

**Notice 8900.103 Appendix A
Common Questions and Guidance**

Question 1: Are the FAA’s EMP on-site audits and surveillance required if a listed EMP is not doing any Essential Maintenance work for the air carrier?

Guidance: *An air carrier is required to accomplish an on-site audit of an EMP before adding that EMP to the list. Follow-on FAA EMP surveillance requirements are based on the ATOS risk-based surveillance process. If an air carrier qualifies an EMP but never uses that EMP for any work, a risk-based surveillance requirement would be minimal or not required as the probability part of the risk assessment would be low or non-existent. Nonetheless, you should ensure that the air carrier has a process or other means to determine that its EMPs remain qualified to accomplish Essential Maintenance, even if no work is being assigned to that EMP. In any case, the three year interval for accomplishing a 1.3.7 EPI still applies for a maintenance provider that is listed, but not used by the air carrier.*

Question 2: How am I notified when the air carrier adds a maintenance provider to its list?

Guidance: *Notification should occur through the provisions of 14 CFR § 121.369(a), the air carrier must keep in its manual, a list of other persons with whom it has arranged for the performance of any required inspections, maintenance, preventive maintenance, or alterations.*

Additionally, notification should occur through the provisions of 14 CFR § 121.137, where the air carrier must furnish you with all changes and additions to its manual, including changes or additions to its list of other persons doing maintenance, etc.

Question 3: How does an air carrier accomplish a Required Inspection Item (RII) EMP authorization for a one-time only event?

Guidance: *An RII relates directly to flight safety and as such, a one-time RII EMP authorization must be accomplished under exactly the same process as an authorization for a continuing use. The “one time” authorization is exactly that. If an air carrier makes an authorization due to unscheduled RII requirements, it should have in their manual a process to identity repetitive usage for the same person. In addition to any D091 requirements, you should verify that their RII qualification and authorization process, including a “one-time RII authorization” demonstrates compliance with, at least, all of the following regulatory requirements.*

1. *The RII candidate is appropriately certificated (14 CFR § 121.371(a)).*

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2. *The RII candidate is properly trained and qualified for the RII (14 CFR § 121.371(a)). An FAA Mechanic's Certificate with airframe and/or power plant ratings, by itself, does not demonstrate that an individual is properly trained and qualified to accomplish RII work.*
3. *The RII candidate is covered by a training program that ensures that the RII candidate is fully informed about RII procedures and techniques and new equipment in use and is competent to perform RII duties. 14 CFR § 121.375*
4. *The RII inspector will be under the supervision and control of the inspection unit at all times when performing RII duties. When the required inspection is underway, maintenance control may not have involvement in the required inspection. 14 CFR § 121.371(b)*
5. *The RII inspector is provided with appropriate parts of the air carrier manual that the RII inspector is required to comply with. 14 CFR § 121.137*
6. *When the air carrier authorizes an RII inspector, the air carrier provides that individual with written information describing the extent of their RII responsibilities, authorities, and limitations. 14 CFR § 121.371(d)*
7. ***For "one-time" RII's use:** The air carrier's process for a "one time" authorization may not require an on-site audit to be accomplished before using the RII EMP. However, the process must meet all of the regulatory requirements for authorizing a person to accomplish the required inspection. The air carrier should have a process in their manual that identifies how it meets all of the regulations for this "one time" authorization which may be different than what would be done for a full time RII.*

Question 4: The Notice states that one-time RII authorization "must be accomplished under exactly the same process." Does this mean that if an air carrier requires class room training for "continuing use" of RII authorization that the one -time authorization for one specific RII requires class room training?

Guidance: *The air carrier should use the process they have adopted and documented in their manual for one-time RII authorization. (See question 3)*

Question 5: What is the "inspection unit" that must exercise supervision and control over the RII inspector while they are conducting the RII inspection?

Guidance: *When the EMP is conducting the RII inspection, they must be under the supervision and control of the inspection unit of the maintenance organization who is doing the*

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work. If the air carrier's maintenance organization or other maintenance organization utilizes a maintenance control unit to exercise supervision and control of the accomplishment of the Required Inspection Item (not the required inspection), then the maintenance control unit can have no involvement in the accomplishment, supervision, or control of the Required Inspection Item inspection. The required inspection functions must be organizationally separate from the other maintenance, preventive maintenance, and alteration functions of the organization. This is consistent with the RII inspection requirements of subpart L of part 121.

Question 6: My air carrier does not keep its air carrier maintenance provider list in its manual; it is in a document that the air carrier keeps separate from the manual. They do not consider it a part of their manual system. How do I keep apprised of changes/additions/deletions to the list?

Can the listing required by 121.369(a) be a stand alone list referenced in the air carrier manual? As opposed to physically being included within it.

