

## VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

### CHAPTER 4 THE CERTIFICATION PROCESS—TITLE 14 CFR PART 135

#### Section 3 Safety Assurance System: Phase 3—Design Assessment (SAS Business Process Modules 2, 3 & 4)

**2-396 GENERAL.** The Design Assessment (DA) phase is that part of the certification process when the applicant's manuals and other documents are reviewed in depth to ensure compliance with applicable regulations and conformity to safe operating practices.

**NOTE:** These documents may include paper representation of data intended for display on the airplane; for example, electronic checklists or Approved Flight Manuals (AFM). Guidance on the use of electronic checklists is provided in the current edition of Advisory Circular (AC) 120-64, Operational Use and Modification of Electronic Checklists. Operators' use of electronic checklists should be consistent with the provisions of AC 120-64.

**A. Organization.** An important responsibility of the certification project manager (CPM) is to organize the certification team's efforts to promptly review the applicant's manuals and other documents. Two key elements useful in planning activities in the DA phase are the Schedule of Events (SOE) and the compliance statement. The SOE determines what will be examined and when. The previously agreed-upon SOE will determine the priority of items to be reviewed and any additional inspector support or other Federal Aviation Administration (FAA) resources that will be needed beyond the composition of the basic certification team. The DA phase is an intensive process and will most likely require additional resources to accomplish necessary tasks in a timely manner. The certificate-holding district office (CHDO) certification team may be augmented by other FAA resources.

**B. Plan for Review (Module 2).** The plan for review should ensure that each of the required manuals or documents submitted by the applicant will be reviewed in accordance with procedures and criteria outlined in other volumes of this handbook. Ensure that the Comprehensive Assessment Plan (CAP) has been developed to complete all elements. Principal inspector (PI) instructions for each DA will include at least the following: "Name of Inspector" conducting the inspection and indicate "team coordinator (TC)" or "team member"; proposed completion date; the Safety Assurance System (SAS) "National/Local/Field" block should read "Initial Cert." The compliance statement directs the inspector to the location in the applicant's manuals where a compliance procedure is described. The certification job aids (Figures 2-12 and 2-13) have specific references to direction and guidance on subject matter published in this order.

**C. Resource Management (Module 3).** The CPM will provide input to the Front Line Managers (FLM) to help them identify team resources to complete each Element Design Data Collection Tool (ED DCT). The FLMs will determine resource availability and assign TCs and team members to support the plan. The FLM will concur with the CAP.

**2-397 REVIEW OF APPLICANT'S SUBMISSIONS.** During this phase, members of the certification team evaluate and approve or accept the applicant's manuals and any other required documents. Review of the applicant's submissions should be accomplished by simultaneous reference to Title 14 of the Code of Federal Regulation (14 CFR), the compliance statement, and the appropriate manual or document. The following are examples of typical submissions from applicants during the DA phase. This list is not all-inclusive, and certain items may not be applicable to a particular type of operation.

- Applicant submitted ED DCTs;
- Initial cadre training;
- Management personnel résumés outlining proposed management qualifications and compliance histories;
- General Operations Manual (GOM);
- General Maintenance Manual (GMM) (may be combined with the GOM for certain 14 CFR part 135 operators);
- Continuous Airworthiness Maintenance Program (CAMP)/manuals (as applicable).
- Weight and Balance (W&B) procedures;
- Training program/manual;
- FAA-Approved Aircraft/Rotorcraft Flight Manual (AFM/RFM);
- Company aircraft operations manual (This is not required if an operator elects to use the manufacturer's-AFM);
- Minimum equipment list (MEL);
- Configuration Deviation List (CDL);
- Cockpit checklist;
- Passenger briefing card;
- Noise and environmental assessments;
- Destination Airport Analysis Program (DAAP)'
- Deviation requests;
- Hazardous materials (hazmat)/security program;
- Flight attendant (F/A) manual (as applicable);
- Operational control;
- Flight-locating procedures;
- Flight planning procedures;
- International Civil Aviation Organization (ICAO) Standards (as applicable);
- Proposed operations specifications (OpSpecs) (including operations, maintenance, and avionics);
- Maintenance reliability program (optional for 10 or more passengers);
- Continuous analysis and surveillance system (required only for 10 or more passengers under part 135);
- Proving/validation test plan;
- Compliance statement; and
- Compliance with applicable bulletins.

**2-398 THE COMPLIANCE STATEMENT.****A. Compliance Statement Purposes.**

1) It ensures that the applicant has adequately addressed all regulatory requirements applicable to the proposed operation.

2) It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manuals, programs, and procedures. In evaluating the applicant's compliance statement, the certification team may find it helpful to compare (in a side-by-side manner) the regulations, the applicant's manuals, and the compliance statement. The compliance statement documents how the applicant intends to comply with each applicable regulation.

**B. Statement Purposes Not Served.** If the applicant's compliance statement does not serve the preceding purposes, the deficient areas will be communicated to the applicant and a resolution shall be negotiated. Proving tests will not be conducted until the certification team is satisfied, through its review of the compliance statement and formal application package, that all regulatory requirements have been adequately addressed. The applicant's methods of compliance will be evaluated throughout the Performance Assessment (PA) phase.

**2-399 OPERATIONS SPECIFICATIONS.** The CPM will coordinate with the applicant and draft OpSpecs in the Web-based Operations Safety System (WebOPSS).

**2-400 DATA COLLECTION (MODULE 4A).**

**A. Accuracy Verification and Data Analysis.** The Certification Project Team (CPT) will verify accuracy of the applicant completed ED DCTs and complete their assigned ED DCTs. The CPT will collect and analyze the data by conducting a data analysis meeting. If data is of sufficient quality, provide the applicant with written notification of such. If the data is not of sufficient quality, draft a letter to the applicant and detail the negative response and cause for the rejection of the formal application package. Do not cut and paste "No" answers. Keep the letter at the element level.

**B. Letter to the Applicant.** The letter must advise the applicant that they must return the next revision as an entire submission accompanied by revised applicant completed ED DCTs. The applicant will label all documents in the revised submission in sequential order (Revision B, Revision C, etc.). Also, the applicant will use their manual revision process when revising their manuals (i.e., change bars, etc.)

**2-401 DATA REPORTING (MODULE 4B).** Each team member will then enter their responses into SAS. Enter "Initial Cert." in the "Local/Regional/National" field on the "Common Data" screen. Save data by clicking "Submit".

NOTE: If an inspector observes any finding(s) not related to their assigned element, or he or she cannot capture it in their assigned element, document the finding(s) in a Dynamic Observation Report (DOR) and notify the inspector(s) working that element. The certification team should remember that it is the applicant's responsibility to develop manuals and procedures that ensure safe operating practices and compliance with the rules.

**2-402 DATA REVIEW (MODULE 4C).** The data reviewer will ensure that data meets the data quality guidelines (DQGs) and submit to SAS.

**2-403 ANALYSIS AND ASSESSMENT (MODULE 5A).** Along with the identified members of the CPT, the CPM conducts an Element Design Assessment (EDA) meeting to analyze ED DCT collected data by element. The CPM will make a bottom-line assessment and document it in Analysis, Assessment, and Action (AAA).

**2-404 ACTION (MODULE 5B).** Follow the Module 5 business process to determine the appropriate course of action for each element.

**RESERVED.** Paragraphs 2-405 through 2-415.