VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

CHAPTER 11 CERTIFICATION OF A TITLE 14 CFR PART 145 REPAIR STATION

Section 3 International Field Office Procedures for Certificating/Renewing/Amending a Part 145 Repair Station Located Outside the United States and its Territories and not Under a Maintenance Implementation Procedure

2-1241 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

A. Maintenance: 3230, 3376, 3650 Renewing/Amending.

B. Avionics: 5230, 5376, 5650 Renewing/Amending.

2-1242 OBJECTIVE. This section provides guidance for evaluating an applicant for certification/renewal/amendment of a Title 14 of the Code of Federal Regulations (14 CFR) part 145 repair station located outside the United States in a country without a Bilateral Aviation Safety Agreement (BASA) with Maintenance Implementation Procedures (MIP) with the United States.

NOTE: Readers of this section may use the terms “applicants,” “repair stations,” or “facilities” when referring to repair station applicants from part 145 facilities located outside the United States.

2-1243 INTRODUCTION.

A. General. This section provides required procedures for International Field Offices (IFO) when they certificate, or perform surveillance for, part 145 repair stations located outside the United States. Each aviation safety inspector (ASI) assigned to an IFO must be conscious of sensitive issues associated with working in the international environment. Inspectors must conduct themselves with the highest degree of professionalism while assigned outside the United States. An inspector must be courteous and respectful when dealing with foreign nationals and the various officials of the foreign aviation authorities (AA). Inspectors should understand that, while working for the Federal Aviation Administration (FAA), every action is representative of the U.S. Government. The FAA expects IFO employees to be fully aware that they are guests in a foreign country and they should recognize national culture within their working environment. The FAA expects IFO inspectors to observe the above guidance during all phases of the certification/renewal/amendment process.

B. Topics. This section covers:

- Introductory material, such as general descriptions of the five-phase certification/renewal/amendment process, new requirements for satellite repair stations, and special situations and provisions unique to IFOs;
- Initial certification procedures;

- Certificate renewal procedures; and
- Certificate amendment procedures and geographic authorizations.

C. Initial Certification of Foreign Repair Stations.

1) Background.

a) Approval of Legislation and Updates to Regulations. On December 12, 2003, Public Law (PL) 108-176, Vision 100—Century of Aviation Reauthorization Act, was signed into law. It was amended on August 3, 2007 by PL 110-53, Implementing Recommendations of the 9/11 Commission Act of 2007. As a result, Section 1616 of PL 110-53 updated Title 49 of the United States Code (49 U.S.C.) § 44924.

b) Suspension of Certificating Foreign Repair Stations. PL 110-53 required that final regulations for repair stations be issued no later than August 2008, and required the Transportation Security Administration (TSA) to complete audits of foreign repair stations within 6 months after publication of Title 49 of the Code of Federal Regulations (49 CFR) part 1554. The final regulations were not issued by the August 2008 deadline, and consequently the FAA Administrator was barred from certificating additional foreign repair stations.

c) Resuming Certification of Foreign Repair Stations. Due to the publication of 49 CFR part 1554, the FAA may now certificate new foreign repair station applicants. The FAA will notify the TSA when an FAA part 145 certification has concluded and an Air Agency Certificate is issued.

d) Updates to FAA Order 8900.1. This section establishes procedures to facilitate FAA–TSA communication and coordination to ensure the TSA remains informed of foreign repair station applications early in the certification process. By using a five-phase certification process, the FAA can inform foreign repair station applicants of TSA interface.

2) Action.

a) Coordination. During the certification process, the ASI will coordinate with the FAA manager (or delegate), team members, and the applicant to ensure that the appropriate management personnel are available during the inspection in order to manage FAA resources.

b) Communicating the TSA’s Role with the Applicant. The FAA manager (or delegate) informs the applicant that the TSA has no role in the certification process and that the TSA will work directly with the applicant to arrange the security audit.

c) Communication During the Certification Process. The FAA may share an applicant’s certification status with the TSA.

d) Completion of the Demonstration Phase. ASIs must follow the certification process in this section when the applicant meets all regulatory requirements.

e) Upon completion of the FAA's certification phase, the FAA manager (or delegate) will inform the TSA when an FAA Part 145 Certification and Air Agency Certificate has been issued. The email addresses listed below may be used as points of contact for FAA notifications:

- For repair stations located within the United States: ARS@tsa.dhs.gov.
- For repair stations located outside the United States: FRS@tsa.dhs.gov.

2-1244 THE CERTIFICATION/RENEWAL/AMENDMENT PROCESS.

A. General. This process details interaction between the applicant and the FAA from the initial inquiry to either certificate issuance or denial of the repair station application. Using these procedures, the ASI can thoroughly review, evaluate, and test programs, systems, and intended methods of compliance. The certification/renewal/amendment process has five phases:

- Preapplication,
- Formal application,
- Document compliance,
- Demonstration and inspection, and
- Certification.

B. Preapplication Phase:

1) Preapplication Meeting. The inspector should hold the preapplication meeting at the IFO, enabling the applicant to meet members of the assigned FAA certification team, and identifying a point of contact (POC) from the applicant's facility. The certification team and applicant should openly discuss the applicant's intent. The FAA should answer any questions the applicant may have regarding the process. During the preapplication meeting, the FAA and applicant should discuss:

a) The applicant's submittal of FAA Form 8400-6, Preapplication Statement of Intent, showing its intent to initiate the certification process.

1. An applicant should thoroughly review the appropriate regulations and advisory material. This will allow the applicant to become acquainted with the personnel, facility, equipment, and documentation requirements. After this review, the applicant must address how these requirements will be met when completing the Preapplication Statement of Intent (PASI).

2. The inspector must advise the applicant that a fee is associated with all certification activities, per 14 CFR part 187. The fee includes charges for inspectors' travel, hotels, meals, all transportation, time, and any administrative time required to complete the certification process.

NOTE: The inspector should advise the applicant that the FAA charges for its services outside the United States, and that additional charges may apply after certification for activities, such as FAA surveillance. The inspector should advise

the applicant to review and understand the current edition of Advisory Circular (AC) 187-1, Flight Standards Service Schedule of Charges Outside the United States.

3. The IFO manager, or the authorized designee, must evaluate the complexity of the proposed operation. This evaluation enables the certification team's establishment to be based on the complexity of the certification. The IFO manager will designate a principal inspector (PI) as the principal spokesperson for the FAA during the certification process.

NOTE: Advise the applicant that, when submitting the application, the applicant must be prepared to provide the FAA with documentation demonstrating that the repair station certificate or rating is necessary for maintaining U.S.-registered or U.S.-operated foreign aircraft or components as required by part 145, § 145.51(c).

b) Instructions to the applicant on how to complete FAA Form 8310-3, Application for Repair Station Certificate and/or Rating.

c) Formal application attachments, including:

1. The Repair Station Manual (RSM). This manual will establish how a certificated repair station (CRS) will conduct business on a daily basis and comply with §§ 145.207 and 145.209.

2. The Quality Control Manual (QCM). This manual will ensure that any article(s) repaired or maintained by a repair station or its contractors will meet the regulatory criteria established in § 145.211. The applicant may incorporate the QCM into the RSM as a separate section.

NOTE: The QCM may be a section of the RSM, a separate manual, or a combination of the two, depending on the manual's structure. The ASI must stress that all requirements listed in §§ 145.209 and 145.211 must be located in the manual(s) and easily identified.

3. Letter of compliance. This is only required during initial certification. It will ensure that the applicant addresses all applicable regulatory requirements during the certification process. The applicant accomplishes this by listing, in sequence, each section of part 145. After each section, the applicant must include a brief narrative or specific reference to a manual/document that describes how it will comply with that regulation. Review the letter of compliance to ensure that the applicant has a clear understanding of the regulation and that the proposed method of compliance meets the intent of the regulation.

4. Documentation for certificate. The requirements for the certificate, rating, and demonstration documentation are described in § 145.51(c).

5. Hazardous materials (hazmat) standards.

a. As of November 7, 2005, if the repair station and/or its contractors and subcontractors are performing a job function concerning transportation of dangerous goods (hazmat), the repair station must train its employees to the hazmat standards. The repair station must also provide the FAA with a letter certifying that the appropriate employees have been trained as outlined in the current edition of the International Civil Aviation Organization (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air. The IFO must retain this letter with the certification report and file. This letter is only required at the time of initial certification or anytime the repair station applies for a certificate change as defined in § 145.57, unless the letter is already in the repair station certification file.

b. The PI, at the time of application, will notify the repair station applicant that the repair station must address the requirements of § 145.53. The PI should review the letter of compliance to ensure the applicant has addressed the requirements of §§ 145.53 and 145.57. The FAA must have the certifying letter on file. However, the burden of surveillance and qualifications of hazmat requirements falls on other organizations within and outside the FAA. Example organizations include the FAA Office of Security and Hazardous Materials Safety (ASH) and/or the U.S. Department of Transportation (DOT). All IFOs will accept, without further showing, the letter certifying that the appropriate employees have been trained.

d) Refer the applicant to the current edition of AC 145-9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals, for written guidance in developing the manuals. The manual should enable the user to understand its content without further explanation and must not contradict any regulatory requirements.