Guidance: *An air carrier must keep the EMP and other maintenance providers listing within its manual or manual system. Most air carriers have a large number of individual manuals that comprise the air carrier manual system. It is expected that the § 121.369(a) maintenance provider listing is identified as one of those manuals, within the air carrier's manual system.*

The listing as stated in 14 CFR § 121.369(a) clearly requires an air carrier to keep a list of other persons with whom the air carrier has made arrangements for the performance of maintenance, etc in its manual.

Question 7: If an air carrier sends a component to a supplier and has it replaced with a 'new' or 'repaired part', is that considered maintenance? Does the supplier need to be on a maintenance provider list?

Guidance: *That depends on the transaction. There are two types of transactions. Both require a look at the contract between the person providing the part and the air carrier and/or looking at the bill of work that the air carrier sends along with the part to the person supplying the part. On the one hand the transaction could be a sales/receipt transaction where the air carrier sells its part to a parts broker and the air carrier buys the serviceable part from the maintenance provider. This is basic buying and selling (a sales transaction) and the end product does not involve maintenance since the air carrier is buying the part not sending it out for maintenance. The cost to the air carrier is the cost of the part, i.e., list or retail price for the part. These transactions involve persons who are not authorized to accomplish maintenance on the part. However, on the other hand, if the air carrier sends a part out for maintenance to a maintenance provider authorized to accomplish maintenance on the part, and the maintenance provider simply exchanges the received part for a serviceable one it had*

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on the shelf, it is a maintenance transaction not a sales transaction. The cost to the air carrier is the cost of the maintenance not the cost of the part itself. This is a maintenance transaction. In the first instance, the parts broker would not be listed on the maintenance provider list. The surveillance focus would be on the air carrier receiving inspection and bridging the part into the air carrier system.

In the second instance, maintenance provider would be listed on the maintenance provider list. The surveillance focus would be on the air carrier maintenance provider process for handling and repairing the part according to the air carrier program and should be treated as any other maintenance provider that does maintenance, preventive maintenance, or alterations for the air carrier.

Question 8: The maintenance provider work description categories seem to be very broad. What are the criteria for classifying work according to the categories?

Guidance: *The following are the five categories for classifying work. Keep in mind the air carrier is responsible for classifying their work into these categories, not the FAA.*

1. Aircraft maintenance:

*a. **Heavy maintenance:** Example could be, the inspection and repair of the aircraft airframe, performed at specified time intervals. These intervals are based upon the guidelines of the aircraft manufacturer, national aviation authority, Federal Aviation Administration, European Aviation Safety Agency, as further refined by the airline/operator.*

Scheduled inspections are typically based on a fixed number of flight hours. These are four levels of inspection for commercial jet aircraft, usually termed “A”, “B”, “C”, and “D” checks. A and B checks are normally considered part of line maintenance. C and D checks are classified as “heavy maintenance”.

Nowadays there is a variety of approaches to heavy maintenance. To minimize aircraft downtime and improve labor efficiency, airlines typically undertake these checks in a series of progressive inspections, and D-check tasks are often divided and included into more frequent C-level inspections. Thus, an aircraft might receive a C1, C2, C3 and C4 check in sequence over many years, eliminating the need for a full D-check.

See table 1:

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**Table 1
- EXAMPLE ONLY -
AIRFRAME HEAVY MAINTENANCE OVERVIEW**

Market	Activity	Description	Frequency	Estimated Time
Air Transport	C Check	A detailed inspection of the airframe, components and accessories; some access panels are removed. Typically, includes a portion of any applicable corrosion prevention programs	2,500 to 3,000 flight hours	72 hrs. (airlines with small fleets may require 7+ days)
	D Check	A comprehensive structural inspection and overhaul of the aircraft, intending to return it to its original condition (to the extent possible); interiors and most components are removed	20,000 to 24,000 flight hours (approx 5-8 yrs.)	30 days

This table is not meant to be all inclusive of Heavy Maintenance

*b. **Line maintenance:** includes light, regular checks that ensure the aircraft is fit for flight, trouble shooting, defect rectification, and component replacement. Aviation Maintenance Technicians diagnose and correct issues on the aircraft and carry out these checks on an ad-hoc basis or scheduled interval. Line maintenance consists of three primary activity categories: Transit checks, daily/weekly checks and A-checks. Historically, line maintenance included B-checks, which rarely exist these days.*

See table 2:

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**Table 2
- EXAMPLE ONLY -
LINE MAINTENANCE OVERVIEW**

