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May 3, 2022

Mr. Billy Nolen
Acting Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591-0001

RE: Second Request for Verification
U.S. – E.U. Bilateral Agreement and Parts Documentation Requirements

Dear Acting Administrator Nolen:

The Aeronautical Repair Station Association (ARSA) is in receipt of the Federal Aviation Administration's (FAA) interim response (Attachment 1) to ARSA's April 7, 2022 [letter](#). Among other things, ARSA's letter requested verification that the agency's Sept. 28, 2016 [letter](#) remains in effect until such time as the FAA confirms, modifies or withdraws it. The FAA's Sept. 28, 2016 letter stated that the ARSA E100 form is an acceptable means of compliance with 14 CFR part 43 (a basis for the bilateral agreement with the European Union) and the U.S.-E.U. Maintenance Annex Guidance (MAG) Special Condition on parts documentation.

The FAA's failure to confirm the continued validity of its Sept. 28, 2016 letter while it reviews the underlying issues has led to confusion and the proliferation of contradictory interpretations by local FAA inspectors and other agency personnel. This has resulted in disruptions and inconsistent enforcement as U.S. repair stations have been required to cease use of the E100 form. More concerning, the lack of clear direction from FAA headquarters has led agency personnel to seek interpretation directly from the European Aviation Safety Agency (EASA). (Attachment 2)

With the foregoing in mind, we repeat our request for confirmation that the FAA's letter of Sept. 28, 2016 remains in effect. Aviation Safety Inspectors should be directed not to countermand that FAA policy or take direction on this issue from EASA until such time as the FAA completes its review and confirms, modifies, or withdraws it.

Thank you for your consideration. We look forward to your swift response.

Your Servant,

Sarah MacLeod
Executive Director
M: 703.785.6605
E: sarah.macleod@arsa.org

Attachments: 1 April 25, 2022 FAA response to April 7, 2022 ARSA letter
2 Email exchange between FAA ASI Benjamin Harris and Steinthor Steinthorsson (EASA)

cc: David H. Boulter, FAA Flight Standards Service Executive Director david.boulter@faa.gov
Jackie Black, FAA Aircraft Maintenance Division Manager jackie.l.black@faa.gov
Dan Elgas, FAA Certification Procedures Branch Manager daniel.j.elgas@faa.gov
Ludovic Aron, EASA Representative to the United States of America ludovic.aron@easa.europa.eu

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RE: Request for Verification
U.S. – E.U. Bilateral Agreement and Parts Documentation Requirements
Attachment 1 – April 25, 2022 FAA response to April 7, 2022 ARSA Letter



U.S. Department
of Transportation
**Federal Aviation
Administration**

Aviation Safety

800 Independence Ave. SW
Washington, DC 20591

April 25, 2022

Ms. Sarah MacLeod
Executive Director
Aeronautical Repair Station Association
121 North Henry Street
Alexandria, VA 22314

Mr. Bret Levanto
Vice President of Operations
Aeronautical Repair Station Association
121 North Henry Street
Alexandria, VA 22314

Dear Ms. MacLeod and Mr. Levanto:

Thank you both for your April 7, 2022, inquiries regarding verification of the U.S.-European Union (EU) Bilateral Agreement and Parts Documentation Requirements. Specifically, you ask if the Federal Aviation Administration (FAA) still agrees, as stated in its September 28, 2016, letter to Mr. Marshall Filler that the Aeronautical Repair Station Association's E100 form is an acceptable means of compliance with Title 14 Code of Federal Regulation's Parts 43.13(a) and 43.9, and the U.S.-EU Maintenance Annex Guidance.

The FAA understands your concerns and will respond to you after further research and coordination. Research and coordination will be conducted by the Flight Standards Service Aircraft Maintenance Division, the FAA's Aircraft Certification Service and the European Union Aviation Safety's representation for requirements of the U.S.-EU Technical Implementation Procedures and U.S.-EU Maintenance Annex Guidance.

The FAA will provide a more detailed response as soon as possible.

Sincerely,

**ROBERT
C CARTY** Digitally signed by
ROBERT C CARTY
Date: 2022.04.25
11:09:16 -0400

David H. Boulter
Executive Director, Flight Standards Service

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RE: Request for Verification
U.S. – E.U. Bilateral Agreement and Parts Documentation Requirements
Attachment 2 – Email exchange between FAA ASI Benjamin Harris and Steinthor Steinthorsson (EASA)

From: STEINTHORSSON Steinthor <steinthor.steinthorsson@easa.europa.eu>
Sent: Wednesday, April 6, 2022 4:16 AM
To: Harris, Benjamin C (FAA) <Benjamin.C.Harris@faa.gov>
Cc: Traugott Ludwig, Susan (FAA) <Susan.Traugott.Ludwig@faa.gov>; PRIOR John <John.PRIOR@easa.europa.eu>
Subject: RE: 01.06.2022 10040276/306185/EASA. 145.6416 Renewal2OXR

Good Morning Benjamin,

With reference to your finding which is correct by the way and captures clearly the issue. I agree the company response is not in-line what is allowable under Special condition if the intent is to issue a dual release as pointed out by you in your finding.

I forwarded the continuation package to Mrs. Susan Traugott in CC as you will need support from her to solve the issue. If you need support from our side do not hesitate to contact us at this address.

Best Regards,
Steinthor

Steinthor Steinthorsson

Senior Expert - Maintenance Organisation
European Union Aviation Safety Agency



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An agency of the European Union 

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From: Harris, Benjamin C (FAA) <Benjamin.C.Harris@faa.gov>
Sent: Tuesday, 5 April 2022 15:49
To: foreign145 <foreign145@easa.europa.eu>
Subject: RE: 01.06.2022 10040276/306185/EASA. 145.6416 Renewal2OXR

Thank you,

In addition your input on EASA's stance regarding a repair station inspecting new parts that don't have an 8130-3 release indicating the part is new from the production approval holder (PAH) and the repair station inspecting the part and issuing an 8130-3 as inspected. As you can see by the corrective action letter by the certificate holder there seems to be a misunderstanding if a repair station can do this to meet EASA new parts certification requirements. Cancelled FAA Notice 8900.520 addresses this procedure and ARSA Published Form E100 as a guide to inspection new parts that did not come with an 8130-3 from the PAH.

Benjamin Harris
Aviation Safety Inspector
Long Beach Flight Standards District Office
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We value your feedback, please let us know at: <http://www.faa.gov/go/afsfeedback>