NOTE: The applicant must develop manuals and procedures that ensure safe operating practices and compliance with the rules. The certification team can offer suggestions for improvement but must not write the material. Procedures must reflect the way each repair station conducts its business.

e) Refer the applicant to the current edition of AC 145-10, Repair Station Training Program. It is the applicant's responsibility to develop manuals and procedures that ensure safe operating practices and compliance with the rules.

2) Personnel Requirements. Per § 145.151, each repair station must have the management personnel necessary for the scope and complexity of its organization. The regulation requires an accountable manager, supervisory personnel, and inspection personnel. The repair station may need other (nonregulatory) management or supervisory personnel to support its quality system and provide a sufficient number of trained and knowledgeable employees, as required by § 145.151.

a) The repair station must determine the abilities of its noncertificated employees who perform maintenance functions based on their training, knowledge, experience, or practical testing. Normally the FAA will consider personnel certification issued by the aviation authority (AA) where the repair station will be located. However, the FAA reserves the right to conduct individual interviews during the inspection to determine employee qualifications.

b) Qualifications for supervisory and inspection personnel and those personnel authorized to approve an article for return to service must meet the English language requirements of § 145.157(b) and (c). These personnel must be able to understand, read, and write English. Again, the FAA will normally consider personnel certification issued by the AA where the repair station will be located. However, the FAA reserves the right to conduct individual interviews during the inspection to determine employee qualifications.

C. Formal Application Phase. The formal application phase begins when the team receives the application and attachments. As a rule, the team will meet with the applicant after receiving the formal application package. The team and the applicant should now resolve all questions about the proposed operation, formal application, and attachments. The certification team members and all key management personnel from the applicant's organization should attend the meeting. The owner should determine the legal name of the repair station and the address of its location at this point of certification.

D. Document Compliance Phase. The team thoroughly reviews the application for approval or disapproval. The team reviews the RSMs and related attachments to ensure conformity to the applicable regulations and safe operating practices. The certification team completes this phase in the IFO.

E. Demonstration and Inspection Phase. The certification team ensures that the applicant's proposed procedures are effective and that facilities and equipment meet regulatory requirements. The PI must decide if demonstrations will be required.

F. Certification Phase.

1) Certificate Issuance. When the applicant meets the regulatory requirements of part 145 and has paid the appropriate fees, the certification team will issue the repair station certificate and operations specifications (OpSpecs) with the appropriate ratings. Upon completion of the FAA's certification phase, the FAA manager (or delegate) will inform the TSA when an FAA Part 145 Certification and Air Agency Certificate has been issued. The email addresses listed below may be used as points of contact for FAA notifications:

- For repair stations located within the United States: ARS@tsa.dhs.gov.
- For repair stations located outside of the United States: FRS@tsa.dhs.gov.

NOTE: U.S. repair stations located outside the United States are only given limited ratings. The Administrator or the Administrator's designee must make this certification in accordance with implementation procedures signed.

2) Certificate Duration. Certificates for repair stations located outside the United States have a limited duration. Initial certification is limited to 12 months from the date the certificate is issued. Thereafter, the FAA will renew the certificate or rating for a 24-month period if the repair station has operated in compliance with the applicable requirements of part 145 within the preceding period.

2-1245 SATELLITE REPAIR STATIONS.

A. CRS Under the Managerial Control of Another CRS. A CRS under the managerial control of another CRS may operate as a satellite repair station if it meets all the requirements of § 145.107.

NOTE: A satellite repair station must be in the domicile country of the CRS with managerial control. This does not include the claimed territories of a country located outside the geographic boundaries of that country.

1) The inspector will advise the Aviation Data Systems Branch (AFS-620) that a satellite repair station certificate number is desired. The inspector should advise the applicant that the satellite repair station certificate number will differ slightly from the managerial station's certification number.

2) Each satellite repair station is considered a standalone operation and must meet all of the requirements of § 145.107. The repair station will complete certification and surveillance per normal procedures, with the regionally assigned IFO having jurisdiction over that facility.

B. Personnel Interchange. A repair station may interchange personnel anywhere in its system, as long as:

1) Personnel are identified on each repair station roster.

2) The qualified personnel are listed on the roster for the repair station with managerial control and the satellite facility.

3) Inspection personnel are designated and available at the satellite station when a determination of airworthiness or return to service is made.

NOTE: Many corporations with multiple satellite repair stations are consolidating their operations, quality control (QC) systems, manuals, and recordkeeping systems. PIs must coordinate their certification and surveillance functions when notified that the CRS with managerial control and its satellite facilities desire standardized systems.

2-1246 AMENDMENT TO OR TRANSFER OF CERTIFICATE.

A. New Application. Section 145.57 requires that a repair station submit a new application in the following situations:

1) The holder of a repair station certificate must apply for a change to its certificate if it changes the location of the repair station, or requests adding or amending a rating. The repair station certificate holder must notify the FAA in advance and the FAA may prescribe conditions that the repair station must follow when moving to a new address or location.

2) If the holder of the repair station certificate sells or transfers its assets, the new owner must apply for an amended certificate in accordance with § 145.51. On occasion, repair station ownership changes without changing the facilities and personnel. An example of this type of change would be a stock transfer or a monetary takeover that does not change or affect the location, tools, equipment, or management personnel.

NOTE: ASIs should contact their regional general counsel office when asked questions concerning whether limited liability corporations or changes in stockholder ownership constitute a transfer of repair station assets.

3) If the repair station and/or its contractors or subcontractors are performing a job function concerning transportation of hazmats, the repair station must train its employees to the ICAO's hazmat standards. The repair station must also provide the FAA with a letter certifying that the appropriate employees have been trained to the ICAO standard, as described in subparagraph 2-1244B1)c)*5*, unless the letter is already in the repair station certification file.

B. Certificate Number. The inspector should recommend a new certificate number, due to the Freedom of Information Act (FOIA) and liability issues. ASIs should inform prospective owners that they might be held liable for work performed under previous management. To retain the old number, new owners must stipulate in writing that they clearly understand the potential for release of information under the FOIA when retaining the old certificate number.

2-1247 SPECIAL PROVISIONS FOR REPAIR STATIONS LOCATED OUTSIDE THE UNITED STATES. The FAA, AA, and industry should be aware of the following special provisions and situations:

A. Geographic Authorization. A geographic authorization is an approval provided to an airframe-rated facility to perform maintenance under contract for a U.S. air carrier or for an operator of U.S.-registered aircraft under 14 CFR part 129 at a location other than the facility. The FAA issues a geographic authorization to respond to the maintenance needs of a U.S. air carrier, or of part 129 operators, at a station where the frequency and scope of that maintenance does not warrant permanently staffing and equipping the station for that maintenance.

B. Perceived Need. Section 145.51(c)(1) requires that the applicant show the necessity for a certificate. The necessity is considered a perceived need. The applicant must have a current or future operational or economic need (a perceived need) for the maintenance, preventive maintenance, or alteration of aeronautical articles subject to the FAA's regulatory oversight. The applicant must demonstrate that a certificate is necessary. See subparagraph 2-1250E4)e) for a detailed description of the perceived need requirements.

C. Certificate Renewal. Certificates for repair stations located outside the United States have a limited duration. Initial certification is limited to 12 months from the date the certificate is issued. Thereafter, the FAA will renew the certificate or rating for a 24-month period if the repair station has operated per the applicable requirements of part 145 within the preceding period.

D. National Certification. FAA policy requires the FAA to advise the country's AA of FAA certification. The FAA need not obtain AA concurrence, but the FAA will take under consideration any safety information related to the applicant. Section 145.53(a) states, in part,

"A person who meets the requirements of this part is entitled to a repair station certificate." The FAA will request a copy of the applicant's Air Agency Certificate and limitations document. Some countries might not issue repair station certification, and in such instances, part 145 enables the FAA to issue a certificate.

E. Personnel Certification. The personnel certification requirements of 14 CFR part 65 do not apply to supervisors or inspectors in repair stations located outside the United States. The FAA reserves the right to interview the applicant's supervisors, inspectors, and/or personnel responsible for final approval for return to service.

NOTE: The FAA may accept the personnel certification requirements in the country where the repair station is located, provided the English language requirements are met.

F. English Language Requirements for Technical Data. The FAA recognizes the national language of the country where the repair station is located. The repair station may convert technical data, such as operators' instructions for continued airworthiness (ICA), manufacturers' maintenance manuals, or type certificate holders' (TCH) continuous airworthiness data, into the national language. The repair station may also convert internal documents, such as workcards, worksheets, and shop travelers.