Activity	Description	Frequency	Estimated Time
Transit Checks	<ul style="list-style-type: none"> Sometimes described as turn-around checks Consists of specific visual checks (“walk-around”), review of check log and defects, and where needed, defect rectification and trouble-shooting For long-haul operations, it will include tasks for twin-engine operation (ETOP) clearance 	Every flight cycle	1-4 labor hours
Daily/Weekly Checks	<ul style="list-style-type: none"> Sometimes described as overnight checks Also include 7/8 day checks and ¾ day checks Routine work as well as tasks specified by the maintenance planners, e.g., defect rectification, out-of-phase checks Increasingly it is also used for In-Flight Entertainment (IFE) and cabin maintenance 	Every 24 to 36 hours (occasionally 48 hours) Every 4 to 8 days	Daily: 5-10 labor hours Weekly: 10-30 labor hours
A-Checks	<ul style="list-style-type: none"> Usually conducted at a few main bases within the airline network Routine work as well as tasks specified by the maintenance planners, e.g., defect rectification, out-of-phase checks Increasingly this downtime is also used for IFE and cabin maintenance 	Regional: Between 350 to 450 Flight Hours Narrowbody & Widebody: Between 500 to 700 Flight Hours	Regional: 50-100 labor hours Narrowbody & Widebody: 100-250 labor hours

This table is not meant to be all inclusive of all Line Maintenance

2. Aircraft engines: includes off airplane maintenance of aircraft engines.
3. Propeller work: includes off airplane maintenance of propellers and propeller control components.

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4. *Components: includes off airplane maintenance of individual components.*
5. *Specialized service: includes services such as x-ray, plating, eddy current, painting, shot peening, plasma spray, composite structures maintenance, weighing, welding, etc.*

Question 9: Can a CASE audit be used as a qualifying audit for an essential maintenance provider?

Guidance: *A C.A.S.E. audit can be used for follow-up audits on essential maintenance providers if it was accomplished with in the previous 6 months and the C.A.S.E IA audit check list includes the airline specific requirements. A C.A.S.E audit may not be used as an initial audit for newly proposed essential maintenance providers.*

Question 10: What if I can't make the 10 day requirement for the manager and I to meet with all of the operator's?

Guidance: *An extension request may be made by email or letter to Kenneth Kerzner, Branch Manager AFS-330 (kenneth.kerzner@faa.gov and/or patricia.k.williams@faa.gov). You should send a cc'ed copy of the request thru your Certificate Holding District Office or Certificate Management Office.*

The request must contain the plan on how you will meet requirement and a PTRS record must be open for each operator with the date you plan on conducting the meeting. A maximum of 30 day extension will be granted in those cases.

Question 11: The PMI needs to add a maintenance provider to D091 this week to the existing D091 that the operator has issued. However, para 8 says that adding a essential maintenance provider "after the effective date of this Notice" required some things that are related to the new D091 that has not been issued yet.

Guidance: *Paragraph 8 should have said: "after the new ops spec D091 has been issued." Until the issuance of the new D091, they were still under the old system and should carry on like they have in the past, i.e., adding the maintenance provider the substantial maintenance provider listing on the D091 listing. But at the same time should start working the Table questions.*

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Question 12: Do both the PMI and PAI need to attend the meeting?

Guidance: *If possible both should plan on attending the meeting with the office manager, but if one is out on assignment or training, the individual acting on their behalf should attend and the missing principal should be briefed on the meeting upon return.*

Question 13: Are the FAA's EMP on-site audits required if a listed EMP has not done any Essential Maintenance work for the air carrier since the provider list was last revised and there are no new additions to the list?

Guidance: *Yes, the FAA is required to do on-site audits. However, if the FAA has accomplished an on-site audit of an EMP using EPI 1.3.7 during the 180 calendar days previous to the effective date of N8900.103, the requirement to accomplish an FAA initial on-site audit is waived.*

Question 14: Based on the 1.3.7 risk based surveillance, would not all the listed EMP's, which the list also includes "air carrier maintenance providers", be "grandfathered" and not have to go through any additional audits?

Guidance: *No, they would not be grandfathered. The purpose of the initial on-site audit per paragraph 6d of N8900.103 is to establish a baseline. Follow-on surveillance after the baseline is established is risk based and applies only after the baseline has been established.*

Question 15: When will 8900, Volume 3, Chapter 18, Section 6 be updated to reflect current change? As of yesterdays date, it still had the last revision of change 40, 2008.

Guidance: *The necessary changes to 8900.1 V3, Ch18, S6 as well as V6, Ch2, S40 and the guidance provided herein, will be incorporated into FAA Order 8900.1*

Question 16: It appears in table 1 of the notice that the air carrier must conduct an on-site audit of each Essential Maintenance provider on the air carrier maintenance provider list. Reading that, it also indicates that each individual listed as an "air carrier maintenance provider" must be audited. Is this correct?

Second Part, if the providers are already on the unrevised provider list as presently documented in their Ops Specs, must this additional audit be conducted?

Guidance: *First, we are unable to find a requirement mandating them to conduct an on-site audit of an individual listed as a maintenance provider who is not an EMP. However, the air*

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carrier must have a method to determine the maintenance provider has the capability to do the requested work. An air carrier's Continuing Analysis and Surveillance System (CASS) needs to address both internal and external audits. The air carrier must have procedures for its auditing process, including the scheduling of audits. Audits are intended to ensure inspection and maintenance personnel and outside maintenance providers comply with the operator's manual, program, and all applicable requirements. The audit may be on-site or some means other than an on-site audit.

