

# NOTICE

## U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.287

### National Policy

Effective Date:  
3/9/15

Cancellation Date:  
3/9/16

**SUBJ:** Accepting/Approving Manuals for All Parts 91K, 121, 125, and 135 Operators Transporting Cargo

---

**1. Purpose of This Notice.** This notice provides guidance to principal aviation safety inspectors (ASI) on the process of accepting and/or approving manuals and changes to manuals in relation to the carriage of cargo on aircraft for Title 14 of the Code of Federal Regulations (14 CFR) parts 91K, 121, 125, and 135 operations.

**2. Audience.** The primary audiences for this notice are the certificate management offices (CMO), certificate-holding district offices (CHDO), Flight Standards District Offices (FSDO), and principal inspectors (PI). The secondary audience includes Flight Standards Service (AFS) 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](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>. Operators can find this notice on the Federal Aviation Administration's (FAA) Web site at <http://fsims.faa.gov>. This notice is available to the public at [http://www.faa.gov/regulations\\_policies/orders\\_notices](http://www.faa.gov/regulations_policies/orders_notices).

#### **4. Background.**

**a. Weight and Balance Manual (WBM).** The WBM is part of the Operating Limitations section of the Airplane Flight Manual (AFM). In accordance with 14 CFR part 21, § 21.41, the Operating Limitations are part of the airplane type certificate (TC) and, therefore, can be modified only by changing that certificate; that is, by obtaining an amended or supplemental type certificate (STC). Revisions to the AFM are approved as AFM supplements, and the approval is based on a finding that, with the AFM revisions, the airplane continues to meet the applicable airworthiness standards. Operators are required to comply with the Operating Limitations by part 91, § 91.9(a).

**b. Procedures.** FAA Order 8110.4C, Type Certification, provides procedures for evaluating and approving aircraft, engine, and propeller type design data and changes to approved type design data. It applies to Aircraft Certification Service (AIR) personnel, AFS personnel, Aircraft Evaluation Groups (AEG), and persons and organizations designated by the Administrator

associated with the certification processes required by part 21. Chapter 2 addresses the TC process and further states that the Aircraft Certification Office (ACO) is the approval authority.

**5. Discussion.** In accordance with Order 8110.4C, only AIR has the authority to approve the AFM and supplements. PIs are not authorized to accept/approve processes, procedures, and/or manuals that exceed the Operating Limitations or expand the scope of the AFM/WBM. Doing so contradicts Order 8110.4C and leads to the operator's noncompliance with § 91.9(a) and unsafe conditions. The following are examples of processes/procedures that may exceed the Operating Limitations:

- Seat track and attachment allowable load limitations exceeding WBM limitations;
- Intermodal containers loaded offset on unit load devices (ULD) (refer to Notice of Proposed Rulemaking (NPRM) Docket No. FAA–2014–0780); and
- Altering ULDs as defined by AFM/WBM, such as classifying the strap/pallet combination as a ULD, modifying a pallet listed in the WBM, and the use of coupled pallets.

**a. Regulations.** Section 91.9(a) requires a current, approved AFM on board the aircraft and compliance with the Operating Limitations. Also, §§ 91.1023(a) and 91.1025(a), part 121, § 121.141(b), part 125, § 125.75(a)(b), and provisions of part 135 allow the certificate holder to revise the operating procedures sections and modify the presentation of performance data. These regulations do not authorize PIs to accept/approve procedures and manuals which alter or contradict the Operating Limitations.

**b. Application.** A potential source of confusion may be the misapplication of “Practices acceptable to the Administrator” as provided by 14 CFR part 43, § 43.13(a) rather than the proper application of § 91.9(a). Section 43.13(a) refers to persons performing maintenance, alteration, or preventive maintenance on an aircraft, engine, propeller, or appliance and should not be used to modify Operating Limitations or extend the scope of the AFM. The practice of PIs accepting and/or authorizing changes other than those approved by AIR is not permitted (refer to Order 8110.4C). This includes, but is not limited to, approval of data by a Designated Engineering Representative (DER) as it may exceed their authority. Only certain DERs have authorization to approve the required AFM Operating Limitations (§ 91.9(a)).

**6. Action.** PIs will not accept or approve revisions or deviations to the Operating Limitations of the AFM. Also, within 90 business days of the publication of this notice, the PI will:

- Provide a copy of this notice to the operator,
- Review their Weight and Balance (W&B) programs for compliance, and
- The principal maintenance inspector (PMI) and principal operations inspector (POI) will each make Program Tracking and Reporting Subsystem (PTRS) entries using activity codes 1088/3088 and enter “AFMAPRV” in the “National Use” box.

**7. Disposition.** We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the Air Carrier Maintenance Branch (AFS-330) at (202) 267-1675.

A handwritten signature in black ink, appearing to read "J. Barbagallo". The signature is stylized with a large, looped "J" and a cursive "Barbagallo".

John Barbagallo  
Deputy Director, Flight Standards Service