NOTE: The repair station must establish procedures in its RSM that ensure that its English language copy of technical data, and any internal documents developed from this technical data, are current and complete. The main base of the repair station should retain the English language copy of the technical data. The repair station must make the data available to the FAA upon request.

2-1248 CERTIFICATION—COORDINATION REQUIREMENTS. This task requires coordination between the ASIs (Maintenance and Avionics). Additionally, multiregional coordination may be required.

2-1249 CERTIFICATION—REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):

- Title 14 CFR Parts 39, 43, 45, 65, 91, 121, 125, 135, and 145.
- AC 00-56, Voluntary Industry Distributor Accreditation Program.
- AC 20-62, Eligibility, Quality, and Identification of Aeronautical Replacement Parts.
- AC 21-29, Detecting and Reporting Suspected Unapproved Parts.
- AC 43.9-1, Instructions for Completion of FAA Form 337.
- AC 120-78, Acceptance and Use of Electronic Signatures, Electronic Recordkeeping Systems, and Electronic Manuals.
- AC 145-9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals.
- AC 145-10, Repair Station Training Program.

- AC 187-1, Flight Standards Service Schedule of Charges Outside the United States.
- Volume 2, Chapter 11, Section 1, Introduction.
- Volume 2, Chapter 11, Section 4, Evaluate a Part 145 Repair Station Manual and Quality Control Manual or Revision.
- Volume 2, Chapter 11, Section 5, Evaluate Part 145 Repair Station Facilities and Equipment.
- Volume 6, Chapter 9, Section 20, Inspect Part 145 Repair Stations Located Outside of the United States.
- FAA Order 8130.21, Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval Tag.

B. Forms:

- FAA automated repair station OpSpecs.
- FAA Form 8000-4, Air Agency Certificate.
- FAA Form 8310-3, Application for Repair Station Certificate and/or Rating.
- FAA Form 8400-6, Preapplication Statement of Intent.

C. Job Aids. None.

2-1250 CERTIFICATION—PREAPPLICATION PHASE.

A. Response to Initial Inquiry. Respond to an initial inquiry for a repair station or satellite facility certificate.

B. Discussion Topics. Discuss with the applicant the following subjects, which may be discussed during the initial inquiry or the preapplication meeting:

1) The necessary technical expertise required by the applicant's proposed organization, to include the following:

- Aviation-related experience;
- Proposed organizational structure;
- Knowledge of the specific maintenance functions to be performed;
- Payment requirements, per part 187, including a deposit so the certification process can proceed past the application phase;
- Providing the FAA with supporting documentation that meets the perceived need required for the FAA certificate;
- Certificate duration period;
- English language personnel requirements; and
- English language requirements for technical data.

NOTE: Advise the applicant that the FAA will charge a fee for initial and renewal certifications and for each time it amends the repair station certificate.

NOTE: Advise the applicant that its initial repair station certificate is effective from the date of issue until the last day of the 12th month. After the initial certification period, the FAA will renew the certificate for a 24-month period if the repair station has operated per applicable requirements of part 145 within the preceding period. When the FAA grants a certificate renewal for up to 24 months, the PI will advise the repair station that the FAA must conduct annual surveillance, and the repair station must pay any fees required by part 187. Part 187 requires payment for surveillance activity and any associated administrative fees during the nonrenewal year.

2) The requirements for sufficient personnel to meet the demands of the proposed repair station. Advise the applicant that the FAA may interview its supervisors and inspection personnel to confirm their qualifications. The FAA recommends that the supervisors and inspection personnel hold certificates issued by the AA of the country where the repair station is located, as applicable. However, the certificates are not required by regulation.

3) Facility and tooling requirements for the ratings sought, to include:

a) The facility must meet the requirements of § 145.103, including:

- Sufficient workspace and areas to ensure the proper segregation and protection of articles while work is being performed;
- Suitable racks, hoists, trays, stands, and other segregation means for the storage and protection of articles undergoing maintenance or alterations;
- Sufficient space to segregate articles and materials stocked for installation from articles undergoing maintenance or alteration;
- Adequate ventilation, lighting, and control of temperature, humidity, and other climatic conditions to ensure that personnel can perform maintenance as required by this part; and
- Suitable permanent housing to enclose the largest type and model of aircraft listed on its OpSpecs.

b) Manufacturer-recommended or equivalent test equipment.

c) Special tools and any documentation supporting the repair station’s use of equivalent tooling. See the note under subparagraph 2-1253B6)b) for extra guidance on approving equivalent tooling and test equipment.

4) The requirement for current technical data appropriate for maintenance, preventative maintenance, or alterations. The following are considered technical data:

- Airworthiness Directives (AD),
- ICAs,
- Maintenance manuals,
- Overhaul manuals,
- Standard practices manuals,

- Service Bulletins (SB), and
- Other applicable data acceptable to or approved by the FAA.

5) The requirement to provide the FAA with a POC.

C. Paperwork and Timeframe. The IFO will furnish FAA Form 8400-6 to the applicant with instructions for completion. The IFO will advise the applicant to submit the completed PASI to the IFO. The IFO will inform the applicant that the certification process cannot continue until the IFO reviews and accepts the PASI.

1) The FAA should advise the applicant of the complexity of the process and give the applicant an estimated timeframe for the completion of the project. This is a recommendation only; the timeframe helps the applicant make appropriate business decisions and is dependent on the applicant's ability to comply with the requirements.

2) Advise the applicant that it must submit all required documents to the FAA in the English language.

3) Advise the applicant to develop a timeline so that all involved are aware of their commitments and obligations.

NOTE: The ASI should advise the applicant that there are time restrictions for processing applications, due to FAA resource availability.

D. PASI Review. The IFO will review the PASI for acceptance and completeness. Once the IFO accepts the PASI, the office must follow the Flight Standards Service (AFS) Certification Services Oversight Process (CSOP), as directed by the current edition of FAA Order 8000.92, AFS Certification Services Oversight Process (CSOP), for all PASIs received in the office.

NOTE: Each IFO will keep CSOP current for all certification projects.

1) The IFO manager or designee will assign an inspector or a team of inspectors, depending on the application's complexity, to the certification process. The manager will also designate an inspector as the PI.

2) The inspector will obtain the precertification number from AFS-620.

3) The inspector will check the "Information only" block and enter the date the PASI was received and reviewed by the IFO.

4) Normally, the precertification number is the same as the final certification number, except that it has a letter added that identifies it as a precertification number. This enables the applicant to develop draft documents that may be required for inclusion in the RSM, such as return-to-service tags.

5) The PI will contact the applicant to arrange a preapplication meeting.

E. Conduct a Preapplication Meeting. Meet with the applicant to discuss such topics as questions concerning the certification process, regulatory requirements, each item discussed in subparagraph 2-1250B, and the formal application and attachments. Accomplish the following during the meeting(s):

1) Discuss in detail each of the items identified in subparagraph 2-1250B to ensure the applicant has a complete understanding of the process and procedures.

2) Discuss the regulations applicable to the proposed maintenance operation.

3) Provide the applicant with:

- A copy of AC 145-9,
- A copy of AC 145-10, and
- A copy of FAA Form 8310-3, including a list of functions that the applicant intends to contract to another facility.

4) Inform the applicant that a formal application package for a repair station certificate located outside the United States and its territories must contain:

a) A completed FAA Form 8310-3.

b) A copy of the RSM and QCM for the IFO in a format acceptable to the FAA. Advise the applicant to follow the content of AC 145-9. Also, advise the applicant to develop its manuals as applicable to its repair station. If the applicant submits the manual(s) in electronic media format, the manual(s) must be compatible with FAA electronic capabilities and free of any programs that would adversely affect that capability. See Volume 2, Chapter 11, Sections 1 and 4, for additional details.

NOTE: A transmittal document that describes the submission and is signed by the appropriate manager must accompany repair station document submissions requiring approval. ASIs will approve submissions using a transmittal document listing the date; the document, manual, or revision number; and an approval statement. Additionally, ASIs will reject a certificate holder's submission using a transmittal document that shows the date; the document, manual, or revision number; and a detailed explanation of discrepancies or nonconformances noted. The IFO will maintain office copies of correspondence with the certificate holder in its folder, or will maintain them electronically, if so equipped.

NOTE: Transmittal documents include cover letters, memos, emails, faxes, or any other media acceptable to the IFO.

c) A letter requesting that the FAA process the application, and indicating when facilities, equipment, material, and data will be ready for formal inspection.

d) A letter of compliance.

e) Documentation confirming the perceived need requirement. In the statement of perceived need, the applicant should indicate its need to perform maintenance on or alter/modify aeronautical products subject to U.S. airworthiness regulations in foreign countries, and to obtain a part 145 repair station certificate. The applicant can express this perceived need by including a statement from an operator of U.S.-registered aircraft; a company that maintains or alters items to be installed on U.S.-registered aircraft, indicating that the repair station's services are required; or documentation from a leasing company or a supplier/distributor showing that the applicant's services are necessary. The applicant can confirm in writing that the leasing company or supplier/distributor is doing business with operators of U.S.-registered aircraft.

