

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.102

National Policy

Effective Date:
11/25/09

Cancellation Date:
11/25/10

SUBJ: OpSpec D091, Requirements Air Carrier Maintenance Providers

1. Purpose of This Notice. This notice provides information about operations specification (OpSpec) D091 change in terminology and meaning from the previously used term “substantial maintenance” to the new term “Essential Maintenance,” to specifically address Required Inspection Items (RII). Also, we removed the listing of maintenance providers from OpSpec D091 because Title 14 of the Code of Federal Regulations (14 CFR) part 121, § 121.369(a) requires the operator to maintain the listing of maintenance providers in its air carrier maintenance manual. In addition, this notice provides information about revised guidance related to these changes for Federal Aviation Administration (FAA) certificate-holding district office (CHDO) managers and principal airworthiness inspectors who have certification and surveillance responsibility for 14 CFR part 119 air carrier certificate holders conducting operations under part 121.

2. Audience. The primary audience for this notice is FAA CHDO managers and principal airworthiness inspectors who have certification and surveillance responsibility for part 119 certificated air carriers conducting operations under part 121. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters.

3. Where You Can Find This Notice. You can find this notice on the MyFAA Employee Web site at https://employees.faa.gov/tool_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators may find this information on the Federal Aviation Administration’s (FAA) Web site at <http://fsims.faa.gov>.

4. Background.

a. Department of Transportation (DOT) Office of the Inspector General (OIG) Report Number AV-2008-090.

(1) This notice addresses the recommendations of the DOT OIG Report no. AV-2008-090, Air Carriers’ Outsourcing of Aircraft Maintenance, issued on September 30, 2008. In their report, OIG recommended that we ensure that inspectors conduct initial and follow-up inspections at substantial maintenance providers, perform detailed reviews of air carrier and repair station audits and corrective actions, document inspection findings in the national database, and review related findings by other inspectors.

(2) In addition, OIG said that since many air carriers do not differentiate between in-house and outsourced maintenance, FAA must ensure air carriers provide repair stations with clearer guidance on how to perform maintenance and inspections. The OIG is also concerned that maintenance on critical parts is not being addressed either by FAA or by the air carriers.

b. Essential Maintenance. We conducted an assessment and concluded that, as a first step, OpSpec D091 should more closely align with the regulatory provisions of § 121.369(a), which includes component work. The revised OpSpec D091 uses the term “Essential Maintenance” instead of “substantial maintenance”. The revision defines Essential Maintenance as any on-wing accomplishment of any maintenance or alteration that the certificate holder has designated as a RII, and includes the accomplishment of the Required Inspection itself.

c. Policy Changes. As a result of confusion related to the meaning of various terms such as contract maintenance, outsource maintenance, outsource contract maintenance, outsource maintenance provider, and substantial maintenance, the policy change standardizes all these terms to two terms.

(1) The term “air carrier maintenance provider” is used for any person who the air carrier has made arrangements for the accomplishment of any of its maintenance, preventive maintenance, or alterations.

(2) The term “contract maintenance” means any maintenance, preventive maintenance, or alterations accomplished by an air carrier maintenance provider.”

d. Standardized Maintenance Provider List. The revised OpSpec D091 standardizes the maintenance provider listing by using five categories for the general description of work, as well as the name and location of each maintenance provider.

5. Guidance. The Aircraft Maintenance Division AFS-300 developed this notice. Appendix A of this notice is a sample of the revised OpSpec D091. The revised OpSpec D091 is available in the automated Operations Safety System (OPSS). Revised OpSpec D091 does not contain provisions for a listing of maintenance providers as it did previously. Part 121, § 121.369(a) requires air carriers to establish and maintain a list of their maintenance providers in their air carrier maintenance manual. The change to OpSpec D091 does not change the existing regulatory requirement to have a maintenance provider list in the air carrier maintenance manual. FAA Order 8900.1, Volume 3, Chapter 18, Section 6, contains guidance for issuing OpSpec D091.

6. Action. Before issuing OpSpec D091, principal airworthiness inspectors should review the revised guidance for issuance of OpSpec D091 contained in FAA Order 8900.1, Volume 3, Chapter 18, Section 6.

7. Disposition. We will permanently incorporate the information in this notice into FSIMS before this notice expires. Direct questions or comments concerning this notice to Mr. Ken Kerzner, Manager, Air Carrier Maintenance Branch (AFS-330) at (202) 385-6426, or Mr. Russell Unangst, Technical Advisor, AFS-305, at (803) 451-2666.

