

October 4, 2024

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Director
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Aviation Safety
Federal Aviation Administration

RE: Annual Inspections of Repair Stations Outside the United States
Data Collection and Analysis of Heavy Maintenance
Qualified Maintenance Personnel at Foreign Repair Stations

Dear Mr. Steinbicker,

The recently enacted amendment to Title 49 United States Code (USC) § [44733](#)¹ contains requirements for the agency to—

- (1) Inspect foreign repair stations annually without notification from the FAA consistent with bilateral aviation safety agreements (bilaterals) and the applicable laws of the country in which the repair station is located. (See, § [44733](#)(e).)
- (2) Gather and analyze data on heavy maintenance work performed for air carriers. (See, § [44733](#)(g).)
- (3) Ensure minimum qualifications of supervisors and personnel authorized to approve a repair station's work for return to service. (See, § [44733](#)(i).)

The undersigned offer this letter to show how most of these mandates are already covered by current practices and regulations. It also offers a method for showing compliance when new information may be needed to meet the statute.

Unannounced Foreign Repair Station Inspections

To ensure the foreign repair station is not informed of an upcoming inspection while also conducting activities in accordance with bilateral agreements it is noted that—

- Bilateral agreements with maintenance procedures have provisions for oversight of foreign repair stations by the local civil aviation safety authority with observations by the FAA of the foreign authority and at the FAA's discretion surveillance of the repair stations located in those States. When the FAA determines surveillance of a foreign repair station is appropriate, the bilateral partner must be notified, but the agreements and agency guidance are silent on notifying the repair station.

To conduct unannounced inspections of foreign repair stations in countries in accord with a bilateral, the FAA must first inform the foreign civil aviation authority of the requirement, *e.g.*, through the procedures outlined in the U.S.-EU Maintenance Annex Guidance (MAG), Section A, paragraphs 1 and 2. When executing the oversight, the maintenance implementation procedures do not require any notification by the FAA to the foreign repair station when it determines that surveillance is warranted under the current edition of FAA Order 8900.1, Volume 10, Safety Assurance System Policy and Procedures (*e.g.*, MAG, Section A, paragraph 1.1.5).

Thus, it appears that no changes are needed to guidance or procedures to fulfill the statutory requirement when overseeing a foreign repair station in a bilateral country.

- Order 8900.1 is silent about notifying the foreign repair station located in any foreign country of an oversight activity. Similarly, it is silent on the requirements of the laws of the country in which the repair station is located when the U.S. government is conducting oversight responsibility.

¹ See, Public Law 118-[63](#).

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To avoid visiting foreign repair stations during unannounced audits when key personnel are absent, the agency could inform foreign repair stations of the months of the year in which the FAA will be conducting surveillance without revealing the dates or times to the country or repair station. This would ensure the agency could conduct its surveillance effectively and efficiently as the lack of key personnel can result in needed follow up surveillance and other wasteful outcomes.

Airline Data Collection and Analysis

Under Title 49 U.S.C. § 44733(g), a part 121 air carrier that “has had heavy maintenance work² performed on an aircraft owned or operated by such carrier” must file an annual report with the FAA that includes:

- The location where any heavy maintenance work on aircraft was performed outside the United States.

This information is already provided by air carriers under section 121.368(h).

- A description of the work performed at each such location.

This information is also information provided under section 121.368(h).

- The date of completion of the work performed at each such location.

This information will be recorded against each aircraft in the carrier’s system to provide information under section 121.369(c).

- A list of all failures, malfunctions, or defects affecting the safe operation of such aircraft identified by the air carrier not later than 30 days after the date on which an aircraft is returned to service, organized by reference to aircraft registration number, that requires corrective action after the aircraft is approved for return to service; and results from such work performed on such aircraft.

The air carriers obtain, retain, and make this information available to the FAA under sections 121.701, 121.703 and 121.705.

- The certificate number of the person approving such aircraft or on-wing aircraft engine for return to service following completion of the work performed at each such location

This information is required by and provided to the agency under section 121.368(h).

The FAA must analyze the data and require “appropriate actions” by air carriers and repair stations based on any identified safety issue. The procedures for evaluating the information and taking appropriate corrective action on maintenance issues is required under section 121.373 and related part 5 activities.

Thus, the only change to agency procedures is to align its collection and analysis of the data that is required by current regulations into the timeframe mandated by Congress.

We do not see a need to change any air carrier procedures since the collection, reporting, analysis, and corrective actions are required by current regulations through the airlines’ procedures and safety management systems.