Second, if the FAA has accomplished an on-site audit of an EMP using EPI 1.3.7 during the 180 calendar days previous to the effective date of N8900.103, the requirement to accomplish an on-site audit is waived.

Question 17: FAA Notice 8900.103, Table 1, Item 7: Verify that for each Essential Maintenance provider, the certificate holder has accomplished an onsite audit in accordance with its Essential Maintenance provider qualification process before it places that maintenance provider on the listing.

- a. If the air carrier has accomplished an on-site audit that conforms to the standard of item 4 of this table within the previous 180 calendar days, then air carrier's requirement to conduct an on-site audit is waived.**
- b. If an air carrier has a 2yr audit schedule, why do they need to re-audit their vendors early just because it wasn't done within 180 days. We don't have any specific prescriptive regulatory requirement for this.**

Guidance: *The regulatory requirements are 14 CFR §§119.59, 121.367, and 121.373. §121.373 is a performance-based regulation. While §121.373 does not have a specific requirement to accomplish audits, it does have an air carrier requirement to demonstrate that their maintenance providers are in compliance with §121.367 and all of the required inspection item (RII) requirements. Further guidance for the air carrier can be found in AC 120-79.*

The requirement of Item 7, of N8900.103 applies only to Essential Maintenance Providers. In addition, most air carriers will not have a large number of these particular maintenance providers.

The IG report AV-2008-090 identified a number of issues related to lax air carrier oversight of their maintenance providers. The purpose of the on site audit of an essential maintenance provider outlined in item 7 of table 1 of N8900.103 is to establish a baseline to a specific standard so that future audits will be able to identify deviations or changes to the baseline. In addition, the last thing the air carrier wants is for the FAA's follow on audit to identify

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discrepancies in the air carrier's execution of their audits. The ATOS DCT 1.3.7 has just been revised to align with this Notice .

The air carrier's essential maintenance provider audit should take into account all of the applicable regulations of part 121 that apply to a maintenance provider through §121.1(b), particularly, §§121.365, 121.367(a), and all of those regulations related to RII.

For the RII requirements part of the air carrier's audit, CQ#3 of appendix A of Notice N8900.103 can be used as a guide. Further guidance on RII can be found in AC 120-16, chapter 7.

*If there are still issues, **the air carrier can always apply for a deviation from the baseline audit requirement, but they would have to provide specific justifications for the request.** We would not consider a simple statement that an audit was accomplished a year ago as adequate justification. We would expect to see what the audit consisted of and what the findings were. In addition, if the air carrier employed an on-site technical representative at the maintenance provider, we would expect to see procedures for that individual to conduct audits and to document findings. All requests for a deviation to the baseline audit requirements should be submitted to AFS-300, Aircraft Maintenance Division through your Certificate Holding District Office.*

Question 18: A.N8900.103 Appendix A CQ#6 (1)(a) states “Heavy maintenance includes any scheduled or unscheduled maintenance that requires the airplane to be out of service for more than 72 hours”. Does this only apply to RII for essential maintenance or any type of maintenance?

B. Maintenance provider listing: how specific does the RII list need to be? Does the identification of “specific Required Inspection Items” mean a list contained within the carriers manuals (14 CFR 121.369(b) (2)) or does it need to include all individual tasks contained in their maintenance schedule which could be up to 1000 tasks?

**Guidance: A. No, the items listed in question 6, and on the ops specs D091 are work descriptions for all maintenance providers. If a maintenance provider accomplishes essential maintenance, they must be identified as such within any one or more of the work descriptions.*

B. Each EMP listing must contain the Required Inspection Item or fleet/equipment type, as applicable in the air carrier RII policy that each EMP is authorized to accomplish.

Question 19: These relate to OpSpec D091(d): (a) Is the definition for Essential Maintenance in the second sentence, limited to 14 CFR 121.369. (b) Does the definition of Essential Maintenance include accomplishment of task procedures that include RII as well

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as the inspection of the RII task? (c) Can the definition of Essential Maintenance be clarified? Is it the performance of a task that has been identified as RII or is it the performance of the required inspection item (RII) itself. Or both? (Ref. Notice 8900.103 pg. 2 Para.

Guidance: *An Essential Maintenance Provider is anyone who is used by the air carrier to accomplish the inspection that the air carrier has designated as a required inspection item on wing. It does not include the actual maintenance that requires the RII.*

Question 20: There relate to D091(e)(1) The first sentence contradicts the second sentence when referring to the on-site audit. First sentence states “the certificate holder shall demonstrate, through an on-site audit or by some other means in accordance with 14 CFR § 121.373(a), that the maintenance provider has an adequate organization, adequate facilities and equipment, competent personnel and is capable of performing the work that is consistent with the requirements of 14 CFR § 121.367.” The second sentence states “The certificate holder shall make a determination that is based on a risk assessment of whether to accomplish an on-site audit of the maintenance provider.” The first sentence makes the audit mandatory where the second sentence makes the audit discretionary based on the risk assessment.

