The View from Washington

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Part 145 Training

Recently we have been getting numerous phone calls from members about the new Part 145 training requirements that are due to be published next spring. I thought it might be a good time to update everyone on what we know at this time.

A number of the phone calls that we've received have originated from the recent advertised availability of a resource guide to "Repair Station Training Manuals." While the source of these manuals may imply that they meet the regulatory requirement of the new Part 145 training criteria, it is strictly their best guess, and as such, there is no guarantee that these commercially available resources will meet the regulations.

The long awaited training criterion has still not been released by the FAA. In fact, at the time of this writing (late September) the FAA's Advisory Circular and policy documents are still being drafted by the FAA's contractor. We were told that we should expect the AC sometime around late November.

But that doesn't mean that we are blind until November. We know, or at least have been told enough that should allow us to be prepared, and to help the AEA membership in preparing for this new requirement. First off, let us review the regulation:

Section 145.163 Training requirements.

(a) A certificated repair station must have an employee training program approved by the FAA that consists of initial and recurrent training. For purposes of meeting the requirements of this paragraph, beginning April 6, 2005--

(1) An applicant for a repair station certificate must submit a training program for approval by the FAA as required by § 145.51(a)(7).

(2) A repair station certificated before that date must submit its training program to the FAA for approval by the last day of the month in which its repair station certificate was issued.

(b) The training program must ensure each employee assigned to perform maintenance, preventive maintenance, or alterations, and inspection functions is capable of performing the assigned task.

(c) A certificated repair station must document, in a format acceptable to the FAA, the individual employee training required under paragraph (a) of this section. These training records must be retained for a minimum of two years.

(d) A certificated repair station must submit revisions to its training program to its certificate holding district office in accordance with the procedures required by § 145.209(e).

From the regulation, we know a couple of things.

We know that baring some form of delay or extension repair stations will begin submitting their training manuals to the local Certificate Holding District Office (CHDO) after April 6, 2005, and that repair stations will submit their manuals throughout 2005 and into 2006.

How does a repair station know when they need to submit their manual for approval?

Section 145.163 (a) (2) tells us that a repair station certificated before April 6, 2005 must submit its training program to the FAA for approval by the last day of the month in which its repair station certificate was issued. So go look at your certificate! If your certificate was issued in June of 1954, then your training manual will need to be submitted to the FAA not later than June 30 of 2005. If your certificate was issued in November of 1964, then you have until November 30, 2005 to submit your training manual.

When does the repair station implement their training program?

I would prefer to see that every AEA member company already has a training program. Part 145 already requires some training, and most repair stations provide or encourage continuing education either at an AEA regional meeting, annual convention or a local FAA sponsored IA renewal program. However, according to people at FAA headquarters, the repair station will not be required to implement the "approved training program" until it is approved. That is, the training manual has been returned to the repair station from the FAA's CHDO having been "approved."

But that doesn't mean the repair station should sit back and wait until the last minute to start putting together the information needed for the training manual.

We know that Section 145.163 (c) requires that a certificated repair station must document the individual employee training and that the training records be retained for a minimum of two years. Can you use your current employee record keeping program to record training, or will you need to develop a new form?

AEA is meeting this need. Beginning in 2005, a training report developed by the AEAfor its members will be available that will list all AEA-administered, FAA-approved training received by each employee of AEA member shops. The report will document your employee's attendance at an AEA regional meeting, or a training session held during the annual convention, or any other AEA administered training program, such as attendance at one of the apprenticeship training programs, or completion of the annual *Avionics News* training and test. In 2003, AEA held over 200 hours of FAA approved training.

AEA has been working with FAA leadership to ensure that the training that we produce will meet the needs of the repair station's requirements. All indications are that for the majority of AEAmember companies, accomplishment of the already required training for supervisors, managers, and inspectors, plus the completion of an AEA training program for the technicians, augmented by an annual review of the facility specific issues such as a review of the repair station manual, procedures, and forms can meet the requirements of Section 145.163.

What we suspect the AC will call for is that the training programs will be balanced against the size and complexity of the repair station. For a basic repair station, the training program will be relatively basic. For a complex facility, the training program will mirror the facility by being complex. A basic program would be the current training requirements of Part 145, some level of recurrent training for the individual technician, plus some annual facility-unique type of training. For a complex facility it would be all of the requirements of a basic program plus more facility-unique training for the individual technicians covering the more complex repair station issues such as their quality assurance program elements, air carrier maintenance, etc.

The important issue is that as of the time of the writing, no one knows what the additional training requirements will be except those few individuals within the FAAwho have been working on the AC and Orders. While the effective date of Section 145.163 is April 6, 2005, the implementation date may be as early as April 30, 2005, or as late as March 31, 2006 depending on the date of issue of the repair station's certificate. The FAA has promised to issue the AC and Orders sometime in late November. Once AEA receives the AC and reviews it, we will develop the tools necessary to assist AEA member companies in developing their training programs and in complying with Part 145.163.

