

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.160

National Policy

Effective Date:
7/11/11

Cancellation Date:
7/11/12

SUBJ: OpSpecs D072 and D085

- 1. Purpose of this Notice.** This notice provides changes to operations specifications (OpSpecs) D072 and D085 and its guidance for operations under Title 14 of the Code of Federal Regulations (14 CFR) part 129. (Both the part 129 and part 129, § 129.14 automated Operations Safety System (OPSS) templates are affected.)
- 2. Audience.** The primary audience for this notice is Flight Standards District Offices (FSDO), certificate management offices (CMO), International Field Offices (IFO), International Field Units (IFU), principal operations inspectors (POI), principal maintenance inspectors (PMI), and principal avionics inspectors (PAI) with oversight responsibility for each foreign air carrier and each foreign person operating a U.S.-registered aircraft within or outside the United States in common carriage. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters (HQ).
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Air carriers and operators can find this notice on the Federal Aviation Administration's (FAA) Web site at <http://fsims.faa.gov>. The public can find this notice on the FAA Web site at http://faa.gov/regulations_policies/orders_notices/.
- 4. Explanation of Changes.** The International Programs and Policy Division (AFS-50) has created a new OpSpec D085 (for part 129). This new OpSpec D085 combines the information from OpSpec D072 with the information from OpSpec D085. This action removes duplicating two identical aircraft listings, one in OpSpec D085 and one in OpSpec D072. The new D085 lists the maintenance programs from the old D072 into one document.
- 5. Action.** This is a mandatory change affecting principal inspectors (PI) with responsibility for the issuance, amendment, and oversight of OpSpecs D072 and D085.

6. Disposition. We will permanently incorporate the information in this notice into FSIMS before this notice expires. Direct questions concerning the information in this notice to the International Operations and Standardization Branch (AFS-52) at 202-385-8070.

for



John M. Allen
Director, Flight Standards Service

Appendix A. Sample OpSpec Paragraph D085, U.S.-Registered Aircraft Listing and Maintenance Requirements for Part 129

a. The holder of these operations specifications shall maintain its U.S.-registered aircraft listed in this operations specification paragraph in accordance with the provisions of these operations specifications; 14 CFR part 129, § 129.14 (a); the applicable provisions of 14 CFR parts 21, 39, 43, and 91; and any other applicable laws and regulations of the United States.

b. These operations specifications serve as documentation that the aircraft is maintained utilizing an approved maintenance program authorized under § 129.14(a). These operations specifications serve as the FAA approval of the maintenance program.

(1) The maintenance program must be sufficiently comprehensive in scope and detail to fulfill the foreign air carrier's responsibility to maintain the aircraft in an Airworthy condition in accordance with applicable Federal aviation regulations and standards prescribed and approved by the Administrator. The program shall be included in the foreign air carrier's manual.

(2) Each aircraft and its component parts, accessories, and appliances must be maintained in an Airworthy condition in accordance with the time limits for the accomplishment of the overhaul, replacement, periodic inspection, and routine checks of the aircraft and its component parts, accessories, and appliances. Time limits or standards for determining time limits shall be contained in a document approved by the Administrator and referenced in these operations specifications.

(3) Items identified as "on condition" shall be maintained in a continuous Airworthy condition by periodic inspections, checks, service, repair, and/or preventive maintenance. The procedures and standards for inspections, checks, service, repair, and/or preventive maintenance shall be described or referenced in the maintenance manual.

(4) Parts or subassemblies of components that do not have specific time intervals shall be checked, inspected, and/or overhauled at the same time limitations specified for the component or accessory to which such parts or subassemblies are related.

c. The maintenance program shall be made readily available to the personnel responsible for scheduling or performing inspections on the aircraft. No change in the maintenance program or existing maintenance agreements shall be made, unless the FAA International Field Office (IFO), which issued these operations specifications, previously approved the change.

d. If, during operations conducted by the foreign air carrier, required maintenance or repairs cannot be made at the aircraft's current location, the aircraft may be operated on a one-time ferry flight, provided that a special flight permit is requested and granted by the FAA under the provisions of part 21, §§ 21.197 and 21.199. In this case, before relocating the aircraft, the foreign air carrier must also secure special permission from the civil aviation authority (CAA) of the foreign country in and over which the foreign air carrier may be operating at the time.

e. No foreign air carrier may operate a U.S.-registered aircraft with inoperative instruments or equipment, except in accordance with the provisions of an FAA-approved minimum equipment list (MEL) for that aircraft and the conditions prescribed by § 129.14(b).

f. The aircraft, which have FAA MEL approval, are listed in paragraph D095 of these operations specifications.

g. All flightcrew members operating U.S.-registered aircraft in international flight operations must hold valid U.S. airman certificates, special purpose pilot authorizations or, when operating within a foreign country, valid licenses issued by the country in which the aircraft is operated, and meet the applicable requirements of 14 CFR parts 61 and 63.

- h. All maintenance performed on aircraft approved under these operations specifications shall be performed in accordance with the FAA-approved § 129.14 maintenance program and by persons authorized under part 43, § 43.3. Only persons authorized under § 43.7 can return the aircraft to service after it has undergone maintenance, preventive maintenance, rebuilding, or alterations.
- i. These operations specifications shall become void if the foreign air carrier does not comply with the terms and conditions of these operations specifications and the terms and conditions of the aircraft airworthiness certificate.
- j. U.S.-Registered Aircraft Operating to the United States. The foreign air carrier is authorized to conduct operations under part 129 using the U.S.-registered aircraft identified on this operations specification, provided such aircraft are operated with a current and valid Certificate of Airworthiness and registration.