1. If the repair station adds a component, appliance, or part thereof to an existing capability list (CL), the repair station is not required to show a need for the additional items.

2. If the repair station is adding a new aircraft make/model, engine make/model, or propeller make/model (type certification (TC) product), or is asking for an additional rating, the repair station must obtain a copy of the customer's document to show a need for the additional items and/or ratings and make that document available to the FAA for inspection.

f) The make and model of the particular item(s) the repair station will maintain, and the nature of the work it will perform, when the applicant is requesting a limited rating.

g) The propeller by make and model, when the applicant is requesting a Class 2 Propeller Rating.

NOTE: When an applicant requests a limited specialized services rating, and the specification is one the applicant develops, advise the applicant that the IFO and the Aircraft Certification Office (ACO) must review the specification. This may cause some delay in the repair station certification process.

h) An employee training program approved by the FAA, consisting of initial and recurring training. An applicant must submit a training program for approval per §§ 145.51(a)(7) and 145.163.

1. The training program must ensure that employees assigned to perform maintenance, alterations, or an inspection function can perform the assigned task.

2. The repair station must document, in a format acceptable to the FAA, employee initial and recurrent training.

i) An estimate of the approximate cost of the certification process. The applicant should deposit the certification fee per IFO procedures. Under no circumstance should a cash transaction take place. The inspector should not be involved in fee transfers. The applicant should transfer the fee electronically into a bank account established by the IFO or another government agency account, such as the embassy's.

j) The requirement for the letter certifying that hazmat employees have been trained to ICAO hazmat standards, as described in subparagraph 2-1244B1)c)*5*.

NOTE: At the end of the preapplication meeting, the IFO should have a procedure to start tracking all costs associated with the certification process, per part 187.

5) The FAA inspector or team will evaluate the results of the preapplication meeting and proceed to the formal application phase if results are acceptable.

2-1251 CERTIFICATION—FORMAL APPLICATION PHASE.

A. Receive the Formal Application. Ensure that the applicant has submitted all documents and that they are complete.

B. Verify Fee Deposit. The appropriate fee deposit must be made before proceeding.

C. Evaluate the Application Package. Based on the initial survey of the application package, ensure that all the appropriate documents identified in the preapplication phase have been received. A team decision must be made on whether to continue with the certification process. See subparagraph 2-1250E4).

D. Conduct an Application Meeting with the Applicant, as Necessary. The FAA recommends that the applicant meet with the IFO to formally submit its documents in person and discuss any questions or open issues, which must be resolved before proceeding to the next phase. This should be done in the most cost-effective way possible, such as using meetings, teleconferences, or other correspondence, at the discretion of the PI.

2-1252 CERTIFICATION—DOCUMENT COMPLIANCE PHASE.

A. Review the Application Package. The ASI should review the content of each submitted document for regulatory compliance, including:

1) A completed FAA Form 8310-3.

2) The RSM. This should describe how each function of the repair station performs its intended operation. It should contain samples of all forms, such as tags and shop travelers. It should also locate such items as work orders, workcards, and customer lists. The manual should provide a complete description of how the repair station conducts its business. It should be written plainly enough that repair station employees can understand its contents. The RSM will be used when performing the inspection phase of the certification process. Refer to § 145.209 for manual content. For any additional information, refer to AC 145-9 and Volume 2, Chapter 11, Section 4.

3) The QCM. This may be incorporated as a separate section of the RSM; it does not need to be a separate manual. Refer to § 145.209 for manual content. For any additional information, refer to AC 145-9 and Volume 2, Chapter 11, Sections 1 and 4.

4) Employee training programs. A CRS must have an employee training program approved by the FAA that consists of initial and recurring training. To meet the requirements of part 145, an applicant must submit a training program for approval per §§ 145.51(a)(7) and 145.163.

5) Sufficient training. The training program must enable those employees assigned to perform maintenance, alterations, or inspections to perform those functions.

6) Training documents. The repair station must document initial and recurrent training of individual employees in a format acceptable to the FAA.

7) Letter of compliance. The letter of compliance must address each section of part 145.

8) If applicable, a letter certifying that hazmat employees have been trained to ICAO hazmat standards in subparagraph 2-1244B1)c)*5*.

9) Personnel certifications. The applicant must submit a list of personnel who meet the following certification requirements:

a) Personnel requirements for a foreign repair station differ from domestic requirements in that Airman Certificates are not required for supervisory or inspection positions.

b) Supervisory and inspections personnel in the country where the station is located do not require a Mechanic/Airman Certificate. Instead, the performance qualifications for supervisory and inspections personnel may be based on training, knowledge, experience, or practical tests. The appropriate repair station manager will determine these requirements. The FAA may conduct interviews of the individuals during the inspection phase to verify their qualifications.

c) Qualifications for supervisory and inspection personnel responsible for return to service include the ability to understand:

- Applicable FAA regulatory requirements,
- FAA ADs,
- Maintenance and service instructions for work items,
- U.S. Type Certificate Data Sheets (TCDS), and
- The ability to read, write, and understand the English language.

10) The list of makes and models of the particular item(s) to be maintained and the nature of the work to be performed for any limited ratings.

11) The list, by make, of the propeller for a Class 2 Propeller Rating.

12) A copy of the approved specification for the work for a specialized service rating, when applicable.

13) A copy of a CL, if appropriate. Refer to § 145.215 and Volume 2, Chapter 11, Section 1, for additional details on CLs.

14) Line maintenance. A repair station may be issued a repair station certificate and rating for a limited airframe for line maintenance. The line station must be listed on the OpSpecs, which must contain the airport address, the address/phone number/fax number of the repair station's facility/office at each airport location, and a brief description of the maintenance services provided.

NOTE: All certificated repair stations must have suitable permanent housing and facilities. Although § 145.205(d) allows some deviation from the housing requirement, that requirement is based upon the repair station having suitable housing at another location that meets the requirements of part 145. If line maintenance is the only maintenance a repair station is authorized to perform, the repair station must still meet the housing and all other applicable requirements of part 145. Housing need not be on the airport where the line maintenance is performed, but the street address must be listed on the OpSpecs of the repair station where the authorized line maintenance is to be performed.

B. Document Deficiencies. Conduct a thorough and comprehensive review of all documents. If deficiencies are found in any document, return it to the applicant with a letter outlining the deficient areas. Inform the applicant that the certification process will not continue until all deficiencies are resolved. The applicant must give the FAA a written response that identifies the approximate date the errors will be corrected and the document resubmitted. An ASI's letter to the applicant must be as clear and complete as possible to avoid causing delays from documents being mailed back and forth without resolving issues.

2-1253 CERTIFICATION—DEMONSTRATION AND INSPECTION PHASE.

A. Coordinate and Schedule an Inspection. The PI, team members, and the applicant must coordinate to ensure appropriate management personnel are available during the inspection.

1) Manuals. During the inspection phase, the team should verify that the facility follows its RSM and the QCM.

NOTE: When the RSM is in the work area and is in the national language, the applicant must provide the FAA team with a supervisor or other person who can read the national language version to the team so it can confirm that this version has the same information as the English language version. This also applies when the FAA requests review of maintenance records, technical documents, and other material that is part of the certification. The use of the national language is an option provided to repair stations located outside the United States. If a repair station elects to use the national language, it must provide a method for the FAA to confirm the material is accurate. To improve the review process, use the required checklists located at http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afs/afs300/part45_checklist/.

2) Letter of Compliance. The team should use the repair station letter of compliance to confirm that the facility meets all the requirements of the regulations.

3) Line Stations. On an initial repair station certification only, the FAA should visit each location for which the applicant requests a line station authorization. The authorization may not be issued for a location outside the boundaries of the country in which the repair station does business.

4) Geographic Authorizations. Only issued to a repair station rated for an entire aircraft, such as a Boeing 757. (See paragraphs 2-1257 through 2-1274.) On initial certification, the FAA will not normally consider issuing a geographic authorization.

B. Perform a Housing and Facility Inspection. Inspect the repair station facilities to confirm those facilities protect work from weather elements, dust, and heat. Confirm the facility protects workers such that it does not impair the quality of their work. For additional guidance on facilities inspection, see Volume 2, Chapter 11, Section 5. Also inspect:

1) The inspection system, to ensure that:

a) Employees are familiar with and can perform their assigned duties.

b) Facilities can adequately accommodate inspections, as defined in the RSMs and QCMs.

c) The repair station has a QC system that confirms that articles are Airworthy after the repair station, or any of its contractors, perform maintenance.

NOTE: See Volume 2, Chapter 11, Section 4, for additional information.

2) The maintenance recordkeeping system, to ensure compliance with § 145.219.

3) A system for reporting serious defects or unairworthy conditions, to ensure compliance with § 145.221.

4) Tooling and equipment are properly stored and maintained in good working order. Inspect tools and equipment for:

a) Calibration at established intervals.

b) A contract, available for review, to ensure that tools and equipment will be made available upon the repair station’s request, if special equipment and tools are obtained as needed per § 145.109.

