

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.528

National Policy

Effective Date:
11/4/19

Cancellation Date:
11/4/20

SUBJ: Master Minimum Equipment List and Minimum Equipment List Relief for Items Installed by Supplemental Type Certificates

1. Purpose of This Notice. This notice updates policy associated with Master Minimum Equipment List (MMEL) Policy Letter (PL)-109, Supplemental Type Certificate (STC) MMEL Relief Process.

2. Audience. The primary audience for this notice is aviation safety inspectors (ASI) assigned to the Aircraft Evaluation Groups (AEG) and ASIs in Flight Standards District Offices (FSDO), International Field Offices (IFO), and certificate management offices (CMO) with oversight responsibility of an aircraft operator's minimum equipment list(s) (MEL). The secondary audience includes the Safety Standards and Foundational Business offices.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management Systems (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the Federal Aviation Administration's (FAA) website at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Definitions. The following terms are used in this notice as such:

a. Operator. Refers to those certificate holders, program managers, foreign air carriers, and aircraft owners utilizing an MMEL or MEL and conducting aircraft operations under Title 14 of the Code of Federal Regulations (14 CFR) parts 91, 91 subpart K (part 91K), 121, 125, 129, and 135, unless otherwise specified.

b. Item. Refers to both instrument and equipment items, as applicable.

5. Background.

a. General. During the spring of 2018, the FAA discovered that misapplications occurred of MMEL PL-109 and FAA Order 8900.1, Volume 4, Chapter 4, Section 2, MEL Requirements for 14 CFR Parts 91, 137, and 142 Operations, and Section 3, MEL Requirements for 14 CFR Parts 91 Subpart K (Part 91K), 121, 125, 125 LODA, 129, and 135 Operations: large numbers of operators were exercising MEL relief for STC components unevaluated by the AEG through the

Flight Operations Evaluation Board (FOEB) process. This issue has gone undetected for a significant amount of time, affecting numerous STCs.

b. Policy Deviation Memorandum. To rectify this matter, the FAA issued a policy deviation memorandum to Safety Assurance offices, dated April 30, 2018. This policy deviation has been extended twice: on October 19, 2018, and May 1, 2019. These policy deviation memorandums may be found in FSIMS under “Publications—FS Policy Deviation Memorandums.” This policy deviation memorandum and subsequent extensions required Safety Assurance offices to request that the airline/operator provide a complete listing of all STCs that have not been evaluated for MMEL relief in accordance with the process stated in PL-109. During this process, operators were authorized to continue exercising MEL relief for their unevaluated STCs, provided they complied with the requests from their principal inspectors (PI), as directed by the policy deviation memorandum.

c. Processing of Unevaluated STCs. Safety Assurance offices are working with AEG offices to evaluate each unevaluated STC for MMEL/MEL relief. Once the evaluation is completed, relief may be granted via a letter from the AEG to the operator, or the MMEL may be amended to include the specific STC(s). The operator’s MEL may then be amended in accordance with the normal revision process. If at any time during the deviation period a PI recognizes a safety hazard presented by existing MEL relief for an STC that has not yet been evaluated by the FOEB, the PI should take immediate action to remove such relief pending FOEB evaluation. AEG offices have also been granted a deviation from certain aspects of Order 8900.1 policy as well, which will help to facilitate the process to evaluate these unevaluated STCs.

6. Discussion. The aircraft manufacturer determines the configuration of the aircraft, the items installed, and the official parts listed during the initial aircraft type certification process conducted at the time of manufacture. Any subsequent installation or removal of items may only be accomplished through an STC, an Engineering Order, or other FAA-approved/accepted data (as appropriate). An STC is the FAA’s approval of a major change in the type design of a previously type-certificated (TC) product.

a. MEL Relief. Part 91, §§ 91.213 and 91.1115; part 121, § 121.628; part 125, § 125.201; part 129, § 129.14(b); and part 135, § 135.179, in pertinent parts, allows for the continued operation of an aircraft with inoperable items installed through the use of an FAA-approved MEL. The AEG must evaluate all STC applicant/holder requests for MMEL/MEL relief, which normally occurs during the STC certification process when requested by the STC applicant.

b. Nonessential Equipment and Furnishings (NEF) and Administrative Control Items (ACI). Items listed on an operator’s NEF program are excluded from these requirements. For ACIs, relief is listed elsewhere in the operator’s manual system, and they are also excluded from these requirements.

c. MMEL PL-109. MMEL PL-109 is being amended to update the policy concerning MMEL/MEL relief for STCs and/or items installed via STC. Operators may not add items installed via STC into their MELs, nor may they exercise MEL relief for items installed via STC, until that item has been evaluated by the AEG and relief is granted.

