

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.317

National Policy

Effective Date:
8/12/15

Cancellation Date:
8/12/16

SUBJ: Accepting/Revising Manuals for All Parts 91K, 121, 125, and 135 Certificate Holders/Operators Transporting Cargo on Transport Category Aircraft

1. Purpose of This Notice. This notice provides guidance to principal aviation safety inspectors (ASIs) on the process of accepting and/or revising manuals and changes to manuals in connection with the carriage of cargo on aircraft under Title 14 of the Code of Federal Regulations (14 CFR) parts 91 subpart K (91K), 121, 125, and 135 operations on transport category aircraft.

2. Audience. The primary audiences for this notice are the certificate management offices (CMOs), certificate-holding district offices (CHDOs), Flight Standards District Offices (FSDOs) and principal inspectors (PIs). 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. 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.

4. Background.

a. Airplane Flight Manual (AFM) and Certificate Holder/Operator Manual.

(1) The AFM must be furnished with each airplane and must contain the information required by 14 CFR §§ 25.1583 through 25.1587. The AFM contains Operating Limitations specific to the airplane, including loading instructions necessary to ensure the loading of aircraft within the weight and center of gravity limits, and to maintain the loading within these limits in flight. The Weight and Balance (W&B) control and loading document that is incorporated by reference into the AFM is commonly referred to as the Weight and Balance Manual (WBM) and is part of the Operating Limitations for the airplane.

(2) The certificate holder/operator manual must contain methods and procedures for maintaining the aircraft weight and center of gravity within approved limits. When certificate holders/operators develop operational methods and procedures, they must not exceed the

Operating Limitations of the AFM, including the WBM and instructions contained in it. Certificate holders are required to comply with the Operating Limitations under 14 CFR § 91.9(a).

(3) In accordance with 14 CFR § 21.41, the Operating Limitations are included in the type certificate (TC). Therefore, modifications that change the Operating Limitations require an amended or supplemental type certificate (STC). Revisions to the AFM are approved as supplements.

b. Procedures. The current edition of 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 (AEGs), and persons and organizations designated by the FAA 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 approving authority.

5. Discussion. During a review of the certificate holders' W&B program and all associated manuals, including the referenced WBM and instructions contained in it, the PI should examine the operating procedures to ensure they do not exceed the Operating Limitations of the AFM, including the referenced WBM. PIs are not authorized to accept or approve procedures or processes that exceed the Operating Limitations of the AFM. This notice is intended to bring attention to the current edition of Order 8110.4C, which states that only AIR and/or its designee have the authority to approve the AFM and supplements. The following are examples of processes/procedures that may require changes to the Operating Limitations:

- Intermodal containers loaded offset on a pallet;
- Seat track and attachment allowable load limitations exceeding WBM limitations; and
- Altering Unit Load Devices (ULDs) as defined by an AFM/WBM, such as classifying the strap/pallet combination as a ULD, altering the cargo carrying configuration of a pallet or ULD listed in the WBM, and the use of coupled pallets.

a. Regulations. Section 91.9(a) requires compliance with the Operating Limitations specified in the approved AFM. Also, 14 CFR §§ 91.1023(a) and 91.1025(a), § 121.141(b), § 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. PIs are not authorized to accept or approve procedures and manuals that exceed 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 § 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 the current edition of Order 8110.4C). In reviewing a certificate holder's procedures, a PI should compare them to the WBM instructions. If a certificate holder submits procedures that differ

from the instructions in the WBM, the PI should coordinate with the certificate management ACO to ensure the procedures do not result in exceeding the limitations.

c. Cargo Focus Team (CFT). As a reference, Notice N 8900.262, Review of Weight and Balance Control Programs Including Special Cargo Operations, effective May 6, 2014, established the CFT. The CFT will review W&B control program manuals and any major program changes. This review ensures the certificate holder has addressed all policies, procedures, methods, and elements involved in the transport of cargo. The CFT also provides feedback to the PIs regarding potential noncompliant or unsafe practices identified during the operator W&B control program manual reviews, as well as other areas for improvement in the manuals. It is expected that PIs will work expeditiously with their operators to address those concerns and issues.

6. Action. PIs will not accept or approve revisions of operating manuals if those revisions contain procedures that result in exceeding the Operating Limitations of the original AFM or approved AFM supplement. Also, within 10 days of publication of this notice:

- The PI will provide a copy of this notice to the certificate holder, 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, Flight Standards Information Management System (FSIMS), before this notice expires. Direct questions concerning the information in this notice to the Cargo Focus Team Manager (AFS-340) at (202) 267-1684.



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