Guidance: *The first sentence describes the air carrier’s demonstration of their maintenance provider’s compliance with the requirements of 14 CFR § 121.367 by an on-site audit or some other means. This is consistent with the requirements of 14 CFR § 121.373. The first sentence expresses two options. One option is an on-site audit. Another option is by some means other than an on-site audit.*

The second sentence requires the use of a risk assessment to determine whether to use option one or option two.

Question 21: Relates to OpSpec D091(g) This paragraph states, “If the certificate holder authorizes changes to the *Essential Maintenance* work that an existing Essential Maintenance provider will perform, and that change requires a change in the work description category, then the certificate holder shall accomplish another on-site audit that meets the requirements of paragraph e above.” N8900.103 Appendix A, page A-3, CQ#6 provides the types of categories. Can the category “Aircraft Maintenance” be inclusive of the other four categories (i.e. NDT)?

Guidance: *The simple answer is NO. Each maintenance provider should be put under the appropriate category.*

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Question 22: Relates to OpSpec, D091(h) Define the maintenance providers' authorization to accomplish work. For example: is the general description of work that is identified in the five categories enough to identify the maintenance providers' authorization to accomplish work?

Guidance: *No. Each maintenance provider listing should include a general description of the work per the five categories, including the type of aircraft, i.e., B767, A320, E170, etc. RII authority should list the particular Required Inspection Items the EMP that is authorized.*

Question 23: FAA Order 8900.1, Volume 3, Chapter 18, Section 6, does not contain adequate guidance for the incorporation of N8900.102 and N8900.103. For example; currently the air operator must provide a Quarterly Utilization Report (QUR) of work performed by substantial maintenance providers. Will this still be required during this transition to the new Operations Specification paragraph D091.

Guidance: *FAA Order 8900.1 is in revision and will incorporate the information in Notices 8900.102 & 103. A notice has also been written to discontinue the QUR reporting.*

Question 24: On page 2, N8900.103, it states in the definition of Essential Maintenance the following--"Essential Maintenance does not encompass any off-wing maintenance." Yet in appendix A, page A-3, Question #7 description of classifying work according to categories, it states that aircraft engines, propeller work, and components, includes off airplane maintenance of those items. The question is what is the definition of Essential maintenance now? The notice seems to contradict itself.

Guidance: *There is no contradiction. The sentence "Essential Maintenance does not encompass any off-wing maintenance." page 2 of the Notice 8900.103 addresses essential maintenance. Question 6 of that same notice addresses work descriptions in general, not essential maintenance.*

Question 25: Are the guidelines for the Air Carriers audit of an essential maintenance provider to include RII qualification for the entity or RII qualification for individual personnel employed by the provider or both? Also, if the Air Carrier supplies their own personnel to perform the RII functions at the maintenance provider are they still considered an Essential Maintenance provider?

Guidance: *RII qualification requirements apply to both the entity, if there is one, as well as the individual who actually carries out the required inspection. For the second part of the question please refer to Question 19.*

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Question 26: Many of the maintenance providers now required to be entered into the Outsourced Maintenance Prioritization Tool (OPT) have never been entered before. Our initial attempt at entering many of these Essential Maintenance Providers failed in that the current field inputs of the OPT are not tailored to meet the new definition of Essential Maintenance Providers. An example would be: “How do we enter an Essential Maintenance Provider into the OPT such as an A&P Mechanic at a line stations authorized RII or another airline.” The OPT was designed to support only Certificated Repair Stations and is linked to the SPAS RSAM.

Guidance: *The Oversight Prioritization Tool (OPT) has data fields to capture this information. The fields accept names, numbers, and other characters. Please see instructions below.*

Question 27: Will new tracking tools be developed in ATOS to facilitate the 3-year repetitive inspection?

Guidance: *Yes, revisions are being made to the automation tools.*

Question 28: Will the initial 3-year repetitive inspection be extended so that mass inspections are not being accomplished within a short period rather than staggered throughout the inspection cycle?

Guidance: *The need to adjust the 3 year requirement has not been discussed. After reviewing data and circumstances, this could be revisited. The air carrier should be permitted a measure of flexibility to address all inspections coming due at once.*

Question 29: The inspection cycle required by the Notice is not consistent with the Risk Based EPI 1.3.7 Requirement of ATOS. There is currently no mechanism to determine 100% inspection cycle across 3-years for only essential maintenance providers.

