

## CHAPTER 2. ISSUE SFAR 36 AUTHORIZATION

### SECTION 1. BACKGROUND

#### 1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

*A. Maintenance: 3347*

*B. Avionics: 5347*

**3. OBJECTIVE.** This chapter provides guidance for evaluating and issuing a Special Federal Aviation Regulation (SFAR) 36 authorization.

**5. GENERAL.** Title 14 of the Code of Federal Regulations (14 CFR) parts 121 and 145, §§ 121.379(b) and 145.51 (§ 145.201 after October 3, 2003) state that major repairs and major alterations must be accomplished according to technical data approved by the Administrator. SFAR 36 permits certain part 121 and 145 operators and commercial operators to develop their own technical data for performing major repairs on aircraft, airframes, engines, propellers, and/or appliances when approved data does not exist.

*A.* The applicant for an SFAR 36 authorization must submit a written application to the Flight Standards District Office (FSDO) in the area where the applicant is located. The applicant is required to submit for approval:

- A cover letter stating the authority requested under the applicable regulations and limitations for the authorization that include the products on which the authorization will be used. The cover letter must also contain a brief statement as to the applicant's eligibility in accordance with applicable regulations
- FAA Form 8100-8, DOA, DAS, SFAR 36 Statement of Qualifications
- A detailed description of how the eligibility and qualification requirements are satisfied as defined in paragraph 3-2 of FAA Order 8100.9, DAS, DOA, and SFAR 36 Authorization Procedures; also, a description of how the specific eligibility requirements are satisfied as defined in chapter 6 of

Order 8100.9 (e.g., having 14 CFR parts 121 and 145)

- The resume of the authorization holder's administrators, as outlined in paragraph 3-7a of Order 8100.9
- A list of the proposed Authorized Representatives (ARs) and their associated resumes determining their experience and qualifications
- A procedures manual that includes the contents required by paragraph 3-8 of Order 8100.9, and the specific details as outlined in the Procedures Manual example in appendix 2 of that order

*B.* An applicant's eligibility for an SFAR 36 authorization is determined by an Evaluation Panel (EP) comprised of personnel from the FSDO and the Aircraft Certification Office (ACO). Responsibility for the issuance of an SFAR 36 authorization is shared jointly by the ACO and the FSDO. The ACO is also responsible for approving the applicant's SFAR 36 procedures manual.

*C.* An authorization issued under SFAR 36 applies only to products covered by the applicant's:

- Repair station rating
- Operations specifications (OpSpecs)
- Certificate
- Maintenance manual

*D.* Once approved, the SFAR 36 authorization is not transferable.

#### 7. MAINTAINING ELIGIBILITY.

*A.* To maintain eligibility, each holder of an SFAR 36 authorization must continue to meet the requirements for issuance of the authorization.

*B.* The authorization holder must notify the Administrator within 48 hours of any changes

(including a change of personnel) that could affect the holder's ability to meet these requirements.

C. The authorization holder's facilities, records, items being repaired, and completed work will be made available for surveillance by the Administrator.

D. Each authorization issued under SFAR 36 is effective from the date of issuance until it is surrendered or until the Administrator suspends, revokes, or otherwise terminates the authorization.

## 9. DATA REVIEW AND SERVICE EXPERIENCE.

### A. Investigating Defects.

(1) The authorization holder, upon notification by the Administrator, must investigate defects under the following circumstances:

- If the Administrator finds that a product for which repair data was developed under an SFAR 36 does not meet the applicable airworthiness requirements
- If an unsafe feature or characteristic caused by a defective repair exists

(2) The authorization holder will report to the Administrator the results of the investigation and any corrective action either taken or proposed.

B. *Corrective Action.* If corrective action by the user of the repaired item is necessary, the authorization holder must submit information necessary for the issuance of an Airworthiness Directive under 14 CFR part 39 to the FSDO. The FSDO will forward this information to the ACO responsible for the SFAR 36 Authorization.