5) The material needed for the rating. Ensure that this material is on the premises and under the repair station’s control when work is being done.

a) Ensure that the repair station has controls for stored material and a recordkeeping system that has document traceability back to the place of purchase or traceability

back to an approved source/vendor. Some materials, such as advanced composite materials or adhesives, have special handling, storage, recordkeeping, and purchasing requirements. AC 00-56, AC 20-62, and AC 21-29 provide additional guidance.

b) Confirm that the traceable materials in the supply room have documentation to show material qualification, such as invoice, process specifications, or supplier qualifications.

c) If necessary, a surveillance program of the facility's suppliers will meet the traceability requirements.

6) Calibration standards.

a) All measurement and test equipment used to test or inspect articles to make airworthiness determinations are calibrated and traceable to standards acceptable to the FAA. Traceability is established by verifying the measuring and test equipment was calibrated by an accredited laboratory or the standards referenced on calibration certificates are traceable to an accredited laboratory. The statement "traceable to NIST" on a calibration certificate without any further evidence linking the standard used to an accredited laboratory would not meet the National Institute of Standards and Technology's (NIST) definition of traceability.

NOTE: The part 145 rule states that tooling used to make airworthiness determinations must be calibrated to a standard acceptable to the FAA. Those standards may be derived from the NIST to a standard provided by the equipment manufacturer or other recognized standards. The International Bureau of Weights and Measures (BIPM) is a recognized authority that maintains a global list of National Metrology Institutes (NMI). The BIPM Web site lists the NMI signatory countries that participate in the International Committee for Weights and Measures (CIPM). The CIPM Mutual Recognition Arrangement (MRA) signatories are acceptable to the FAA and can be found at http://www.bipm.org. There are many accreditation bodies that provide third-party laboratory accreditation. The International Laboratory Accreditation Cooperation (ILAC) establishes a global network for accreditation of laboratory and testing facilities. Signatories to the ILAC MRA are in full conformance with the standards of International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC) 17011. ILAC MRA signatories are acceptable to the FAA and can be found at http://www.ilac.org. Accredited laboratories have already established traceability through the assessment and accreditation process under ISO/IEC 17025. No further documentation is required once traceability is confirmed to a recognized accredited laboratory. Additionally, for foreign equipment, the standard of the country of manufacture may be used if acceptable to the Administrator.

b) Test and measuring equipment (equivalent) manufactured by a repair station must meet the calibration standards recommended by the manufacturer of the article being measured or tested. This type of test equipment calibration is expected to be traceable to a standard acceptable to the FAA.

NOTE: Designated Engineering Representatives (DER) may neither approve nor determine equivalency of tooling and test equipment. Neither the FAA nor a DER may approve equipment and/or test apparatus. The FAA and DERs may only accept functional equivalency for special equipment or test apparatus. The repair station bears the burden of demonstrating equivalency, not the FAA.

c) During initial certification, all tools and equipment must be in place at the time of certification or rating approval for inspection by the FAA. Refer to § 145.51(b).

C. Evaluate the Maintenance Organization (MO). Ensure that:

1) Sufficient personnel are available to satisfy the volume and type of work to be performed, as required by part 145 subpart D. Also ensure that:

a) An employee is designated as the accountable manager.

NOTE: A European Aviation Safety Agency (EASA)-accountable manager operates a repair station and has corporate authority for ensuring that all maintenance required by the customer can be financed and carried out to the standard required by the EASA full-member authority. An EASA-accountable manager may also qualify as an FAA-accountable manager.

b) Qualified personnel can plan, supervise, perform, and approve work for return to service for which the facility is rated.

c) The facility has enough employees with the training or knowledge and experience to accomplish the work being performed.

1. Interview a sampling of supervisors and inspection personnel to ensure that they can read, write, and understand the English language.

2. During the interview, review and ask the supervisors and inspectors questions about an intended operation regarding their knowledge and experience level. A recommended source for questions is the RSM and/or employee employment summaries.

3. Request to see Air Agency maintenance certification, which supervisors and inspectors may have been issued by the AA.

4. If qualifications remain in question for any individual, inform the repair station management of the concern and request they reexamine the employee and confirm qualifications.

d) The repair station has a written process to determine the abilities of its noncertificated employees performing maintenance functions based on training, knowledge, experience, or practical tests. This process may be part of the RSM or a supplemental document, such as a training program.

2) A personnel roster is available that lists management, supervisory, and inspection personnel responsible for the repair station operations and oversight of maintenance functions, and authorized to sign a maintenance release for approving an article for return to service. Refer to § 145.161.

3) Management, supervisory, and inspection personnel employment summaries are available for those individuals listed in subparagraph 2-1253C2). Refer to § 145.161.

4) After the inspection, FAA personnel must discuss deficiencies with the applicant. This should be an open discussion, enabling the applicant to correct any misunderstandings. This meeting should not be confrontational, but should be considered part of the informational process.

D. Additional MO Inspection Items.

1) Additional Facility Fixed Locations. The inspection procedures are the same as those required for a fixed location. See Volume 2, Chapter 11, Sections 1 and 5, for more guidance.

2) Work Performed at Another Location. The process for this inspection is different from additional fixed locations. A repair is occasionally needed at another location on an emergency basis. The RSM should have a procedure describing how the repair station will meet the requirements of its manual, including QC procedures, when working away from the fixed location. The procedures must include how the repair station will notify the FAA and gain approval before work is performed. Additional guidance is in Volume 2, Chapter 11, Sections 1 and 5.

3) CL. For a repair station using a CL, it is not necessary to perform a complete facility inspection for each item on the CL. A review of each shop area should provide the FAA inspector with enough general information to establish the applicant's ability and compliance posture.

E. Analyze Deficiencies.

1) If deficiencies are noted, notify the applicant in writing. If appropriate, meet with the applicant to review deficiencies in detail.

2) The applicant must take corrective action and notify the PI in writing for the certification process to continue. Each deficiency and corrective action must be fully documented and recorded in the certification file.

3) Depending on the severity of the findings, a repeat inspection may be necessary. The PI will make this decision based on safety issues only; administrative issues are not considered safety issues.

2-1254 CERTIFICATION—CERTIFICATION PHASE.

A. Prepare Certificates. When the applicant has met all regulatory requirements, the PI will:

1) Complete blocks 6 through 10 of FAA Form 8310-3 to show:

- Remarks or discrepancies noted during inspection,
- Findings and recommendations,
- Date of inspection, and
- Office and signature of the PI.

2) Prepare FAA Form 8000-4, which the IFO manager must sign.

3) Prepare FAA automated repair station OpSpecs. The appropriate Airworthiness ASI will sign the OpSpecs, which will show the limitations to be issued.

NOTE: Air Agency Certificates and OpSpecs are legal documents. The language should clearly specify the authorizations, ratings, and/or limitations being approved. When completed, these forms should have no erasures, strikeovers, or typographical errors.

B. Prepare Air Agency Certificates. The certificate will include the following information:

1) After "Number," insert the certificate number assigned to the facility, per the current air agency numbering system.

2) Under "This certificate is issued to," insert the official name of the applicant's business, as shown on the application form.

3) Under "whose business address is," insert the address/location of the applicant's business, as shown on the application form.

4) After "to operate an approved," insert the words "repair station."

5) Under "with the following ratings," insert the ratings issued. The ratings must be listed by the general category, such as airframe, powerplant, or radio.

6) Limited ratings are issued to a certificated repair station that maintains only a particular type of airframe, engine, propeller, radio, instrument, or accessory or part thereof, or provides specialized maintenance requiring equipment and skills not ordinarily performed under other repair station ratings. Such a rating may be limited to a specific model aircraft, engine, or constituent part, or to any number of parts made by a particular manufacturer.

7) When ratings are added or amended, show the date of each issuance in parentheses after the added or amended rating.

8) For repair stations located outside the United States, insert the expiration date (refer to § 145.55). A renewal of a repair station located outside the United States should be issued for an initial certification period of 12 months. Thereafter, the FAA will renew the certificate for a 24-month period from the date of renewal, unless coordinated through the RO. See paragraphs 2-1257 through 2-1265.

9) Under "Date issued," insert the issuance date of the certificate. This will be the date of original certification.

10) Under "By direction of the Administrator," insert the signature of the office manager and office identifier.

11) This certificate is not transferable, and the repair station must immediately report any major change in the basic facilities or in the location thereof to the appropriate FAA RO.

C. Prepare OpSpecs.

1) Following "The rating(s) set forth on Air Agency Certificate Number," insert the Air Agency Certificate number from the respective certificate.

2) Following "is/are limited to the following," insert, as applicable:

- Limited ratings, to include makes, models, or parts;
- Limited ratings, identifying maintenance limitations (e.g., "limited to maintenance and/or repair not including overhaul");
- Limited rating for specialized services, including the specification used;
- Following "Delegated authorities," insert "None";
- Under "Date issued or revised," insert the date the inspection was satisfactorily completed; and
- Under "For the Administrator," insert the signature block of the assigned inspector.

