

FAA Compliance-and- Enforcement-related Issues

AVIATION SUPPLIERS ASSOCIATION

Quality Assurance Committee

Sunday June 26, 2016



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The Giles Group

Who We Are

Good Safety = Good Business



**Air
Carriers**

CAAs

**Commercial
Operators**

**Who
We
Serve**

**Business
and
General
Aviation**

MROs

**Manufacturers
Suppliers,
Distributors**

Our Capabilities

Assessments
and Audits

Certification

Safety
Management
Systems

Training

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Section 1 | Compliance Philosophy



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FAA NEW Compliance Philosophy

**Intentional
or
Reckless Deviation**

**Deviations from Regulatory
Standards**

Voluntary compliance with regulatory standards

Source: FAA Order 8000.373, dated 06/26/2015
& AFS Notice N 8900.343 dated 2/2/2016

FAA NEW Compliance Philosophy

FAA Order 8000.373

Based largely on, and dependent upon, voluntary compliance with regulatory standards -

- Statutory obligation to comply with regulations
- Includes duty to develop and use processes to prevent deviation
- FAA is implementing SMS based on comprehensive safety data sharing between the FAA and the aviation community
- Foster an open and transparent exchange of data,
- Supported by an established safety culture,
- Ensuring both compliance with regulations and the identification of hazards and management of risk

Deviations From Regulations

When Deviations Occur

- FAA's goal – use the most effective means to return an individual or entity to full compliance and to prevent recurrence
- Some deviations arise from
 - flawed procedures, simple mistakes
 - lack of understanding, or diminished skills
- These deviations most effectively corrected through
 - root cause analysis
 - training, education
 - other appropriate improvements documented and verified to ensure effectiveness.

AFS Compliance Philosophy

Solution-oriented



Outcome-based
Identify safety
issues Correct
noncompliance



Resolve
issue
through
compliance
tools,
techniques,
concepts,
and
programs

Interdependence

When there is a professional difference of opinion, the first action should be to understand the other perspective

A clear reasoned concern about risk, inspectors must work interdependently with colleagues (AEG, ACO, region & policy divisions) to determine whether, and how, the air carrier can sufficiently mitigate risk and meet compliance obligations

If a proposed means of compliance appears to be safe and within the scope of regulations but outside AFS policy, inspectors should work through their management chain to obtain short-term policy relief (deviation to 8900.1) and seek appropriate long-term policy revisions

Critical Thinking



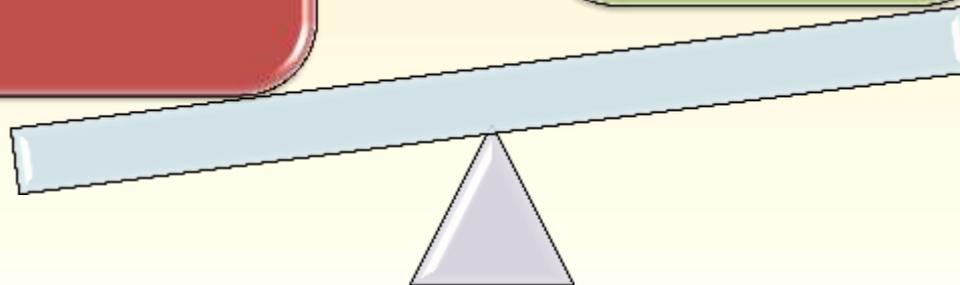
Consistency

Does not mean
that each entity
gets identical
results

Means evaluating
each set of facts

Tailored
specific
solutions

Anchored in
statutes,
regulation,
policy, and
legal
interpretation



Achieving Consistency

Inter dependence

- ✓ Evaluate the facts of each issue against objective standards (regulations, legal and policy interpretations etc.)

Critical Thinking

- ✓ Explain differing responses to any stakeholder
- ✓ Based on the facts and standards used to make the determinations

Intentional or Reckless Deviation

Intentional Or Reckless

- Unacceptable risk to safety - posing the highest risk to safe operation
- Require strong enforcement
- Regulatory violations involving law enforcement-related activities may be addressed with enforcement

Section 2

Compliance and Safety Information Sharing



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NEWS FROM THE FAA

The New Compliance Philosophy

VS

Aviation Safety Action Program
(ASAP)

Voluntary Disclosure Reporting
Program (VDRP)

Notice 8900.352

Supplementary
information

Addresses change in
Compliance Philosophy

Eliminates the
Administrative Action
and the Enforcement
Decision Process
(EDP) tool

Section 3

What is SAS?



