



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

March 26, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dassault Falcon Jet Corporation
John K. Loh
Director, Technical support
Teterboro Airport
Box 2000
South Hackensack, NJ 07606

Re: Request for Interpretation of the Part 135 Regulations Pertaining to
Whether General Maintenance Manuals Used in Part 135 Operations
are Approved by the Federal Aviation Administration (FAA), and Whether
Minor Repairs and Alterations Must be FAA-Approved

Dear Mr. Loh:

This is in response to your letter dated October 22, 2006, in which you asked for a Federal Aviation Administration (FAA) legal interpretation of “the Part 135 regulation which pertains to a 135 Operators General Maintenance Manual (Part 135.21).” Your request appears to be based on the premise that some operators have indicated to Dassault Falcon Jet Corporation (Dassault Falcon) their belief that their General Maintenance Manuals (GMM) are approved by the FAA. Accordingly, they believe that all repairs and alterations to their aircraft, whether major or minor, must be approved by the FAA. On page two of your letter, you ask four specific questions on these matters. We will answer them in order.

1. Please advise if in fact the approval of a Part 135 GMM constitutes the express FAA approval of all documents referenced within that document.

FAA Answer: In order to provide context, you stated in the background section of your letter that an operator advised you of a statement in its manual that it “will use the OEM’s maintenance manual in the maintenance of the aircraft.” You stated further that the operator’s perception is that, “since the GMM is approved by the FAA, then the data

contained within that GMM then becomes approved data.” The regulation you refer to, section 135.21 of the Federal Aviation Regulations, 14 C.F.R. § 135.21, states, in pertinent part:

Each certificate holder, other than one who uses only one pilot in the certificate holder's operations, shall prepare and keep current a manual setting forth the certificate holder's procedures and policies acceptable to the Administrator. This manual must be used by the certificate holder's flight, ground, and maintenance personnel in conducting its operations.

By its terms, the regulation requires only that the manual be “acceptable” to the FAA. If we understand your question correctly, it seems to be based on inquiries you have received that set forth an erroneous premise that the operators' GMMs are approved by the FAA. As a regulatory matter, such approval is not required. Moreover, the performance rules of the FAA's maintenance regulations, specifically 14 C.F.R. § 43.13(c), provide, in pertinent part, that:

Unless otherwise notified by the Administrator, the methods, techniques, and practices contained in the maintenance manual or the maintenance part of the manual of the holder of an air carrier operating certificate or an operating certificate under Part 121 or 135 constitute acceptable means of compliance with this section.

Nevertheless, operators' GMMs may contain documents that require formal approval by the FAA. By way of example, portions of the Structural Repair Manual (SRM), Weight and Balance Manual, and the Airworthiness Limitations section of the Instructions for Continued Airworthiness (ICA) [see H25.4 “Airworthiness Limitations section” of Appendix H to 14 C.F.R. part 25] have data that is FAA-approved. Details of GMMs may vary among operators, depending on each particular operator's specific needs and requirements. Generally, each certificate holder works with its local Certificate Management Office (CMO) in developing an acceptable manual, including which portions are FAA-approved. Questions concerning a given operator's GMM should be addressed to that operator's local CMO.

2. Please advise if there is any condition in which the FAA considers the Dassault Airplane Maintenance Manual as approved data.

FAA Answer: As noted above, only the Airworthiness Limitations section of the Instructions for Continued Airworthiness (ICA) prepared by a manufacturer is required to be FAA-approved. The essence of your letter is in the context of Part 135 operators' maintenance manuals, and, with respect to an operator's using its GMM in maintaining its aircraft, our answer above applies.

3. Please advise if an operator's operation under Part 135 in any way changes the requirements to establish the needs for return to service of Minor versus Major repairs. In essence, is there any mandate to have approved data for a repair or alteration that per the FAR's meets the definition of minor?

FAA Answer: Section 135.437(b), 14 C.F.R. § 135.437(b), provides, in pertinent part, that:

A certificate holder may approve any airframe, aircraft engine, propeller, rotor, or appliance for return to service after maintenance, preventive maintenance, or alterations that are performed However, in the case of a major repair or alteration, the work must have been done in accordance with technical data approved by the Administrator.

Therefore, if a proper determination has been made that the repair or alteration at issue is minor, FAA-approved technical data is not required.

4. One final interpretation – when a manufacturer issues a No Technical Objection letter to a customer regarding an item which meets the definition of minor repair or alteration per the FAR's, is it mandatory for that customer to take that NTO to their local FSDO for approval before returning the aircraft to service?

FAA Answer: Procedures for handling No Technical Objection (NTO) letters are not addressed in the regulations. Individual operators should work with their local Flight Standards District Office (FSDO) or CMO on issues involving the acceptability of using NTOs. As noted above, however, if the repair or alteration at issue meets the regulatory definition of a minor repair or a minor alteration, FAA-approved technical data is not required for the repair or alteration.

We hope the above answer responds to your needs.

Sincerely,



Rebecca MacPherson
Assistant Chief Counsel for Regulations
Office of the Chief Counsel