



ASA Government Affairs

This workshop will cover some FAA issues that could impact your business, as well as a discussion of ASA's Government Affairs Program

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ASA Government Affairs Program

- Training and education is an important element of ASA's Government Affairs program
 - Annual Conference
 - Regulatory Workshops
 - Blog and newsletter
- Meet with air carriers and government agencies
- Speak at many industry events to educate and inform as well as to promote ASA programs

Who Does ASA Work With?

- FAA
- EASA
- TCCA
- CAAC
- ANAC
- HK CAD
- UK CAA
- Various other CAAs
- US Treasury Department
- US Commerce Department
- US State Department
- US Department of Homeland Security
- Other agencies as needed



ASA Government Affairs Program

- Proactive
 - Worked with FAA to develop the concept of a “domestic” 8130-3
 - AC 00-56B included improvements that ASA had identified as contributing to safety
- Reactive

Domestic 8130-3 Tags

- By regulation, only manufacturers could apply for export 8130-3 for class III parts
- ASA worked with FAA to create the “domestic” 8130-3 tag, which certified compliance to US standards only
 - Exporters could then self-certify compliance with foreign import standards, as anticipated in the original promulgation of the regulations
 - At the time, there were no special import conditions at the part level
- The “domestic” tag become popular, domestically

Export v. Domestic 8130-3

- EASA has only one EASA Form One tag, which does not list a destination country
- Listing a destination country on the export 8130-3 tag has caused unnecessary transactional impediments without adding safety value
- FAA has agreed to eliminate this provision – no more listing of the destination country (export tags will look like domestic tags)

June 24 FAA Memo Export 8130-3 Tags

Modifies Order 8130.21H

- Do not use the statement “export airworthiness approval – this article meets the special requirements of (insert country)”
- Do not use “EXPORT”
- Do not use the statement “export airworthiness approval. No special import requirements for [enter name of country or jurisdiction] stated at the time of issuance”



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 - FAA-EASA Maintenance Annex Guidance rev. 5-6
 - Issued without industry notice
 - Poor language threatened to impact distribution



FAA/EASA MAG Revision 6 – What Does it Mean for the ASA Community?

EU-US Bilateral Agreement

- The US and EC have a Bilateral Airworthiness Safety Agreement (BASA)
 - Executive Agreement, implemented by 14 C.F.R. Part 21 (including 21.500-502)
 - No comparable US regulation for implementing Part 145 provisions
- The FAA and EASA have a Maintenance Annex Guidance (MAG)
 - Explains how the authorities will communicate and share data and responsibilities
 - Includes 'sample' supplements that have been implemented by inspectors as if they were regulations



EASA 145 in the US

- Over 1000 repair stations in the US have EASA 145 credentials
- Most commercial transport category aircraft repair stations bear these credentials

MAG Rev. 6: Unnecessary Impediments

- **PROBLEM:** The MAG uses different terminology from the regulations and therefore does not synchronize properly with the regulations
 - Requires new parts to bear EASA Form One or 8130-3
 - MAG is inconsistent with both US and EU regulations
 - “new” and “used” parts rather than “satisfactory condition” and “unserviceable”

Can an EASA 145 Receive a Part Without an EASA Form One?

EASA Maintenance Organizations

- Under the EASA system, all maintenance is performed by 145s
 - No other entities have maintenance privileges
- EASA 145.A.42 imposes receiving requirements

EASA 145.A.42(a)(1-3)

- (a) All components shall be classified and appropriately segregated into the following categories:
 - 1. Components which are in a satisfactory condition, released on an EASA Form 1 or equivalent and marked in accordance with Subpart Q of Annex I (Part-21) to Regulation (EU) No 748/2012.
 - 2. Unserviceable components which shall be maintained in accordance with this section.
 - 3. Unsalvageable components which are classified in accordance with point 145.A.42(d).

EASA Definition of Unserviceable

M.A.504 **Control of unserviceable components**

- (a) A component shall be considered unserviceable in any one of the following circumstances:
 - 3. absence of the necessary information to determine the airworthiness status or eligibility for installation;

What is “Maintenance?”

- EASA Article 2(h):
 - ‘maintenance’ means any one or combination of the following activities: overhaul, repair, inspection, replacement, modification or defect rectification of an aircraft or component, with the exception of pre-flight inspection;

Summary

- Under EASA regulations a 145 organization may receive a part without EASA Form One/8130-3, and inspect it to new or airworthy condition
- Under the MAG, though, this safety valve is closed
- The result is that some distributors' inventories of aircraft parts will become less saleable and less valuable

Working on the Issue

- ASA has been working with the FAA
- FAA has been cooperative
 - A proposed interpretations would have resolved some distribution issues
- EASA would not support the FAA's interpretation
- ASA has filed a placeholder notice of appeal
 - Recent DC Circuit case states that this is required to preserve the Association's rights
- **ASA continues to work with the FAA**
 - Focus is on efficient mechanisms for obtaining 8130-3 tags

How Can You Help?

- Please let ASA know the approximate dollar value of parts without 8130-3 tags in your inventories
- Please let lawmakers know about these issues
 - As we continue to work with the FAA, we plan to develop talking points and template letters to support the FAA's resolution



ASA Works the Issues

- ASA will continue to identify and work the issues that affect ASA members
- Your participation is important to us
 - Identification of issues that affect your business
 - Getting educated and understanding the regulations that affect you and your business partners



Thank You

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