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Safety Assurance System (SAS)

What is SAS?

Next Evolution of FAA Oversight

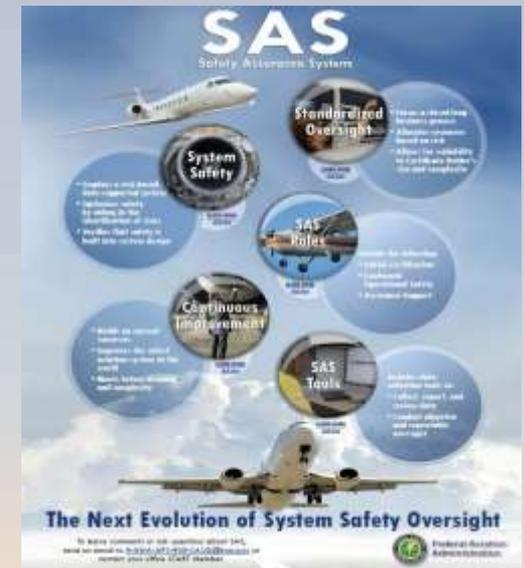
- Replaces existing oversight systems
 - Initial certificate issuance
 - Ongoing surveillance
 - Changes to initial certificate

SAS Concepts and Philosophies

- System Safety
 - Safety Attributes
- Safety Management Systems
 - Four Pillars or Components
- Risk Based Data *Supported*

Deployed in Two Phases

- Phase 1 - May 2014 thru December 2015 All part 121, 135 and 145
- **Phase 2 - FY 2018**
 - All remaining certificates



Source: FAA Order 8900.1 and FAA website AFS-900

Safety Assurance System (SAS)

What is SAS?

- ❑ Standardized protocols to evaluate certificate holder programs required by regulations to be approved or accepted.

- ❑ Used in Certification and Oversight
 - ❑ Verify safe operations and before issuing a certificate and approving or accepting programs.
 - ❑ Periodic reviews – verification compliance
 - ❑ Validate performance of a approved/accepted programs for the purpose of Continued Operational Safety (COS)

Safety Assurance System (SAS)

What is SAS?

- ❑ Goal – to optimize safety by the identifying hazards and eliminate or control their associated risk.
- ❑ Perform Design Assessments (DA) and Performance Assessments (PA)
 - ❑ Use of Data Collection Tools (DCTs)
 - ❑ Element Design Assessments (EDs)
 - ❑ Performance Assessments (PAs)

Safety Assurance System (SAS)

What is SAS?

1.4.3 Manuals, Design Assessment, AW, Peer Group F - Part 145 Within US, Revision: 11.0 on 05/26/2016

Unscoped DCT Report (Standard DCT)

MLF Label: 1.4.3 Manuals (Released)
DCT Type: ED DCT
Specialty: Airworthiness
Peer Group: F - Part 145 Within US
DCT Revision: 11.0 on 05/26/2016 (Released)

Summary Information

Purpose (Certificate Holder Responsibility): To provide manuals required by personnel to perform their duties.

Objective (FAA Responsibility): Determine if the CH will be able to: (1) Comply with regulations; (2) Provide manuals required by personnel to perform their duties.

Questions	Answers	References
1.4.3 Manuals		
1. Does the manual include an organizational chart identifying each management position with authority to act on behalf of the Repair Station, and their: #1 Area of responsibility; and #2 Duties, responsibilities, and authority? NOTE: Safety Attribute: Management Responsibility, Question Type: Output Validation, Scoping Attribute: (FAR PART = "145"), Rev. 2.0 04/13/2016, QID: 00001251, Response Details: EP & ED DCTs (Both OP and AW), Status: Released	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable	8900.1 Vol 2 Ch 11 Sec 4; AC-145.9; 145.207(a); 145.209(a)
2. Is the individual with responsibility clearly identifiable and required to have the knowledge and qualifications necessary to plan, organize, direct and control activities for this element?	<input type="radio"/> Yes <input type="radio"/> No	

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QUESTIONS?



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