D. Prepare Certification Report. Ensure that the PI prepares the certification report properly and signs it. The report must include the name and title of each ASI on the certification team. The report should contain at least:

- A copy of the PASI,
- FAA Form 8310-3 completed,
- A letter of compliance,
- A copy of the certification of hazmat training,
- A copy of the Air Agency Certificate issued,
- A copy of the issued OpSpecs,
- A summary of all discrepancies encountered during the inspection, and
- A copy of the statement/document of need showing the necessity for the certificate.

E. Inform the TSA. Upon completion of the FAA's certification phase, the FAA manager (or delegate) will inform the TSA when an FAA Part 145 Certification and Air Agency Certificate has been issued. The email addresses listed below may be used as points of contact for FAA notifications.

- For repair stations located within the United States: ARS@tsa.dhs.gov.
- For repair stations located outside the United States: FRS@tsa.dhs.gov.

2-1255 CERTIFICATION—TASK OUTCOMES.

A. Complete the PTRS Record.

B. Complete the Certification Task. Completion of the certification task will result in one of the following:

- Issuance of a certificate and OpSpecs,
- A letter to the applicant indicating that the certificate is denied, or
- A letter to the applicant confirming termination of the certification process.

NOTE: Verify that fees have been paid in full. Deposit fees per part 187 and IFO procedures. See subparagraph 2-1250E4)i) for information on processing fees.

C. Certification Report Distribution. Distribute the completed report as follows:

1) Retain the original certification report in the IFO.

2) Send a letter to the AA of the country where the repair station is located, advising them that the FAA certificate and OpSpecs have been issued. The letter should also request that the Air Agency advise the IFO any time the AA takes certificate action or identifies serious concerns about that repair station.

D. Document Task. File all supporting paperwork in the certificate holder's/applicant's office file. Document the status in the CSOP and update the enhanced Vital Information Database (eVID).

2-1256 CERTIFICATION—FUTURE ACTIVITIES. The IFO must ensure an orderly transition from the certification process to certificate management. Perform followup inspections and surveillance inspections, as required.

2-1257 RENEWAL—PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites:

- Knowledge of the regulatory requirements of part 145 and completion of FAA Course 21058, Certification and Surveillance of Part 145 Repair Stations.
- Successful completion of the Airworthiness Inspector Indoctrination course(s) or equivalent.
- Previous experience with certification or surveillance of part 145 repair stations.

B. Coordination. This task requires coordination between Airworthiness and Avionics ASIs. Multiregional coordination may be required.

2-1258 RENEWAL—REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):

- Title 14 CFR Parts 43, 45, 65, 121, 125, and 135.
- AC 145-9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals.
- AC 145-10, Repair Station Training Program.
- Volume 2, Chapter 11, Section 1, Introduction.
- Volume 2, Chapter 11, Section 2, Procedures for Certificating Part 145 Repair Stations/Satellites Located Within the United States and Its Territories.
- Volume 2, Chapter 11, Section 4, Evaluate a Part 145 Repair Station Manual and Quality Control Manual or Revision.
- Volume 2, Chapter 11, Section 5, Evaluate Part 145 Repair Station Facilities and Equipment.
- Volume 6, Chapter 9, Section 20, Inspect Part 145 Repair Stations Located Outside of the United States.

B. Forms:

- FAA automated repair station OpSpecs.
- FAA Form 8000-4, Air Agency Certificate.
- FAA Form 8310-3, Application for Repair Station Certificate and/or Rating.

C. Job Aids. Part 145 Repair Station Inspection Checklists at http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afs/afs300.

2-1259 RENEWAL—PREAPPLICATION PHASE. The preapplication phase is not required for a renewal of a repair station certificate.

2-1260 RENEWAL—FORMAL APPLICATION PHASE.

A. Renewal Timeframe. A repair station located outside the United States must renew its certificate 12 months after its initial certification, and thereafter no more than 24 months from the date of its last renewal.

NOTE: Although the regulation indicates a 24-month renewal period, ASIs must perform annual surveillance of repair stations, per current policy.

B. Application Submission Timeframe. The repair station must submit a new application 30 days before the expiration date of its certificate.

C. IFO. The IFO must track renewal dates to establish an effective yearly work program.

D. Documents. ASIs should ensure that all documents for the formal application package have been submitted and are complete. Verify the inclusion of:

1) Completed FAA Form 8310-3.

2) A statement/document about the repair station's continuing need for the FAA certificate. See information on perceived need in subparagraph 2-1247B.

3) A list of contractors, if changes have been made to the list since the repair station's last renewal. A copy of those changes must be included in the package.

4) The RSM/QCM, if either of the manuals has been revised since the repair station's last renewal. A copy of the revision must be provided with the application package.

2-1261 RENEWAL—DOCUMENT COMPLIANCE PHASE.

A. Review the Application Package. Review the content of each submitted document for regulatory compliance. The documents to be reviewed include:

1) A completed FAA Form 8310-3.

2) A perceived need document.

a) The Assistant Chief Counsel for Regulations (AGC-200) recently provided a legal interpretation of §§ 145.51(c) and 145.55(b) concerning the showing of need by a foreign repair station. Although the requirement has not changed for a foreign repair station to "show that the repair station certificate and/or rating is necessary for maintaining or altering" U.S.-registered aircraft and articles, the guidance for showing continuing need may require updating.

b) The legal interpretation included the following statements: "The regulatory history makes clear the FAA's rationale for requiring a showing of need as a qualification for issuing a certificate to a repair station located outside the United States. […T]his history emphasized the importance of not burdening the FAA's resources in certificating and recertificating such repair stations if they are not going to be supporting U.S.-registered aircraft and products. Implicit is the concern over expending those FAA resources in surveiling [sic] such repair stations. For the reasons discussed above, some flexibility is necessary in implementing this policy, and it must not be applied arbitrarily. As a matter of law, however, we believe the showing of need requirement is a continuing obligation."

NOTE: The full text of the memorandum, dated December 9, 2008, is available at http://www.faa.gov/about/office_org/headquarters_offices/agc/pol_adjudication/agc200/interpretations/data/interps/2008/manager-sf-wp-03%20-%20(2008)%20legal%20interpretation.pdf.

c) If the repair station cannot establish continuing need, the FAA will renew the repair station certificate based on the repair station's previous continuing need statement. However, the FAA will advise the repair station in writing that if the repair station is still unable to show a continuing need at the time of its next renewal, the FAA may not renew the certificate.

NOTE: A renewal applicant does not have to submit an activity report for each article for which it is rated. A single document indicating that minor or no changes were made to its customer list will satisfy the need requirements. The need can be verified during the inspection phase.

3) The repair station's list of maintenance functions contracted to another entity, if changes have been made. Refer to § 145.217 and Volume 2, Chapter 11, Sections 1 and 5, for additional information.

B. Review the RSM/QCM or Section. If revisions are made to these manuals, the revisions should be reviewed as they are submitted. In some cases, a repair station may elect to revise its manuals for its certificate renewal. Regardless of when they are submitted, the FAA must accept these revisions. The revision's inclusion should not delay the renewal process. The FAA may elect to review the revisions and accept or reject them after the certificate renewal has been completed based on the old manuals. Acceptance of the revision must be accomplished per Volume 2, Chapter 11, Section 4.

NOTE: Repair stations do not need to wait until the IFO accepts revisions to implement them. However, if the FAA finds a revision unacceptable, the repair station must have a procedure in place that describes how articles returned to service will be addressed.

C. Document Any Deficiencies. Conduct a thorough and comprehensive review of all documents. If deficiencies are found in any document, return it to the applicant with a letter outlining the deficient areas. Inform the applicant that the certification process will not continue until all deficiencies are resolved or a corrective action plan (CAP) is agreed upon. The applicant must provide the FAA with a written response with an approximate date the applicant will correct the errors and resubmit the document. The inspector's letter to the applicant must be as clear and complete as possible to avoid causing delays from documents being mailed back and forth without resolving issues.

D. Review CAP. Continue with the renewal process if the repair station provides a CAP that satisfies the requirements of the application package.

1) If the applicant fails to submit a CAP or correct the deficiencies within the specified time agreed to between them and the FAA, the FAA will terminate the application for renewal.

2) If the FAA finds the written CAP acceptable, or if the applicant has corrected the deficiencies, it may continue renewing the repair station certificate. See subparagraph 2-1262D1).

3) If a CAP exists from the previous year's inspection/renewal, the PI must review that plan. During the demonstration and inspection phase of the renewal, the PI must verify that those deficiencies/findings have been corrected.

2-1262 RENEWAL—DEMONSTRATION AND INSPECTION PHASE.

