

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.360

National Policy

Effective Date:
5/2/16

Cancellation Date:
5/2/17

SUBJ: Maintenance Annex Guidance, Change 5 Requirements for the FAA
Form 8130-3 From Production Approval Holders

1. Purpose of This Notice. The purpose of this notice is to extend the implementation date of the guidance established by N 8900.336, Maintenance Annex Guidance, Change 5 Requirements for the FAA Form 8130-3 from Production Approval Holders, from April 1, 2016, to October 1, 2016. This notice addresses recent concerns that have been raised by numerous FAA-certificated repair stations (CRS) regarding the changes contained in Section B, Appendix 1, paragraph 10, Release and Acceptance of Components, in the current edition of the Maintenance Annex Guidance (MAG).

2. Audience. The primary audience for this notice is aviation safety inspectors (ASI) responsible for the oversight of U.S.-based repair stations with European Aviation Safety Agency (EASA)-certificated maintenance providers performing maintenance, preventive maintenance, and/or alterations on articles subject to the FAA/EASA Bilateral Aviation Safety Agreement (BASA). The secondary audience includes Flights Standards District Office (FSDO) managers and Flight Standards (AFS) branches in the regions and in headquarters (HQ).

3. Where You Can Find This Notice.

a. FAA Personnel. 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 FAA's Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

b. Air Agencies and the Public. Air Agencies and the public can find this notice on the FAA's Web site at <http://fsims.faa.gov> or at http://www.faa.gov/regulations_policies/orders_notices.

4. Cancellation. This notice cancels N 8900.336, Maintenance Annex Guidance, Change 5 Requirements for the FAA Form 8130-3 from Production Approval Holders, dated November 17, 2015.

5. Background. On September 9, 2015, the MAG, Change 5, was signed. Generally, FAA-certificated Air Agencies holding EASA certification must comply with the requirements of a revision within 90 days of the effective date (implementation date December 8, 2015). Change 5 of the MAG introduced a change to Section B, Appendix 1, paragraph 10. The amendment to that section reinforces the requirement that U.S.-based repair stations receive FAA Form 8130-3, Authorized Release Certificate, Airworthiness Approval Tag, for all new parts that will be installed in articles for which a dual release is to be issued. Under the previous provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 21, a Production Approval Holder (PAH) did not have the authority to issue FAA Form 8130-3. Under the provisions of part 21, Amendment 21-98, Final Rule (published October 1, 2015), the authority for issuance of FAA Form 8130-3 was expanded to include the PAH. This amendment became effective on March 29, 2016.

Note: On November 17, 2015, N 8900.336, allowed the requirements of the MAG, Change 5, Section B, Appendix 1, paragraph 10, having an effective date of December 8, 2015, to be extended until April 1, 2016, in order to be aligned with the provisions of part 21, Amendment 21-98, Final Rule, that became effective on March 29, 2016. Unfortunately the implementation of the changes to part 21, § 21.137(o), set forth in Amendment 21-98, is taking longer than expected and both FAA and EASA have been approached by a number of industry stakeholders to again extend the implementation deadline of the MAG, Change 5 (Section B, Appendix 1, paragraph 10).

6. Discussion. Since the release of the MAG, Change 5, there have been numerous concerns raised by U.S. repair stations regarding the changes contained in Section B, Appendix 1, paragraph 10 and the timelines established by that change. Industry stakeholders, including FAA-CRSs performing maintenance, preventive maintenance, and alterations to European Union (EU) operated aircraft and component parts of such aircraft, have indicated that they have limited control over the documents received with new parts procured from PAHs, specifically those PAHs that have not yet fully implemented the recent changes allowed by part 21, Amendment 21-98. The extended implementation date would allow sufficient time for PAHs in the United States to establish a process in their quality systems to issue an authorized release using FAA Form 8130-3 for new parts. Other concerns included what provisions could be made regarding components received prior to the March 29, 2016, implementation date of the part 21, Amendment 21-98, Final Rule.

7. Action. In order to allow implementation of the privileges under § 21.137(o) to the greatest extent possible, FAA and EASA have agreed to extend the deadline provided in the MAG, Change 5, Section B, Appendix 1, paragraph 10, from April 1, 2016, until October 1, 2016. In addition, both authorities have agreed that parts released by a PAH prior to October 1, 2016, will not be required to be accompanied by an FAA Form 8130-3. Only parts released from a PAH's quality system on or after that date, must be accompanied by the form if intended to be installed on articles subject to the U.S.-EU Aviation Safety Agreement.

Note: New parts currently in inventory must, at a minimum, have a document or statement (containing the same technical information as an FAA Form 8130-3) issued by the PAH or supplier with direct ship authority. The parts currently in

inventory and documented with the required information will be grandfathered and remain suitable for installation into EU articles provided the date on the document is prior to October 1, 2016. Annex 1 provisions of the agreement regarding the export of parts remain unchanged (i.e., parts that are exported to a customer under the regulatory jurisdiction of the EU will require the export certification as detailed in the Technical Implementation Procedures for Airworthiness (TIP) independent from the aforementioned grandfathering provision). All other provisions of the MAG, Change 5, will remain in effect.

8. Disposition. The information contained in this notice will *not* be incorporated into FAA Order 8900.1. The information contained within this notice is incorporated into the MAG, Change 5. Direct questions regarding this notice to the Aircraft Maintenance Division, Repair Station Branch (AFS-340), at 202-267-1675.

A handwritten signature in black ink, appearing to read "John Barbagallo". The signature is stylized with a large, sweeping initial "J" and "B".

John Barbagallo
Deputy Director, Flight Standards Service