ORIGINAL SIGNED BY

Chester D. Dalbey for

John M. Allen

Director, Flight Standards Service

Appendix A. Sample OpSpec Paragraph D091, Requirements: Air Carrier Maintenance Providers

D091. Requirements: Air Carrier Maintenance Providers

HQ Control: 09/XX/09

HQ Revision:

a. Provided the following conditions are met, the certificate holder is authorized to make arrangements with other persons (maintenance providers) to accomplish maintenance, preventive maintenance, or alterations for the certificate holder.

b. In the maintenance provider listing required by 14 CFR § 121.369(a), the certificate holder shall identify each maintenance provider by name and location. For each maintenance provider, the certificate holder shall also identify the general description of work using the following five categories:

- (1) Aircraft maintenance
 - a. heavy maintenance
 - b. line maintenance
- (2) Aircraft engine work
- (3) Propeller work
- (4) Component work
- (5) Specialized service

c. Within the maintenance provider listing required by 14 CFR § 121.369(a), the certificate holder shall have a means to identify those maintenance providers who accomplish *Essential Maintenance* for it. The means shall include identification of the specific Required Inspection Item that each Essential Maintenance provider is authorized to accomplish for the certificate holder.

d. *Essential Maintenance* encompasses any on-wing accomplishment of any maintenance or alteration that the certificate holder has designated as a Required Inspection Item. *Essential Maintenance* is maintenance that would result in a failure effect that would endanger the continued safe flight and landing of the airplane if it was performed improperly or if improper parts or materials were used. *Essential Maintenance* includes the accomplishment of the Required Inspection itself. *Essential Maintenance* does not encompass any off wing maintenance.

e. For Essential Maintenance providers; before identifying any maintenance provider, in the listing required by 14 CFR § 121.369(a), as an entity the certificate holder intends to authorize to accomplish *Essential Maintenance* for it, the certificate holder shall, consistent with 14 CFR §§ 121.365, 121.367 and 121.373(a), conduct an onsite audit designed to determine that each proposed *Essential Maintenance* provider has an adequate organization and provides competent personnel and adequate facilities and equipment for the *Essential Maintenance* intended. The audit shall ensure the *Essential Maintenance* can be performed in accordance with 14 CFR §§ 121.369(b).

(1) For nonessential maintenance providers, 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 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 risk assessment should take into account the aircraft part failure or system loss of function, and the consequence of the loss of function related to the work being accomplished by the maintenance provider.

(2) In the case of an unexpected requirement for unscheduled maintenance that occurs away from regular maintenance facilities, the certificate holder's procedures must demonstrate compliance with 14 CFR §§ 121.105 or 121.123 as appropriate.

f. The certificate holder shall not use any maintenance provider to accomplish *Essential Maintenance* for it, nor shall any maintenance provider accomplish *Essential Maintenance* for the certificate holder, unless that maintenance provider, its location, and a general description of the work authorized have been placed on the listing.

- g. 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 onsite audit that meets the requirements of paragraph e above.
- h. The certificate holder shall not use any maintenance provider to accomplish maintenance, preventive maintenance, or alterations for it, nor shall any maintenance provider accomplish any maintenance, preventive maintenance, or alteration that is outside of the description of the maintenance provider’s authorization to accomplish work.
- i. Consistent with § 121.373, the certificate holder shall have a means to ensure that all maintenance performed by each maintenance provider on the listing meets the certificate holder’s program performance standards of 14 CFR § 121.367.
- j. Consistent with § 121.373, the certificate holder shall provide timely corrective action and followup when the certificate holder’s program performance standards of § 121.367 are not met by any of its maintenance providers.
- k. In accordance with 14 CFR § 121.137(a) the certificate holder shall provide to its assigned Principal Maintenance Inspector, the maintenance provider listing referenced in paragraph b, above. Additionally, if this listing is incorporated within a larger manual or series of manuals, the certificate holder shall provide the appropriate volume and section number to indicate where the maintenance provider listing can be found.

Table 1

Document Name and Number	Volume/Chapter/Section

- l. In accordance with 14 CFR § 119.59 the certificate holder shall make available to the assigned Principal Maintenance Inspector, the location and name(s) of individual(s) responsible for the listing referenced in paragraph b above. The phone number, E-mail address and physical mailing address must be provided for the named individual(s).

Table 2

Name of Individual	Phone	E-mail Address	Mailing Address	Date Updated

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- 1. The FAA issues this paragraph to the Certificate Holder.
 - 2. Support information reference:
 - 3. These Operations Specifications are approved by direction of the Administrator.

- 4. Date Approval is effective: XX/XX/2009 Amendment Number:
- 5. I hereby accept and receive the Operations Specifications in this paragraph.

Date:XX/XX/2009