Regulatory Update

United States

FAA Publishes Change 20 to FAA Order 8300.10

The Federal Aviation Administration has published Change 20 to their order 8300.10. The significant areas of change include:

• Volume 1, Chapter 10, Inspector Ethics and Conduct, incorporates the professionalism definition and standards approved by the Director of Flight Standards Service on October 14, 2003.

• Volume 2, Chapter 74, Evaluate Part 121/135 (10 or more and turbine-powered aircraft) Operator's Weight and Balance Control Program, is written.

• Volume 2, Chapter 80, Evaluate a Certificate Holder's Short-Term Escalation Procedures, is rewritten.

• Volume 3, New Chapter 10, Conducting Records Reviews and Aircraft Inspections Mandated by the Aging Aircraft Rules, incorporates N 8300.113, Conducting Records Reviews and Aircraft Inspections Mandated by the Aging Aircraft Rules, dated 11/25/03.

FAA Publishes Flight Standards Information Bulletin for Airworthiness (FSAW) 04-10

The FAA has issued FSAW 04-10 which addresses the reexamination of Airframe and Powerplant Certificate holders who took oral and practical exams at the St. George Aviation Testing Center in Sanford, Fla.

FSAW 04-10 provides guidance to

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Frequently Asked Questions

TOPIC: Marking of TSOd products.

The following question and answer is extracted from the FAA's Order 8150.1A titled: Technical Standard Order Program.

QUESTION:

How are alterations to TSO'd products documented?

ANSWER:

The following is extracted from FAA's Order 8150.1A titled: Technical Standard Order Program.

Paragraph 20. IDENTIFICATION OF TSO ARTICLES MODIFIED BY PERSONS OTHER THAN MANUFACTURER. Design changes to a TSO article by a person other than the manufacturer who submitted the statement of conformance is permitted by 14 CFR §§ 21.303 and 21.611(c). The modified TSO articles must be approved under 14 CFR Part 43 or the provisions of the applicable airworthiness regulations. If the modified TSO article is reviewed by the ACO for airworthiness approval, the ACO should require the modifier of the TSO article to comply with the following essential identification requirements:

a. The modifier should permanently mark the modified article with his name, address, means of approval of the design change (for example, STC No. or Drawing No.), date of approval, description of the modifications that have been performed, and any other information pertinent to operating parameters (for example, environmental categories, class, maximum range, etc.). The marking should be part of the design change data.

b. The original TSO identification on the manufacturer's nameplate may remain on the article only if it is demonstrated to the FAAthat the modified article continues to meet all requirements of the original TSO as follows:

(1) The original manufacturer of the article has notified the FAA of the modified article's compliance with the TSO; or

(2) Based on tests and evaluations the modifier certifies compliance with the TSO to the FAA.

c. The modifier should permanently obliterate TSO identification on the original manufacturer's nameplate when the modified article cannot be demonstrated to continue to meet the requirements of the original TSO. These types of modified articles are no longer approved for installation in the original aircraft type design. A separate approval must be obtained as part of the aircraft type design.

d. When a modified TSO article is produced under the Parts Manufacturer Approval (PMA) provisions of 14 CFR § 21.303, "Replacement and modification parts," the article must be marked in accordance with the requirements of 14 CFR § 45.15.

Note: AEAoffers these Frequently Asked Questions (FAQs) in order to foster greater understanding of the Federal Aviation Regulations and the rules that govern our industry. AEAstrives to make them as accurate as possible at the time they are written, but rules change so you should verify any information you receive from an AEA FAQ before you rely on it. AEADISCLAIMS ANY WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED. This information is NOTmeant to serve as legal advice – if you have particular legal questions, then these should be directed to an attorney.

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Federal Aviation Administration (FAA) aviation safety inspectors (ASI) on program policies and procedures for reexamining individuals holding mechanic certificates with airframe and/or powerplant ratings, who tested at the St. George Aviation (SGA) testing facility in Sanford, Fla. between October 10, 1995 and December 31, 1998.

Airmen who received their certificates from SGAduring this period will be reexamined unless they have previously demonstrated they possess the required qualifications. Airmen who have been previously retested, or have obtained a subsequent Inspector Authorization have demonstrated the required qualifications and do not need further reexamination.

Australia

Air Safety Rules

New, clear, concise and consistent advice on the application of a range of aviation safety regulations has been published by the Civil Aviation Safety Authority.

Five new aviation rulings are now available on-line to help the aviation industry meet Australia's high safety standards.

The aviation rulings make it easier for people in the aviation industry to understand and follow key safety regulations.

There are now a total of 11 aviation rulings which set out CASA's policy on issues that may have been difficult to clarify in the past.

The new rulings cover:

- training and checking requirements
- the carriage of passengers in aerial work operations
- the carriage of infants and children

in excess of flight manual limitations
• serviceability of instruments and equipment for charter and regular public transport operations, and
• approval to manufacture components in the course of maintenance.