Guidance: *See number 27, above. In the interim, you can use a spreadsheet to track the information, or even track them in SPAS. (Use flags associated with each as a reminder that inspection dates are coming due. The tracking could be structured as the Air Personnel are currently tracked in SPAS.)*

Question 30: Currently when scheduling or recording EPI 1.3.7 inspections, the ATOS Automation requires the entry of a repair station designator. The new definition of Essential Maintenance Providers will include non-CRS organizations. Will the ATOS

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automation be updated to allow data entry of these organizations (i.e. A&P's, corporations employing A&P's, other airlines contracted to perform maintenance)?

Guidance: *The ATOS automation addresses this in EPI 1.3.7.
See details of question 1.1 below.*

<i>If the maintenance provider does not hold an FAA repair station certificate, answer this "yes", and enter the business or person's name in the comments field, exactly as listed on the air carrier maintenance provider list. Also enter any other certificate they hold such as airframe and powerplant or foreign repair station.</i>

Note(s): <i>If the maintenance provider holds an FAA repair station certificate, enter "Not Applicable", and verify the repair station certificate number is entered in the ATOS Certificated Repair Station identifier field located in the "Start" section of this activity. Answer this question either "Yes" or "Not Applicable", do not use "NO" or "Not Observed".</i>
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Kind Of Question: Flag, Supplemental, Domestic
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Question 31: Current OpSpec paragraph D091 Substantial Maintenance Provider listing includes engine, APU, flight control overhaul, and emergency equipment repair stations and authorized organizations. The new "Essential maintenance" will not apply to these repair stations and organizations that complete these functions for the operator. Will these organizations be exempt from the 3 year surveillance requirement?

Guidance: *The hard 3 year on-site audit interval applied to all EMP is not normally applied to the other maintenance providers. However, we expect the air carrier to apply its normal risk based process to determine the audit, on-site or otherwise, to determine the interval for those maintenance providers.*

Question 32: Will they be exempt from entry into the Outsource Prioritization Tool (OPT)?

Guidance: *No*

Question 33: Will the OPT be modified to accept non-certificated entities and certificated individuals? The OPT currently accepts these entities and individuals.

Guidance: *See the guidance provided for in question 26.*

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Question 34: Will EPI 1.3.7 be revised to include additional audit guidance for the new Essential Maintenance requirements? If so, how can “grandfathered” Essential Maintenance provider audits be allowed with non-current guidance?

Guidance: *EPI 1.3.7 has been revised to incorporate the information in N8900.102 and N8900.103.*

Question 35: Since Essential Maintenance is only on-wing maintenance is splitting an Engine Case considered an RII requirement?

Guidance: *No, splitting an engine case is not Essential Maintenance unless the air carrier has designated that item of maintenance as an item that must be inspected (required inspection) when the engine is still installed on the airplane.*

Question 36: Paragraph (e) 2 mentions “unexpected requirement” for unscheduled maintenance, would this encompass a diversion NOT along the certificate holders route and if so, does the quoted 14 CFR section 121.105 apply and please provide an interpretation?

Guidance: *Unscheduled maintenance is unscheduled maintenance wherever it occurs. If a requirement for unscheduled maintenance occurs as a result of a diversion, the FAA expects each certificated air carrier to have demonstrated that it has competent personnel and adequate facilities and equipment (including spare parts, supplies, and materials) available to address instances of unscheduled maintenance at a diversion airport. A diversion airport(s) is required to be identified in each air carrier flight plan. As such, each diversion airport so identified is considered to be along the air carrier’s approved route. Further, if a domestic/flag air carrier is operating off its approved routes, it must operate under the applicable supplemental rules and demonstrate compliance with § 121.123 with regard to competent personnel and adequate facilities and equipment (including spare parts, supplies, and materials). Further guidance may be found for “one-time” RII’s in question 3, guidance for question# 3*

Question 37: Concerning (D091) paragraph (f) and (h), how is an operator required to communicate the capabilities of their Essential Maintenance providers to those providers? In other words, how will the provider know they are on the operators list?

Guidance: *Maintenance providers know they are on the operators list because the certificate holder is obligated to advise them of that status. A certificate holder communicates the*

The following apply: ** New Question *Revision since last version.

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capabilities for their Essential Maintenance Providers in the manner outlined in their manual. 14 CFR §§ 119.43 and 121.137 apply in this case.

Question 38: If we understand Appendix A, question 3 correctly, there is no "one-time RII approval" for grounded aircraft. All the same requirements apply as for a continuing authorization. An on-site audit, RII list update, training and qualification, are all required, correct?

Guidance: *Guidance may be found for "one-time" RII's in question# 3.*

Question 39: Does Essential Maintenance include the accomplishment of the physical (maintenance) task or the Inspection function (RII) only, or BOTH?

Guidance: *Essential Maintenance is the accomplishment of the Required Inspection Item. See question 19.*

Question 40: Will the operator need a control in place if the FAA fails to meet the 180 day audit requirement?

