

2015 Part 21 Rule Change

These questions and answers were developed for your convenience. Please note that they are not a substitute for reading the Final Rule.

Revised 1/29/18

General:

1 This final rule changes certification and marking requirements for products and articles. In particular, this final rule:

Requires applicants for a production approval and production approval holders (PAHs) to identify an accountable manager;

Allows a production certificate (PC) holder to manufacture and install interface components (IC) under certain conditions and limitation;

Clarifies that a PAH must ensure that each supplier-provided product, article, or service conforms to the PAH's requirements;

Requires a PAH to establish a supplier-reporting process for products, articles, or services released from or provided by a supplier and subsequently found not to conform to the PAH's requirements;

Allows a PAH that establishes an FAA-approved process in its quality system to issue authorized release documents (using FAA Form 8130-3) for new and used aircraft engines, propellers, and articles produced by that PAH; and

Excludes fixed-pitch wooden propellers from the requirement that a propeller, propeller blade, or propeller hub be marked using an approved fireproof method.

2 What was the effective date of this rule?

This final rule went into effect on January 4, 2016 for §§ [21.1\(b\)\(1\)](#), [21.1\(b\)\(5\)](#), [21.137\(o\)](#), [21.142](#), [21.147](#) and [45.11\(c\)](#); and March 29, 2016 for all other changes and sections amended by the final rule.

3 Must the PAH submit its Quality Manual for approval to the FAA for changes made resulting from the rule change?

No. An active PAH already submitted its quality manual for approval at time of application. This would be considered a change to the quality system and the PAH will need to notify the FAA in accordance with §§ [21.150](#), [.320](#), and [.620](#) "Changes in quality system".

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Definitions:

1 Why was the definition of “airworthiness approval” changed in § [21.1\(b\)\(1\)](#)?

The definition was expanded to account for the issuance of an airworthiness approval in instances where an aircraft, aircraft engine, propeller, or article does not conform to its approved design or may not be in a condition for safe operation at the time the airworthiness approval is generated and that nonconformity or condition is specified on the airworthiness approval document.

2 Does adding “..., unless otherwise specified.” to the end of rule § [21.1\(b\)\(1\)](#) change the fundamental concept of airworthiness?

No. The final rule brings the definition of Airworthiness Approval in line with current FAA practice and with part 21, subpart L.

Interface Components:

1 How do interface components (IC) differ from products or articles that would be listed on the Production Limitation Record (PLR)?

Interface components (IC) are different from other items listed on the PLR. The listing of an IC on the PLR allows the PC holder to both produce and install the article onto its TC'd product. Any other article listed on the PLR is only for the production of the article not an installation authorization.

2 Can the interface component be provided by another design approval holder?

No. The interface component must be manufactured under the PC holder's quality system. This does not preclude the PC holder from using a design approval holder as a supplier. This rule allows the PC holder to receive an amendment to its PLR permitting the manufacture and installation of IC. However, the holder of the IC design data retains all continued airworthiness responsibilities.

3 Does the PC holder have to manufacture the Interface Component?

Yes. The interface component must be produced under the PC holder's FAA approved production certificate.

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Authorized Release Documents:

- 1 Does the final rule change the conditions specified in subpart L regarding the issuance of exports airworthiness approvals for articles?**

No. The final rule did not change or remove the requirements for the issuance of export airworthiness approvals for articles in subpart L.

- 2 Can you provide an example of when an airworthiness approval would be issued for products or articles that are not in a condition for safe operation?**

A propeller that has been disassembled for shipping.

- 3 Does the rule as written give a PAH authority to issue FAA Form 8130-3 because the term “authorized release document” is not defined within the rule?**

As stated in § [21.1\(b\)\(1\)](#), an airworthiness approval is a document that is issued by the FAA. This final rule permits an authorized PAH to issue authorized release documents, using an FAA Form 8130-3, for new aircraft engines, propellers, and articles, and for aircraft engines, propellers, and articles when rebuilt or altered in accordance with § [43.3\(j\)](#).

- 4 What distinguishes between a document issued by the FAA (an airworthiness approval) and one issued by the PAH (an authorized release document)?**

It comes down to who is issuing the FAA Form 8130-3. An airworthiness approval is issued by the FAA. An authorized release document is issued by a PAH.

