (d) to state that: "Where the amendment requires competent authority approval per 145.A.85(a)..."	

	Procedures for Competent Authorities — AMC1 145.B.35 Changes — GENERAL			
686	Draft Opinion/Decision — ANNEX II; Section B — Procedures for Competent Authorities — AMC1 145.B.35 Changes — GENERAL	163 - 164	Revise paragraph (e) to state that: "For changes requiring prior approval in order to verify the organisation's compliance with the applicable requirements, the competent authority should conduct an audit when considered necessary..."	
687	Draft Opinion/Decision — ANNEX II; APPENDICES TO AMC — Appendix II to AMC1 145.B.32(c); EASA Form 6	172 - 180	Change "FAA FAR Certificate" to "FAA repair station certificate number."	