Guidance: *No.*

Question 41: What about "on-call" Line Maintenance providers that perform occasional essential maintenance, must they be listed (if individual only, not a company) in the required essential maintenance provider manual?

Guidance: *Any maintenance provider who accomplishes essential maintenance for the air carrier certificate holder must be listed in the maintenance provider listing. Ref.: 14 CFR 121.369(a), Operations Specifications paragraph D091(h). Further guidance may be found for "one-time" RII's in question 3, guidance.*

Question 42: If operator has a contract with one provider that has multiple (service) locations, does each location (address) have to be listed in the required essential maintenance provider manual?

Guidance: *Yes, this is the only way that the FAA will be aware of the type and location of maintenance, preventive maintenance, or alteration activities that are being accomplished by maintenance providers. It also follows that the certificate holder will have documentation*

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regarding the type and location of its maintenance providers so that it may accomplish the appropriate oversight requirements of § 121.373.

Question 43: How does this new guidance affect 8900.1 Volume 3, Chapter 42, Section 1? This section defines Substantial Maintenance, and references the D091 Ops Spec. Does this section become obsolete?

Guidance: *8900.1 Volume 3, Chapter 42, Section 1 is being revised to incorporate the information in N8900.102 and N8900.103 and this appendix.*

Question 44: Is painting of aircraft that takes longer than 72 hours considered heavy maintenance?

Guidance: *See question 8, guidance for the revised example of “Heavy Maintenance”.*

Question 45: Are subcontracted touch labor that works and signs under the air carrier certificate a maintenance provider?

Guidance: *The basic regulation that drives all of this is 14 CFR §121.373 which requires a system (CASS) for the continuing analysis and surveillance of the performance and effectiveness of an air carrier’s maintenance program whether or not the program is carried out by the air carrier or through an arrangement with another person. Generally the following should be applied.*

- *They are hired for labor only and are trained, qualified and authorized in accordance with the airlines procedures.*
- *The airline provides the facilities, parts, tooling, equipment, manuals and other necessary element as required by the airline’s manual and*
- *They get the required audits as documented in the airline’s CASS.*

It is the air carrier’s responsibility to define what they consider an employee to be.

Question 46: There is no mention of a contract, verbal or written, included as a requirement in the definition to distinguish between an employee or vendor/contractor. Does a mechanic hired by the airline as an employee not qualify as a maintenance provider?

Guidance: *See question 45.*

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Question 47: N8900. 103 Appendix A Changes the definition of Heavy Maintenance (which has normally been identified as a “C” check or higher) which is contrary to all other FAA guidance and industry standards. Is the definition of Heavy Maintenance now “any maintenance that is scheduled or unscheduled that requires the airplane to be out of service for more than 72 hours.” For example; if a Navigation light that needs repairing takes more than 72 hours because they are tracking down a potential broken wire, is that considered “Heavy Maintenance?”

Guidance: *The example of “heavy maintenance has been corrected; see the guidance provided in question 8.*

Question 48: The new D91 will be contrary to the 8900.1 vol.3 chapter 55 and chapter 42; 8900.1 vol. 6 chapter 9 changing the Substantial Maintenance to Essential Maintenance. In these excerpts from the 8900, Essential Maintenance has not been addressed. It only refers to “substantial maintenance”, which is now no longer recognized. When are the changes to the 8900.1 expected to be completed?

Guidance: *These changes are being done and are in the publishing process.*

Question 49: Significant impact requiring change to the Company manuals to change “Vendor” to “Maintenance Providers” and all process/procedures related to this change. It has been industry standard and culture. Although there is no requirement in the Notice to make manual changes; the Operator is required by 14 CFR Part 121 to have the correct nomenclature in their manual system to address certain policies and procedures related to D-091. Is there a time (Date) by which we are going to require the operator to make these manual changes to address the “Essential Maintenance” nomenclature and remove the “Substantial Maintenance” wordings?

Guidance: *Refer to Notice 8900.103 paragraph c along with table 1 must be done before issuing the new D-91 OpsSpecs.*

Question 50: As a result of the review of the air carrier's CASS procedures in accordance with N8900.103, paragraph 6(C), table 1, it is reasonable to assume that most programs will require some adjustment. This process must be completed by Feb. 25, 2010, in order to issue the new Ops Spec D091.

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It would be desirable to accomplish a revision to the air carrier's substantial maintenance provider audit and control procedures concurrent with the review and adjustment of the CASS requirements.

The existing substantial maintenance provider audit and control procedures are based on guidance generated as a result of HBAW 96-05C, a very detailed document. It is, however, not possible to transition these procedures to the new "Essential Maintenance Provider" philosophy at this time due to the fact that there is no detailed guidance available from which to construct "Essential Maintenance Provider" procedures, at least until the pertinent section of the 8900.1 is finalized and published. The result will be the issuance of the new Ops Spec D091 with partial or inadequate procedures backing it up.