(1) MEL relief for items installed or removed through methods other than STC that affect the aircraft's existing TC must also be coordinated through the AEG and the FOEB process before relief is exercised.

(2) Inspectors can access the PL through FSIMS at <http://fsims.avs.faa.gov>. Operators can access the PL through the public FSIMS website at <http://fsims.faa.gov>.

7. STC Relief Process. The STC applicant/holder is the point of contact (POC) for all matters regarding relief for their STC(s). Operators desiring MEL relief must consult directly with the STC applicant/holder for such relief. For surrendered or abandoned STCs, an operator may be eligible to be a qualified applicant and act in place of the STC holder.

a. STC Certification. If MMEL/MEL relief is desired, the STC applicant involved in the certification of an STC will submit a request for MMEL/MEL relief to the AEG for evaluation in accordance with the FOEB MMEL agenda coordination process (refer to Order 8900.1, Volume 8, Chapter 2, Section 3, Flight Operations Evaluation Board; and the current edition of Advisory Circular (AC) 21-40, Guide for Obtaining a Supplemental Type Certificate). This submission should be made early in the certification process to allow MMEL/MEL evaluation *concurrent* with the certification process. If an STC applicant does not submit a request for MMEL/MEL relief during the certification process, the STC, and/or items installed via the STC, will not be a candidate or be considered for MMEL/MEL relief until an evaluation has been conducted by the AEG upon request by the STC holder. An operator may not submit a request for MMEL/MEL relief on behalf of the STC applicant.

b. STCs Previously Certified. STCs certified before this amended policy existed may be granted relief by request from the STC holder to the AEG for evaluation. STC holders should refer to Order 8900.1, Volume 8, Chapter 2, Section 3 for additional information on this process and submission criteria. STCs already listed by STC number in the applicable aircraft MMEL may be added to operator's MEL through the normal revision process without further AEG evaluation. However, a PI may coordinate with the AEG during this process, as needed.

c. FOEB Process. The FOEB process is a formal process to evaluate matters concerning all relief granted by the FAA regardless if it is through an original TC, amended TC, or STC (refer to Order 8900.1, Volume 8, Chapter 2, Section 3). The FAA intends to update existing Order 8900.1 FOEB policy to be inclusive of all relief granted by the FAA to include original TC, amended TC, and STC relief projects that may be granted in an Original Equipment Manufacturer (OEM) MMEL or via STC relief document.

d. AEG Approval Letter. If the requested relief is granted, the AEG will submit an approval letter directly to FSIMS. FAA personnel may access these approval letters via FSIMS under "Publications—STC Relief Approval Letters." Non-FAA employees may access these approval letters at <http://fsims.faa.gov/PICResults.aspx?mode=Publication&doctype=STCReliefAppLetter>. The approval letter will contain the allowed relief, including conditions and provisos, along with remarks or exceptions. Approval letters will have a revision number and date and an expiration date. Operators may amend their MEL(s) with the relief for the STC(s) in accordance with the AEG approval letter through the normal MEL revision process. Paper copies of the AEG approval letter are also acceptable in lieu of the FSIMS database.

e. Relief Not Supported by STC Applicants/holders.

(1) STC Applicants/holders. STCs held by applicants/holders that do not support relief for their STC(s) will not be candidates or be considered for MMEL/MEL relief, irrespective of the operator's desire. Operators cannot act on behalf of an active STC applicant/holder in such cases.

(2) Surrendered or Abandoned STCs. An STC that has been surrendered or abandoned by the STC holder may be a candidate for MMEL/MEL relief on a case-by-case basis. In such instances, a qualified applicant may act in the place of the STC holder regarding the process to gain MMEL/MEL relief for the STC(s). A qualified applicant is an individual or organization that can act on behalf of the STC holder for matters when an STC is considered abandoned or surrendered.