Table 1

Aircraft M/M/S	Aircraft Registration Number	Aircraft Serial Number	Maintenance Program Document Name	Document Revision Date and Number	Program Expiration Date if Applicable

- k. U.S.-Registered Aircraft Operating Solely Outside the United States.

(1) The foreign air carrier or foreign person conducting operations solely outside the United States under § 129.1(b) using the U.S.-registered aircraft identified on this operations specification, must operate such aircraft with a current and valid Certificate of Airworthiness and registration, and maintain the aircraft in accordance with § 129.14. The aircraft listed in this subparagraph do not operate to the United States. Further, these operations specifications are not an operating certificate.

(2) The authority issued in this subparagraph shall become void upon the annual expiration date of the approved maintenance program or if the foreign air carrier or foreign person does not comply with the terms and conditions of these operations specifications and the terms and conditions of the aircraft airworthiness certificate.

Table 2

Aircraft M/M/S	Aircraft Registration Number	Aircraft Serial Number	Maintenance Program Document Name	Document Revision Date and Number	Program Expiration Date if Applicable

Appendix B. Sample OpSpec Paragraph D085, U.S.-Registered Aircraft Listing and Maintenance Requirements for Part 129, Section 129.14

a. The holder of these operations specifications shall maintain its U.S.-registered aircraft listed in this operations specification paragraph in accordance with the provisions of these operations specifications; 14 CFR part 129, § 129.14 (a); the applicable provisions of 14 CFR parts 21, 39, 43, and 91; and any other applicable laws and regulations of the United States.

b. These operations specifications serve as documentation that the aircraft is maintained utilizing an approved maintenance program authorized under § 129.14(a). These operations specifications serve as the FAA approval of the maintenance program.

(1) The maintenance program must be sufficiently comprehensive in scope and detail to fulfill the foreign air carrier or foreign person's responsibility to maintain the aircraft in an Airworthy condition in accordance with applicable Federal aviation regulations and standards prescribed and approved by the Administrator. The program shall be included in the foreign air carrier or foreign person's maintenance manual.

(2) Each aircraft and its component parts, accessories, and appliances must be maintained in an Airworthy condition in accordance with the time limits for the accomplishment of the overhaul, replacement, periodic inspection, and routine checks of the aircraft and its component parts, accessories, and appliances. Time limits or standards for determining time limits shall be contained in a document approved by the Administrator and referenced in these operations specifications.

(3) Items identified as "on condition" shall be maintained in a continuous Airworthy condition by periodic inspections, checks, service, repair, and/or preventive maintenance. The procedures and standards for inspections, checks, service, repair, and/or preventive maintenance shall be described or referenced in the foreign air carrier or foreign person's maintenance manual.

(4) Parts or subassemblies of components that do not have specific time intervals shall be checked, inspected, and/or overhauled at the same time limitations specified for the component or accessory to which such parts or subassemblies are related.

c. The maintenance program shall be made readily available to the personnel responsible for scheduling or performing inspections on the aircraft. No change in the maintenance program or existing maintenance agreements shall be made unless the FAA International Field Office (IFO), which issued these operations specifications, previously approves the change.

d. If, during operations conducted by the foreign air carrier or foreign person, required maintenance or repairs cannot be made at the aircraft's current location, the aircraft may be operated on a one-time ferry flight, provided that a special flight permit is requested and granted by the FAA under the provisions of part 21, §§ 21.197 and 21.199. In this case, before relocating the aircraft, the foreign air carrier or foreign person must also secure special permission from the civil aviation authority (CAA) of the foreign country in and over which the foreign air carrier or foreign person may be operating at the time.

e. No foreign air carrier or foreign person may operate a U.S.-registered aircraft with inoperative instruments or equipment except in accordance with the provisions of an FAA-approved minimum equipment list (MEL) for that aircraft and the conditions prescribed by § 129.14(b).

f. The aircraft, which have FAA MEL approval, are listed in paragraph D095 of these operations specifications.

g. All flightcrew members operating U.S.-registered aircraft in international flight operations must hold valid U.S. airman certificates, special purpose pilot authorizations or, when operating within a foreign country, valid licenses issued by the country in which the aircraft is operated, and meet the applicable requirements of 14 CFR parts 61 and 63.

h. All maintenance performed on aircraft approved under these operations specifications shall be performed in accordance with the FAA-approved § 129.14 maintenance program and by persons authorized under part 43, § 43.3. Only persons authorized under § 43.7 can return the aircraft to service after it has undergone maintenance, preventive maintenance, rebuilding, or alterations.

i. These operations specifications shall become void if the foreign air carrier or foreign person does not comply with the terms and conditions of these operations specifications and the terms and conditions of the aircraft airworthiness certificate.

j. U.S.-Registered Aircraft Operating Solely Outside the United States.

(1) The foreign air carrier or foreign person conducting operations solely outside the United States under § 129.1(b) using the U.S.-registered aircraft identified on this operations specification must operate such aircraft with a current and valid Certificate of Airworthiness and registration, and maintain the aircraft in accordance with § 129.14. The aircraft listed in this paragraph do not operate to the United States. Further, these operations specifications are not an operating certificate.

(2) The authority issued in this subparagraph shall become void upon the annual expiration date of the approved maintenance program or if the foreign air carrier or foreign person does not comply with the terms and conditions of these operations specifications and the terms and conditions of the aircraft airworthiness certificate.

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