- 5 Are PAHs exercising § [21.137\(o\)](#) allowed to retain or add DMIRs or ODA unit members to issue airworthiness approvals?**

Policy memorandum [AIR100-16-110-GM16](#) allows a PAH implementing § [21.137\(o\)](#) to retain its existing designees with functions related to § [21.137\(o\)](#) until April 1, 2018. However, a PAH that exercises § [21.137\(o\)](#) may not add designees except when needed to support function codes unrelated to § [21.137\(o\)](#).

- 6 Is a PAH that exercises § [21.137\(o\)](#) required to use FAA Form 8100-1 when**

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issuing authorized release documents?

No. Section [21.137\(o\)](#) does not require any person to use FAA Form 8100-1 when issuing a FAA Form 8130-3.

7 When a PAH signs an authorized release document is the PAH signing that document on behalf of the FAA Administrator?

No. A PAH exercising § [21.137\(o\)](#), is issuing the authorized release document as a privilege of its production approval not as a designee of the FAA.

8 Will the FAA require any PAH that chooses to issue authorized release documents to establish minimum procedures, including training the employees responsible for issuing those documents?

Yes. PAHs who have notified the FAA of their intent to issue authorized release documents must establish procedures that are in compliance with § [21.137\(o\)](#) which includes a training requirement. However, each PAH has the flexibility to choose how it intends to meet the training requirement. The PAH may choose to establish their own in-house training, utilize FAA designee training (if available), or meet the requirement in some other manner.

9 Under current guidance, FAA Order 8130.21H allows certain entities to use FAA Form 8130-3 when returning to service rebuilt or altered engines, propellers, or articles in accordance with § [43.3\(i\)](#). So, why is the final rule addressing extending this privilege to PAHs when this activity is already being performed by PAH manufacturers?

The FAA's final rule codifies our authorization of that practice and extends the same privilege to PAHs producing new aircraft engines, propellers, and articles.

10 If a PAH is already rebuilding or altering engines, propellers, or articles they manufactured under § [43.3\(i\)](#), do they have to change their procedures manual to address the new rule in § [21.137\(o\)](#)?

No. If the PAH has no intention of issuing authorized release documents for new products or articles, then it does not need to revise its quality manual and can continue to issue an 8130-3 Airworthiness Approval Tag for return to

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service (right side) for work they have performed in accordance with § [43.3\(j\)](#).

11 What does a PAH enter in Block 13c (Approval/Authorization No.) of a FAA Form 8130-3 when completing an authorized release document?

Enter the applicable production approval/authorization number of the authorized representative/organization issuing the form. Examples include: PT1234CE, PQ1234NM, PC62, PQ0000SW, PC23, PC123.

12 Can a PAH authorize someone at a supplier that has direct ship authority to issue an ARD?

Yes. However, the PAH's quality system procedures must account for this process and those individuals must meet the same requirements and be controlled in the same manner as the PAH's personnel.

13 Can a PAH with an approved quality system and procedures for issuing ARDs also issue ARDs for export?

Yes. Please refer to [AC 21-43](#) for more information.

Supplier Control:

1 What is the rationale behind the amendment to § [21.137\(c\)\(1\) & \(2\)](#) pertaining to supplier control?

Section [21.137\(c\)\(1\)](#) was changed to align with current industry practices. There are many times when the PAH will request something from its supplier that does not meet the FAA approved design at the time it is received from the supplier. Examples include: sheet metal part with pilot holes instead of finished hole size, article with just primer paint and not the top coat (top coat may be applied after final assembly so that all the parts match), or a machined article that requires additional processes such as heat treat or plating that will be done by another supplier or the PAH.

Section [21.137\(c\)\(2\)](#) was changed to allow for the PAH to determine who in its supply chain need to report when a product or article has left the supplier and is subsequently determined to be nonconforming (supplier escape) to the PAH's requirements. This gives a PAH flexibility to determine the appropriate level of reporting and removes the requirement for every supplier escape, at any level in

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the supply chain, to be reported to the PAH. To clarify, this final rule does not require a PAH to report to the FAA supplier escapes that remain within the PAH's quality system.