(a) Operators with data that can support the FOEB process regarding the STC may be considered as a qualified applicant upon request to the appropriate AEG office. In such cases, if MEL relief is approved for the STC(s), and/or items installed via the STC(s), the approval letter(s) will be issued only to the qualified applicant.

(b) Other operators desiring the same relief extended to the qualified applicant need to produce like data and be considered a qualified applicant on their own behalf. Relief in these cases would only be issued to the qualified applicant and exercised only by that applicant/operator/organization (i.e., it cannot be shared by other operators/organizations without producing similar data).

(c) The qualified applicant process is not applicable for operators desiring relief for STCs where the STC applicant/holder is still active but does not support such relief. Please refer to the current edition of FAA Order 8110.120, Processing Surrendered, Abandoned, and Historical Aircraft Type Certificates, for additional information on surrendered or abandoned STCs.

8. MMEL PLs—Global Change (GC) Designation. A GC is newly developed or changed MMEL relief for an item which may or may not be time-sensitive. The sole purpose of a GC designation is to allow operators to obtain timely MEL relief for installed items referenced in an MMEL PL prior to the release of a revised MMEL. GCs may be used to provide immediate relief for items required by a new regulatory requirement, policy change, or new technology.

a. Approval Authority. The Principal Operations Inspector (POI) has the authority to approve the operator's MEL revision on the basis that the GC is an approved addendum to the existing MMEL. The POI should contact the FOEB Chair prior to updating the MEL if there is a concern about the applicability of the GC for that specific aircraft.

b. Requesting Relief. Operators wishing to add relief into their MEL(s) for an STC through a GC need not have an approval letter from the AEG for each STC to be added. However, upon AEG evaluation of the item, operators may have to amend or remove previously approved relief in their MEL(s). Refer to Order 8900.1, Volume 4, Chapter 4, Section 3 for additional information on GC.

9. Action for AEG Inspectors. AEG inspectors currently evaluating STC relief requests in accordance with the Flight Standards Service (FS) policy deviation memorandum, dated August 31, 2018, will apply this guidance immediately to the STC evaluation process. Approval letters for MMEL/MEL relief should now be forwarded for uploading to FSIMS or to the qualified applicant versus the operator. Where a conflict occurs between the FS policy deviation memorandum and this notice, the policy in this notice takes precedence. After January 1, 2020, requests for STC relief from organizations other than the STC applicant/holder shall be returned without further action, unless that organization can be considered a qualified applicant. AEG inspectors may expect the items in the STC applicant's/holder's (or qualified applicant's) submission package to meet or exceed the requirements listed in Order 8900.1, Volume 8, Chapter 2, Section 3, Paragraph 8-67, The FOEB Process.

10. Action for PIs. PIs who are currently working with their operators regarding the FS policy deviation memorandum dated April 30, 2018 (and extended on May 1, 2019) will use this guidance immediately when approving operators' MELs. PIs inspecting, reviewing, and approving operator MELs will use this guidance when relief for an item installed via STC is proposed or exercised by the operator. Except for the allowance made through the latest policy deviation extension memorandum, dated May 1, 2019, POIs may not approve an operator's MEL containing relief for items installed via STC unless that relief is in accordance with this notice.

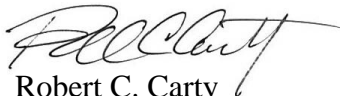
a. Relief for STCs. Relief for an STC or for an item installed via STC may only be added to an operator's MEL when:

(1) That STC is listed in the applicable aircraft's MMEL, or

(2) An approval letter from the AEG is present in FSIMS (or paper copy) for the specific STC.

b. Unevaluated STCs. In accordance with the FS policy deviation memorandum dated May 1, 2019, PIs may continue to allow operators to exercise relief for unevaluated STCs if the action items contained in the memorandum were properly completed. Where a conflict occurs between the FS policy deviation memorandum and this notice, the policy in this notice takes precedence.

11. Disposition. We will incorporate the information in this notice into Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the Air Transportation Division at 202-267-8166.



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