A. Renewal Procedures. When performing a certificate renewal inspection, follow the facility inspection procedures identified in Volume 6, Chapter 9, Section 20. Additionally, use the checklist (accessible via the link below) and maintain them as a record: http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afs/afs300/part45_checklist/.

NOTE: For fee collection for air agency actions, the AFS office should follow the guidance in Volume 12, Chapter 13, Section 1, paragraph 12-689. The certificate holder should deposit the fee per part 187, IFO procedures, and AFS-001-000-W2, AFS AC 187-1, As Amended, Fee Payment and Processing. However, during the certification phase, the inspector will confirm that the appropriate FAA fee has been paid in full per part 187 and AC 187-1. See subparagraph 2-1264B1).

B. Line Station Authorization Surveillance. A repair station must conduct a QC system audit to ensure compliance with its QC procedures. The ASI should review the audits of line stations to ensure the repair station has visited each of its line stations once per year. The QC audit should provide a report for each line station showing which station the inspector audited, the date of the audit, what the inspector audited, and findings and corrective action identified during the audit. Once a year, the ASI should perform a physical inspection of a minimum 10 percent sampling of line stations to confirm the effectiveness of the repair station's QC procedures.

NOTE: Line stations outside the geographic boundary of the country where the certificated facility is located will not receive a line station authorization. An authorization request for line stations outside these boundaries must follow the geographic authorization process. See paragraphs 2-1266 through 2-1274.

C. Geographic Authorization Surveillance. A geographic authorization may be issued to a repair station outside the United States to maintain U.S.-registered aircraft outside the country where the repair station certificate is held. See Volume 2, Chapter 11, Section 1, for additional descriptions and guidance on geographic authorization.

1) A repair station QC system is required to audit its geographic authorization location annually to ensure compliance with the RSM and QC procedures. The ASI should review the audits to ensure compliance with the repair station's approved manuals.

2) If the repair station's geographic authorizations are within the geographic boundaries of the certificate-holding district office (CHDO), the ASI should perform an annual 10 percent sampling of the geographic authorization locations.

3) The inspector should coordinate surveillance of a geographic authorization with the U.S. air carrier certificate management office (CMO) to reduce the possibility of duplicate surveillance and increase the efficient use of resources.

D. Findings/Deficiencies. Due to the distance, travel, expense, and short timeframe requirements associated with repair stations located outside the United States, the ASI should apply the following policy regarding deficiencies/findings noted during the document review and inspection phases:

1) If the FAA discovers deficiencies in document review and inspection phase for renewal or after conducting an inspection (surveillance), the FAA may allow the applicant sufficient time after notification to correct the deficiencies or to submit a CAP, depending on the nature of the deficiencies.

2) Once the applicant has submitted the CAP and prior to acceptance of the plan, the PI will review it and ensure it meets the following requirements:

a) The timeframe for correcting the deficiencies/findings must be 90 days or less.

b) The correction plan must adequately address the deficiencies/findings.

c) The plan must require the applicant to advise the PI in writing when the deficiencies/findings have been corrected.

d) The plan must also contain a procedure for the repair station to validate the process/procedure used to correct the deficiencies/findings. This validation should take place within 90 days or less after the correction was implemented.

3) If the FAA finds the written CAP acceptable, it may renew the repair station certificate.

4) If the part 145 repair station certificate expires either during the time between inspections or due to unusual circumstances, the FAA may need to issue a short-term certificate of up to 90 days if the applicant demonstrates an ability and willingness to correct the noted deficiencies. The FAA may not extend the certificate past the 24-month period.

5) Depending on the nature of the deficiencies, the FAA may amend the repair station's ratings. In any of the above situations, after the FAA is satisfied with all corrective action, the certificate will be reissued using the original renewal date. The repair station should not gain renewal time or an advantage by having additional time allowed for the correction of deficiencies.

2-1263 RENEWAL—CERTIFICATION PHASE.

A. Prepare Certificates. When the applicant has met all regulatory requirements, the PI will accomplish the following:

1) Complete blocks 6 through 10 of FAA Form 8310-3 to show:

- Any remark or discrepancy noted during inspection,
- Findings and recommendations,
- Date of inspection, and
- Office and signature of the PI.

2) Prepare FAA Form 8000-4, which the IFO manager must sign.

NOTE: Air Agency Certificates and OpSpecs are legal documents. The language should clearly specify the authorizations, ratings, and/or limitations being approved. When completed, these forms should have no erasures, strikeovers, or typographical errors.

B. Prepare Air Agency Certificates. The certificate will include the following information:

1) After "Number," insert the certificate number assigned to the facility. This will be per the current air agency numbering system.

2) Under "This certificate is issued to," insert the official name of the applicant's business, as shown on the application form.

3) Under "whose business address is," insert the address/location of the applicant's business, as shown on the application form.

4) After "to operate an approved," insert the words "repair station."

5) Under "with the following ratings," insert the ratings issued. The ratings must be listed by the general category, such as airframe, powerplant, or radio.

6) Limited ratings are issued to a certificated repair station that maintains only a particular type of airframe, engine, propeller, radio, instrument, or accessory or part thereof, or provides specialized maintenance requiring equipment and skills not ordinarily performed under other repair station ratings. Such a rating may be limited to a specific model aircraft, engine, or constituent part, or to any number of parts made by a particular manufacturer.

7) When ratings are added or amended, show the date of each issuance in parentheses after the added or amended rating.

8) After "shall continue in effect," add "insert the new renewal date." The IFO will renew the repair station certificate for 24 months from the date of the last renewal, unless otherwise coordinated with the RO. Refer to § 145.55.

NOTE: Although the regulation allows for a 24-month renewal period, current policy requires ASIs to perform annual surveillance of repair stations, including those facilities located outside the United States. The renewal ensures the

repair station does not extend past the mandatory 24-month certificate period, which would require a new certification action, not a renewal.

9) Under "Date issued," insert the original issuance date of the certificate. This will be the date of original certification.

10) Under "By direction of the Administrator," insert the signature of the office manager and office identifier.

11) This certificate is not transferable. The IFO must immediately report any major change in the basic facilities, or in the location thereof, to the appropriate FAA RO.

C. Prepare OpSpecs.

1) Following "The rating(s) set forth on Air Agency Certificate Number," insert the Air Agency Certificate number from the respective certificate.

2) Following "is/are limited to the following," insert, as applicable:

- The associated CL, as described in Volume 2, Chapter 11, Section 1;
- Limited ratings, to include makes, models, or parts;
- Limited ratings, to identify maintenance limitations (e.g., "limited to maintenance and/or repair not including overhaul");
- Limited ratings for specialized services, including the specification used; and
- Line maintenance authorization. The repair station must meet the requirements of § 145.205(d).

3) Following "Delegated authorities," insert "None."

4) Under "Date issued or revised," insert the date the inspection was satisfactorily completed.

5) Under "For the Administrator," insert the signature block of the assigned inspector.

D. Prepare Certification Report. Ensure that a certification report is prepared. The report must include the name and title of each ASI on the certification team. The PI signs the report, which contains at least:

- The completed FAA Form 8310-3, including a list of functions the repair station will contract out, if changed since last renewal;
- A copy of the statement/document of need showing the necessity for the certificate;
- A copy of the Air Agency Certificate issued;
- A copy of the issued OpSpecs; and
- A summary of all discrepancies found during the inspection.

2-1264 RENEWAL—TASK OUTCOMES.

A. Complete the PTRS Record.

1) Use PTRS activity code 3376/5376 for maintenance/avionics certificate support associated with the certificate renewal process.

2) Use PTRS activity code 3650/5650 for maintenance/avionics surveillance associated with the certificate renewal process. The inspector must follow and complete the risk-based surveillance reporting requirement of Volume 6, Chapter 9, Section 20.

B. Complete the Task. Completion of the certification task will result in one of the following:

1) Verify that the fees have been paid in full. Deposit the fee per part 187 and IFO procedures. FAA policy requires submitting an invoice to the repair station using an items list of fees charged when issuing the certificate. It is permissible to issue a renewal certificate pending receipt of the fee. Due to normal corporate accounting practices, it may take a few weeks before the fee is transmitted.

NOTE: All activities associated with surveillance related to a repair station certificate are chargeable as FAA fees per part 187. Calculate all fees per AC 187-1.

a) If the IFO does not receive the fee within a reasonable period of time, it should advise the repair station in writing that certificate action may be required if the fee is not transmitted as soon as possible.

b) The IFO should establish office policy regarding timeframes and procedures for fee payments. The IFO should be familiar with local mail and electronic transaction timeframes.

2) Issuance of a certificate and OpSpecs.

3) A letter to the applicant indicating the IFO denied the issuance of the certificate, as applicable.

4) A letter to the applicant confirming termination of the certification process, as applicable.

C. Distribute the Certification Report. This report is no longer distributed to the RO. The information may now be found in the PTRS, Safety Performance Analysis System (SPAS), and eVID. Distribute the completed report as follows:

1) Retain the original certification report in the IFO.