CASA's Chief Executive Officer, Bruce Byron says the new rulings address areas that have caused some confusion within the aviation industry.

"It's vital that CASA gives as much assistance as possible to the aviation industry to understand and properly apply the safety regulations," Byron says.

"We recognize this isn't always easy as the regulations are legal in nature and can sometimes be challenging to follow. The aviation rulings provide everyone with clear and consistent advice on how to abide by the regulations in areas that are important to various sectors of the industry. CASA staff will also use the new rulings to make sure they apply the regulations consistently and properly in the appropriate situations."

The aviation rulings are general in nature, however, CASA will accept that someone who complies with a ruling is complying with the regulations. This is as long as they do not carelessly misread the text, they rely on the ruling in good faith, and only rely on the clear statements of fact and policy in the ruling.

The aviation rulings are available on the CASA website at:
casa.gov.au/avreg/rules/Rulings/index.htm

They are:
01/2004 - Serviceability of instruments and equipment for charter and regular public transport aircraft
02/2004 - Carriage of infants and children in excess of aircraft flight manual limitations
03/2004 - Classification of aerial work operations carrying passengers
04/2004 - Training and Checking: number of checks "each calendar year"
05/2004 - Approval to manufacture components in the course of maintenance ('MITCOM')

Canada

Transport Canada Web Service Difficulty Reporting System

TCCA has implemented a web-based Service Difficulty Report (SDR) system that manufacturers, installers and maintainers may use to file SDRs electronically and also search TCCA's database of SDRs. The database includes SDRs filed with TCCA for Canadian registered aeronautical products or products for which Canada is the Country of Type Design responsibility. The site includes a useful SDR Logic Chart that can be printed as a poster and used for quick reference to determine whether or not a SDR should be submitted to report a system or equipment malfunction.

Visitors to the site may utilize the "Quick Query" function. Registered users can utilize this site to:
• Submit SDRs
• Query the SDR database
• Track and store submitted SDRs
• Update previously submitted SDRs
• Check status updates on Canadian SDRs

The WSDRS site is accessible at: www.tc.gc.ca/wsdrs

Reminder – Avionics Modification Workshop

The 2004 TCCA/AEA Avionics Modification Workshop is to be held December 1-2 in Ottawa. Agenda items have been submitted by AEA and details of the workshop, including registration information are available at:
www.tc.gc.ca/CivilAviation/certification/engineering/avionics/Workshop04/menu.htm

Transport Canada issues Advisory Circular and Staff Instruction for use of Electronic Flight Bags

TCCA has issued Commercial and Business Aviation Advisory Circular (CBAAC) No. 0231 to provide guidance to Air Operators that are considering implementing the use of an Electronic Flight Bag (EFB) in their flight operations. The CBAAC may be viewed at:
www.tc.gc.ca/CivilAviation/commerce/circulars/AC0231.htm

TCCA has also issued Aircraft Certification Staff Instruction No. 500-017 to detail certification procedures for acceptance and installation of EFBs. The procedures are based on FAA AC 120-76A, however TCCA has defined additional installation aspects and limitations on the scope of their approval related to Class 2 EFBs as described in the Staff Instruction. Although this Staff Instruction is published for TCCA aircraft certification engineers and delegates, installers of EFBs should be familiar with the scope of TCCA's involvement and requirements for approval of EFB installations. SI 500-017 may be viewed at:
www.tc.gc.ca/CivilAviation/certification/guidance/500-017.htm

AEA Canada Rejects Transport Canada Proposals for Safety Management Systems and Fatigue Risk Management Systems at member AMOs.

Barry Aylward, AEA Canada board member, attended the TCCA CARAC Technical Committee meeting on September 13-16. At this meeting, a number of NPAs were introduced to mandate regulations for the introduction of a Safety Management System (SMS) and a Fatigue Risk Management System (FRMS) for all AMOs. At previous CARAC meetings, TCCAhad indicated that require-

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ments for SMS and FRMS would be tailored to the size and scope of the AMO, such that AMOs that are not part of a commercial air operator's organization would not be subjected to the full requirements. The NPAs tabled at the September meeting gave very little alleviation for non-operator AMOs, and as such would represent a major burden to small, shop-based AMOs.

AEA Canada tabled a Position Paper at the CARAC meeting, to urge TCCA to rescind the NPAs as presented, and re-write them to eliminate the requirements for SMS and FRMS in shop AMOs. AEA Canada had the support of other industry associations at the meeting, and TCCA acknowledged that their position would have to be re-thought. Additionally, discussion on the introduction of FRMS to AMOs was deferred until early 2005, due to the length of discussion on the requirements for SMS. AEA Canada will be filing a formal written Dissent to CARAC on the proposed SMS NPAs. Details of the NPAs as presented at the meeting may be viewed at: www.tc.gc.ca/civilaviation/RegServ/Affairs/carac/NPAs/CASO/sep04/menu.htm ❑