² Heavy maintenance work is defined in § 44733(j)(2) as a C-check, a D-check, or equivalent maintenance operation with respect to the [airframe](#) of a transport-category aircraft (including on-wing aircraft engines).”

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Qualified Maintenance Personnel at Foreign Repair Stations

The law requires the agency to certificate supervisory personnel as well as individuals authorized to approve work for return to service for the repair station or to be directly in charge³ of heavy maintenance work be certificated as a mechanic or repairman under part 65 unless the foreign nation has an equivalent certification or licensing regime.

Current guidance can easily be adjusted to ensure sections 145.153(b)(2) and 145.157(b) requirements are fulfilled by a license or certificate issued by any State signatory to the International Civil Aviation Organization (ICAO) that adheres to Annex 6. The requirements of the annex meet the requirements of the statute for supervisory personnel and those authorized to approve work for return to service under the cited sections.

To accomplish the mandate in the most efficient manner, we have attached simple changes to Order 8900.1, Vol. 2, Ch. 11, Section 10, paragraph 2-1332.

Conclusion

Other than the suggested change to Order 8900.1 outlined in the attachment, we do not see a need to change guidance or practices to adhere to the statutory provisions relating to Title 49 USC § 44733(e).

If the agency reaches a different conclusion, we would appreciate a meeting to discuss the ramifications. The meeting would enable industry to prepare for and implement any adjustments in a timely manner.

Sincerely,

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Attachment: Current and Proposed 8900.1, Vol. 2, Ch. 11, Sec.10, Par. 2-1332, E. Language

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³ The congressional phrase “directly in charge” is used in section 121.378(b), which requires individuals given that authority to be certificated under part 65 as a mechanic or repairman. Since the airline will qualify any individuals it puts directly in charge of its heavy maintenance, the acceptance of the FAA of the foreign authority’s equivalent license or certificate for part 145 purposes does not impact the airline’s responsibility.

Attachment: Current and Proposed Changes to Order 8900.1, Vol. 2, Ch. 11, Sec. 10 Par. 2-1332, E.

(1) Current Order 8900.1, Vol. 2, Ch. 11, Sec.10, Par. 2-1332, E. Language

E. Personnel Certification. The personnel certification requirements of 14 CFR part 65 do not apply to supervisors or personnel authorized to approve an article for return to service in repair stations located outside of the United States. However, repair stations under § 145.157 must ensure personnel authorized to approve an article for return to service:

1) Have been trained in or have 18 months practical experience with the methods, techniques, practices, aids, equipment, and tools used to perform the maintenance, preventive maintenance, or alterations.

2) Are thoroughly familiar with the applicable regulations and proficient in the use of the various inspection methods, techniques, practices, aids, equipment, and tools appropriate for the work being performed and approved for return to service.

NOTE: The FAA reserves the right to interview the applicant's managers, supervisors, inspectors, and other personnel responsible for final approval for return to service.

(2) Proposed Order 8900.1, Vol. 2, Ch. 11, Sec.10, Par. 2-1332, E. Language

E. Personnel Certification. Under Title 49 U.S.C. 44733(i) the personnel certification requirements of 14 CFR part 65 subparts [D](#) and [E](#) may have to be applied to supervisors and personnel authorized to approve an article for return to service in repair stations located outside of the United States.

1) Under §§ 145.[153](#) and 145.[157](#) foreign repair station personnel assigned supervisory duties and those authorized to approve the repair station's work for return to service must hold an appropriate certificate from either a foreign aviation authority that adheres to the ICAO Annex 6 requirements for certifying or licensing maintenance personnel or from the FAA.

If the individual does not hold a certificate from a foreign aviation authority that adheres to the ICAO Annex 6 qualification requirements for issuance of certificates or licenses to maintenance personnel, individuals must have the qualifications to obtain a certificate under part 65, subparts D or E.

2) To qualify for a repairman certificate:

Supervisory personnel must have been trained in or have 18 months practical experience with the methods, techniques, practices, aids, equipment, and tools used to perform the maintenance, preventive maintenance, or alterations.

Personnel authorized to approve repair station work for return to service must be:

- Trained in or have 18 months practical experience with the methods, techniques, practices, aids, equipment, and tools used to perform the maintenance, preventive maintenance, or alterations and
- Thoroughly familiar with the applicable regulations and
- Proficient in the use of the various inspection methods, techniques, practices, aids, equipment, and tools appropriate for the work being performed and approved for return to service

The information establishing the experience and training can be used by the individuals and the foreign repair station to obtain a repairman certificate under part 65, subpart E.

NOTE: The FAA reserves the right to interview the applicant's personnel responsible for supervising or final approval for return to service.