2) Send a letter to the AA of the country where the repair station is located, advising it that the FAA certificate and OpSpecs have been issued. The letter should also request that the

Air Agency advise the IFO anytime the AA takes certificate action or identifies serious concerns against that repair station.

D. Document the Task. File all supporting paperwork in the certificate holder/applicant's office file and update the eVID.

2-1265 RENEWAL—FUTURE ACTIVITIES. The IFO must ensure an orderly transition from the certification process to certificate management. The ASI should perform followup inspections and surveillance inspections, as required.

2-1266 AMENDMENT—PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites:

- Knowledge of the regulatory requirements of part 145 and completion of FAA Course 21058, Certification and Surveillance of Part 145 Repair Stations.
- Successful completion of the Airworthiness Inspector Indoctrination course(s) or equivalent.
- Previous experience with certification or surveillance of part 145 repair stations.

B. Coordination. This task requires coordination between Airworthiness and Avionics ASIs. Additionally, multiregional coordination may be required.

2-1267 AMENDMENT—PREAPPLICATION PHASE—ADDING AN ADDITIONAL RATING. The ASI should follow the initial certification procedures in paragraph 2-1250.

A. PASI. A PASI is not required for a change or amendment to a certificate.

1) An application meeting is not required for amending a repair station certificate.

2) The repair station must submit a completed application (FAA Form 8310-3).

3) The repair station must submit a revised letter of compliance that covers the additional ratings.

B. Change to Facility or Address Change.

1) The repair station must submit a new application when a change to the facility affects the repair station certificate. Examples of facility changes include adding additional space or reducing the size of the facility.

2) The repair station must submit a new application prior to moving to a new facility or changing its address. The FAA will review the application and may authorize continued work while the applicant moves to another facility.

C. Change in Ownership. When a repair station sells or transfers ownership of its organization, the new owner must submit a new application.

1) If the sale or transfer of ownership, normally called a financial takeover, does not affect the employees, facilities, equipment, or daily operation of the repair station, only a new application is required.

2) An applicant must submit a new application and manuals for an ownership change that affects the repair station's daily operation, such as a management change or a facility or equipment change. The application process is the same as for a new application. (See paragraphs 2-1248 through 2-1256 for initial certification procedures.) However, applicants may continue to operate under the existing certificate while the FAA processes the new certification package, unless the ASI and the RO determine that a safety concern prohibits continued operation.

2-1268 AMENDMENT—GEOGRAPHIC AUTHORIZATION.

A. Criteria for Issuing Geographic Authorization. Geographic authorization is different from work away from the station or line station maintenance authorization. The repair station must fulfill the criteria listed below. The ASI should ensure that:

1) The repair station has an airframe rating for a complete aircraft, such as a Boeing 757 or an Airbus 320.

2) The make/model aircraft is operating into the requested location. The aircraft being operated into the requested location need not be the aircraft with a part 129 authorization.

3) The FAA will not issue a geographic authorization at a location where an appropriately rated repair station already exists, unless the U.S. operator shows why the additional geographic authorization is necessary. For example, legitimate reasons for issuing the rating may be that locally rated repair stations cannot meet operator schedules or cannot deal with additional workload.

4) Each geographic authorization is included in the repair station's internal self-evaluation program. The program must include an annual evaluation and report of each geographic authorization location. This report must be made available to the FAA on request.

NOTE: Geographic authorization may not be issued to a location within the United States and its territories. The FAA has determined that ample CRSs are located within the United States to provide service. The intent of a geographic authorization is to give U.S. operators, and foreign operators holding a part 129, § 129.14 authorization, the ability to meet the requirements of their maintenance programs in locations where appropriately rated FAA-certificated repair stations are not available.

B. Geographic Authorization Procedures. The IFO will:

1) Receive notice of the air carrier's need. The process starts when the air carrier notifies its CHDO that it needs the services of a repair station at a location where a geographic authorization is required for the repair station.

NOTE: An operator under § 129.14 will use the IFO that issued the § 129.14 authorizations.

2) Receive a letter from the repair station requesting geographic authorization. The letter should explain how the repair station will meet the criteria in subparagraph 2-1268A and include a copy of the RSM procedures section addressing geographic authorizations and responsibilities.

3) When eligibility for geographic authorization is established, coordinate closely with the air carrier CHDO to ensure that duplicate efforts do not occur.

NOTE: Certification and surveillance of geographic authorization is the responsibility of the IFO. However, this does not relieve the CHDO of its responsibilities for surveillance of the air carrier's adherence to part 121, § 121.369. The CHDO's coordination with IFOs outside the United States is an efficient method of surveillance of air carrier operations in areas normally requiring the CHDO to use resources better used in other areas. Geographic authorization is limited to line-maintenance-type operations.

4) Receive a copy of the contract from the air carrier's CHDO.

5) Provide the CHDO with a copy of the repair station's commitment to meet subparagraph 2-1268A criteria.

6) Receive a copy of the repair station's self-evaluation report, if applicable. If this is an initial or an added geographic authorization location, the repair station must give the FAA a copy of its self-evaluation report, in which its ability to function at the requested location is expressed.

7) Review the self-evaluation report to ensure that the repair station has trained personnel, tooling, equipment, manuals, and inspection processes to support the requested geographic authorization.

8) Revise the repair station OpSpecs to include the initial or new geographic authorization location. The OpSpecs must list each authorization by location address, make, and model of aircraft. Additionally, list the air carrier customer name and the section of its appropriate air carrier manual by which maintenance will be performed.

9) On an initial geographic authorization, revise the repair station certificate to list the geographic authorization directly below the airframe rating.

10) Forward the revised certificate and OpSpecs to the repair station and send a copy to the CHDO.

NOTE: Do not delay sending a copy of the revised certificate and OpSpecs to the repair station. Delays may adversely affect air carriers meeting their operational schedules.

C. Surveillance Requirement for Geographic Authorization.

1) It is not necessary for the IFO or the CHDO to conduct an onsite surveillance for a request to add a new location. An additional location may be added without further showing.

2) When conducting repair station certificate renewal or off-year surveillance, the ASI must review the repair station's geographic authorization self-evaluation reports to ensure that each location has been evaluated within the previous year.

3) The IFO must establish an office policy requiring inspectors performing surveillance in a city or country to visit the locations where a repair station has a geographic authorization, provided the visit does not require additional travel within the country or create expenditure of added travel resources. This means the inspector must travel to the locations using ground transportation and must complete the visit within their normal workday, unless otherwise authorized by their supervisor.

4) Forward an explanation of the fees to the repair station's ASI for inclusion in the repair station certificate's renewal cost, which include all times and costs associated with surveilling a geographic authorization.

5) A CHDO may not charge the repair station for any surveillance of geographic authorization it performs as part of its air carrier surveillance.

6) Close coordination must occur between the CHDO, the IFO where the geographic authorization is located, and the certificate holder's IFO to reduce the possibility of multiple surveillance activities. All findings associated with a geographic authorization must be coordinated between offices involved with the geographic location.

7) The IFO that retains the repair station certificate is also responsible for compliance and enforcement activity. It must communicate findings with the air carrier CHDO. Any additional compliance or enforcement action relating to the air carrier is the responsibility of the air carrier CHDO.

2-1269 AMENDMENT—APPLICATION PHASE. Repair stations adding ratings or changes to a certificate will use the same process as renewal of a certificate discussed in paragraphs 2-1257 through 2-1265, but must also include:

- A copy of FAA Form 8310-3, including a list of functions that the applicant intends to contract to another facility;
- A revised letter of compliance that address the items changed, such as added rating or address change;
- A document showing the need for the certificate, as described in subparagraph 2-1250E4)e); and
- If applicable, a revised letter certifying employees have been trained to ICAO hazmat standards, as described in subparagraph 2-1244B1)c)*5*.

2-1270 AMENDMENT—DOCUMENT COMPLIANCE PHASE. Follow the same renewal process as indicated in paragraphs 2-1257 through 2-1265. The ASI should review any manual revision required by the application for an added rating or change to the certificate for compliance with part 145. Repair stations should process manual revisions and documentation findings as discussed in paragraphs 2-1257 through 2-1265.

2-1271 AMENDMENT—DEMONSTRATION AND INSPECTION PHASE. This phase should follow the same requirements as indicated in paragraphs 2-1257 through 2-1265 as appropriate to the requested change to the repair station certificate and OpSpecs.

2-1272 AMENDMENT—ISSUE OF AMENDED CERTIFICATE AND OPSPECS. Amendments to a repair station certificate and OpSpecs must be accomplished as indicated in this section and must reflect the applicant’s requested change.

2-1273 AMENDMENT—TASK OUTCOMES. These are the same as indicated in paragraph 2-1264.

2-1274 AMENDMENT—FUTURE ACTIVITIES. The IFO must ensure that an orderly transition occurs from the certification process to certificate management. Perform followup inspection and surveillance inspections, as required.

RESERVED. Paragraphs 2-1275 through 2-1290.