ACT ARC Recommendation 20-5

Standard Issue Papers

I.   Submission

The recommendation(s) below were submitted by the Flight Standardization Board Workgroup (FSB WG) for consideration by the Air Carrier Training Aviation Rulemaking Committee (ACT ARC) Steering Committee at F2F–22, March 4-5, 2020. The ACT ARC Steering Committee adopted the recommendations, and they are submitted to the Federal Aviation Administration (FAA) as ACT ARC Recommendation 20-5.

II.   Statement of the Issue

The FAA asked the ACT ARC to examine whether the FAA should reconsider its Flight Standardization Board (FSB) Operational Evaluation (OE) process and, if so, to recommend what elements should be included and what standards should be used to ensure consistent conduct of OEs. The ACT ARC established the FSB WG to complete this FAA-initiated tasking. The FAA uses Issue Papers (IP) to document the negotiation and resolution of certification and other issues. IPs provide a structured means for describing and tracking the resolution of significant technical, regulatory, and administrative issues that occur during a project. The IP process establishes a formal communication vehicle for addressing significant issues between the applicant and the FAA, and they are also useful in addressing novel or controversial technical issues.

Aircraft Evaluation Groups (AEG) representing the interests of the FAA's Flight Standards Service (AFX) have used IPs to address Flight Standards considerations during type certification. These IPs have encompassed the evaluation of operational and maintenance aspects of certification and the continuing airworthiness requirements of newly certificated or modified products and parts. Although the use of IPs by the AEGs is described in FAA Order 8110–112A, no guidance or policy within AFX describes the use and application of these IPs by the AEGs, whether as part of a certification project or as a separate AEG evaluation. Standardization in format, content, and application among the various AEG offices would improve understanding and clarify expectations for applicants and AEGs.

Historically the AEGs have used the IP process in two ways. The first, "generic" IP type is used not to document a resolution process but, rather, is used as a signed document of agreement between the FAA and applicant on operational issues that will be applied during the certification process. These include issues related to operational suitability evaluation, pilot type rating determination, training, checking, and currency requirements, pilot rest facilities and the Master Minimum Equipment List (MMEL). The second type is used to address issues more suitable for the IP process, such as steep approach evaluations or addressing operational issues not related to certification activities. Because of the unique nature of the latter type and the lack of guidance for, or training of, the AEG inspector workforce, these issue-based IPs can be unique to each AEG office and are not standardized in format.

In such a context and operating scheme, the industry finds it difficult to anticipate their IP application and has limited guidance as to how to respond and what process to follow. The proposed recommendations and supporting rationale below suggest an effective strategy to address this area of concern.

III. Proposed Recommendations

The ACT ARC recommends that the FAA consider the following actions:

1. Review and standardize the format and content of all "generic" Operational Issue Papers (IPs) across all AEGs and post them on the Flight Standards Information Management System (FSIMS) as formal documents.
2. Develop the format and content of these "generic" IPs, to specify the general obligations of the applicant to support the operational suitability of its product throughout its lifecycle (*e.g.*, initial application for Type Certificate (TC), changes to TC (derivative aircraft, design modifications, Airplane Flight Manual (AFM) modifications) and continued operational safety). Such a format should record the conditions of the agreement (*e.g.*, applicant processes) reached between the applicant and the FAA applicable throughout the lifecycle of the product.
3. Develop a process for development, recording, tracking, and dissemination to original equipment manufacturers (OEM) of Operational Issue Papers (both specific and generic). Operational Issue papers can cover operational issues related to aircraft certification or issues outside a certification project.
4. Undertake a review of past AEG activities and Issue Papers for developing general guidance as to the possible different types of "specific" IPs (*e.g.*, special use, unique systems and their use, and specific evaluation process) and the required rationale necessary for specific assessments.

IV. Rationale and Discussion

In both the definition of AEG in Order 8110–112A and listed as part of the AEG's certification responsibilities in FAA Order 8110.4C, one of the primary duties of the AEG in FAA certification projects is to "evaluate continuing airworthiness requirements of newly certificated or modified products and parts." Clear AFX guidance addressing this objective would allow AEGs to carry out their responsibilities in a uniform manner, and improve the overall efficiency of the process.

The recommendations provided in this document about integrated AEG/FSB activities are complementary to input from the Department of Transportation Special Committee, Joint Authorities Technical Review (JATR), and Safety Oversight and Certification Aviation Rulemaking Committee (SOC ARC).

V.   Background Information

ACT ARC Recommendation 20-5 addresses Item 1 in the FSB WG Scope of Work and ACT ARC Initiative #43 (see below):

FSB WG Scope of Work:

1. Examine whether the FAA should reconsider its current process of an FAA operational evaluation.

   a. If the WG decides that the FAA should reconsider, the WG should examine the possible alternatives to the current process.

ACT ARC Initiatives:

- Initiative #43: Examine how the FAA could improve its current Flight Standardization Board (FSB) Process and product (FSB Report) to meet the interests of all stakeholders.

References:
- FAA Order 8110–112A
- FAA Order 8110.4C