***Guidance:** The basic regulation that drives all of this is 14 CFR §121.373 which requires a system (CASS) for the continuing analysis and surveillance of the performance and effectiveness of an air carrier's maintenance program whether or not the program is carried out by the air carrier or through an arrangement with another person. The CASS regulation is written in a performance-based format. Performance-based regulation is a regulatory approach that focuses on measurable outcomes, rather than prescriptive processes, techniques, or procedures. Performance-based regulation leads to defined results without a specific direction or specific instruction in the regulation regarding how those results are to be obtained. In this case, the defined results are the three maintenance program objectives outlined at 14 CFR §121.367, Notice N8900.103, table 1, #4, and in the operations specification D091, subparagraph i.*

The audit and control procedures guidance are based on the objectives of the performance-based regulation and are provided in Notice N8900.103, specifically, table 1.

Except for the classification and description of the general description of work, your certificate holder's existing substantial maintenance provider procedures should not differ substantively from any specific procedures for qualifying any maintenance provider or from your certificate holder's required inspection item qualification and authorization procedures. It is all the same regulation.

Question 51: The rationale for interrupting an air carrier's recurring vendor audit interval is not clear, that is, the requirement to accomplish a recurrent audit on Essential Maintenance Providers if the air carrier audits are more than 180 calendar days old (Table 1, question 7(a)).

***Guidance:** The audit mentioned in table 1, question 7a is not a recurrent audit. It is a one-time audit designed to establish a baseline from which the certificate holder and the FAA can track deviations from the standard. The only specific recurrent audit mentioned in the Notice*

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is a requirement for the FAA to accomplish an EPI 1.3.7 for each Essential Maintenance provider at intervals not to exceed three calendar years.

Question 52: Will the FAA be granting global extension for the issuance of OpSpec paragraph D091?

Guidance: *Global extensions will not be granted however, individual requests for an extension will be considered on a case-by-case basis. The request should be made by email or letter to Kenneth Kerzner, Branch Manager AFS-330 (kenneth.kerzner@faa.gov and cc to patricia.k.williams@faa.gov and Paula Martori@faa.gov . You are to send a cc'ed copy of the request thru your Certificate Holding District Office or Certificate Management Office.*

Question 53: **How does a certificate holder ensures that all of its maintenance personnel and all of its maintenance providers are kept informed of the provisions of the certificate holder's D091 OpSpecs as well as applicable FAR's. Items 1, 2 and 3 of Table 1 were being interpreted to mean - the Certificate holder had to actually provide all of its maintenance personnel and all of its maintenance providers the D091 OpSpec or its language as well as describing applicable FAR's [121.1(b)].**

Guidance: *The FAA intent for items 1, 2 and 3 of the check list was to ensure that all items addressed in OpSpec D091 and the applicable FAR's were contained in a process within the Certificate holders manual system. This does not mean that the certificate holder has to provide a copy of the D-091 operation Specification, only that they have a process to inform them of the requirements of D-091.*

Question 54: **What should I do if my carrier has more than 25 essential maintenance providers (EMPs)?**

Guidance: *The purpose of the on site audit of an essential maintenance provider outlined in item 7 of table 1 of N8900.103 is to establish a baseline to a specific standard so that future audits will be able to identify deviations or changes to the baseline. Although the notice asks you to accomplish an EPI for each EMP, due to the limitations of the automation, only 25 EPI can be created for each PA. An alternate means of compliance would be to accomplish multiple activities within each EPI for each EMP. All questions would have be answered for each EMP. If you would like to exercise this process please inform AFS 900 Field Support Section Manager, by e-mailing Tony Zinn at Tony.R.Zinn@faa.gov. AFS-900 Field Support will then forward your AMOC intentions to AFS-300.*

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****Question 55:** When authorizing additional or different required inspection items (essential maintenance); for an existing essential maintenance provider after its original listing date, does the operator's procedures require another onsite audit?

- *For example, if a carrier authorized an EMP to perform RII on a 737 for line maintenance (1.b), then the carrier can subsequently authorize that EMP to perform RII on a 757 for heavy maintenance (1.a) - and an onsite audit is not required.*
- *However, if the carrier authorizes that same EMP to perform RII on aircraft engine work (2), then an onsite audit is required.*

** Guidance: Each EMP listing must contain the Required Inspection Item or fleet/equipment type, as applicable in the air carrier RII policy that each EMP is authorized to accomplish. Each operator's procedures vary; the operator is required to ensure their process encapsulates the validation of their RII. A robust CASS System should ensure the auditing process captures changes in and of providers.*

**** Question 56:** When will the updates to appendix "A" cease?

** Guidance: This is the last update to the appendix as the time line for Operations Specifications paragraph issuance has been met.*