## SECTION 2. PROCEDURES

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

#### A. Prerequisites:

- Knowledge of the regulatory requirements of SFAR 36 and 14 CFR parts 121, 135, or 145, as applicable
- Successful completion of the General/Air Carrier Airworthiness Safety Inspectors Indoctrination course

*B. Coordination.* This task requires coordination between the FSDO and the ACO to develop an Organization Management Team (OMT). Coordination may also be required with the Aircraft Evaluation Group (AEG).

### 3. REFERENCES, FORMS, AND JOB AIDS.

#### A. References (current editions):

- Title 14 CFR, parts 39, 43, 121, 135, and 145 and SFAR 36
- FAA Order 8100.9, DAS, DOA, and SFAR 36 Authorization Procedures
- FAA Order 8300.10, volume 2, chapter 162, Procedures for Certificating Part 145 Repair Stations/Satellites located within U.S. Territories, and chapter 221, Conduct Evaluation of Operator/Applicant's Maintenance Facility

#### B. Forms:

- FAA Form 8100-8, DOA, DAS, SFAR 36 Statement of Qualifications

#### C. Job Aids:

- FAA Order 8100.9, appendix 2, Sample DAS, DOA, SFAR 36 Procedures Manual; and appendix 5, Technical Evaluation Procedures and Criteria

### 5. PROCEDURES.

*A.* Conduct a preapplication meeting with the applicant and inform the applicant of SFAR 36 authorization's requirements.

#### *B. Receive the Formal Application.*

- Receive letter of application, FAA Form 8100-8, AR resumes, and SFAR 36 procedures manual

- Notify the ACO and create an EP

*C. Review the Application.* Ensure the application contains the following information:

- The repair station certificate number, if applicable
- The current ratings covered by the certificate, if applicable
- A copy of the repair station's OpSpecs, if applicable
- The air carrier certificate number held by the applicant, if applicable
- The products that the applicant may maintain under an air carrier certificate
- A list of the proposed staff and their associated resumes
- A resume for the authorization holder's administrator

*D. Review the SFAR 36 Procedures Manual.* Ensure that the applicant's procedures manual contains at least the following:

- Cover page with signature blocks for the FAA and authorization holder's administrator
- Table of Contents
- Log of Revisions
- List of Effective Pages (optional if manual is reprinted and paginated at each revision)
- Description of how to process changes to the manual
- Limitation of the authorization specifically identifying the product models and project types authorized
- Description of the authorization holder's facilities
- Listing of ARs and their authorized functions and forms authorized to sign. The listing must include names, signatures, and impression stamps, if appropriate (the listing may be maintained as a separate file)
- Description of the procedures used in performing authorized functions
- Sample forms and instructions for their use
- Selection criteria for appointing ARs, with procedures for expanding an AR's authority and the development of new ARs

- Recordkeeping requirements
- List of required training and procedures for maintaining training records
- Process for revising the procedures manual and obtaining FAA approval of the revisions
- Requirement that changes requiring approval will be defined in the manual
- Limitation that prior to approval of the changes, the organization may continue to perform only those functions not affected by the change
- Self-evaluation procedures

**NOTE: The manual must be reviewed by both the ACO and FSDO and be approved by the ACO.**

*E. Inspect the Applicant's Facility.* Determine if the applicant has the capability to meet the regulatory requirements of the authorization sought. See the following related tasks:

- FAA Order 8300.10, volume 2, chapters 162 and 221

- FAA Order 8100.9

*F. Inspect the Applicant's Operating Manual.* Ensure that the applicant's operating manual contains references that direct the reader to the SFAR 36 procedures manual in the operator's manual system.

*G. Debrief Applicant.* Brief applicant on inspection findings and discuss how to resolve deficiencies.

## 7. TASK OUTCOMES.

*A. File PTRS Data Sheet.*

*B.* Completion of this task will result in one of the following:

- A letter denying the authorization and listing the reasons for denial
- A letter approving the authorization

*C.* FSDO and ACO form an OMT to oversee the authorization holder.

*D. Document Task.* File all supporting paperwork in the applicant's office file.

**9. FUTURE ACTIVITIES.** Normal surveillance.