



# FAA

## Aviation Safety

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### Memorandum

Date: 6/9/2020

To: All AFS-100, AFC and AFG Aviation Safety Inspectors

From: Jackie Black, Aviation safety, Manager, Aircraft Maintenance division,  
AFS-300 Dale R Hawkins Digitally signed by Dale R Hawkins  
for Jackie L Black Date: 2020.06.09 11:19:21 -04'00'  
for Jackie L Black

Subject: Safety Standards' Approval of Non-Standard Text and Deviation to 8900.1:  
Expansion of Existing Air Carrier / Operator STE Programs Due to COVID  
19.

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**Background.** The COVID-19 public health emergency has resulted in a downturn in aviation operations. This reduction in service is causing challenges for certain operators when managing scheduled maintenance requirements.

To address these challenges, the FAA is approving relief of certain conditions and limitations of the short-term escalation (STE) process to provide additional flexibility when tracking, planning, and executing scheduled maintenance requirements. We are issuing an Information to Operators (InFO) to provide notice to air carriers and operators of the availability of this flexibility. Aviation Safety Inspectors should familiarize themselves with the contents of InFO 20005 when published.

The relief provided is applicable to operators with authority to exercise STEs either by OpSpec/MSpec, or within their inspection programs approved by the administrator. Air carriers and operators subject to a CAMP may request this relief through an amendment to either OpSpec/MSpec D076 or D074, as applicable. Other operators subject to an inspection program approved by the Administrator may request this relief from their principal inspector (PI) if their approved inspection program incorporates STE provisions. (See FAA Order 8900.1, Volume 3, Chapter 18, Section 6, Parts D and E, Maintenance Operations Specifications/Management Specifications/Letters of Authorization; or AC 91-90, Part 91 Approved Inspection Programs, as applicable.)

**Approvals.** This memo provides the following Safety Standards Division approvals:

1. In accordance with FAA Order 8900.1, Volume 3, Chapter 18, Section 2, Automated Operations Safety System, paragraph 3-712, this memo provides Safety Standards' approval of the following non-standard text in OpSpecs/MSpecs that authorize Short-Term Escalations (D076 or D074, as applicable):

“The following conditions apply to this authorization:

- Exception: Short-term scheduled maintenance interval escalations may be used on a large scale to numerous aircraft. STEs must not be used on a repetitive basis to the extent that it results in a fleet-wide interval extension. Fleet-wide escalations are not allowed.
- Exception: Subject to PI approval, STEs may be authorized up to 30%, not to exceed 1500 hours time in service.
- Timing: STEs may be issued *after* the item becomes due, but *prior to* approval for return to service.

Unless otherwise amended per 14 CFR § 119.51, approval of this non-standard text expires on December 31, 2020, at which time the non-standard text will be removed and the OpSpec/MSpec re-issued.”

**NOTE 1:** If required, revise entries in OpSpec/MSpec D076, Table 1, Short-Term Escalation Limitations and Provisions.

**NOTE 2:** In addition to providing temporary relief to air carriers and operators through an amendment to OpSpec/MSpec D076, paragraphs b.(2) and c., and STE procedures authorized through D074, this relief may be applied to operators who have STE procedures incorporated in an Inspection Program approved by the Administrator.

2. In accordance with FAA Order 8900.1, Volume 1, Chapter 1, Section 1, General Order Information, paragraph 1-3 A., this memo provides Safety Standards’ approval of deviations to FAA Order 8900.1, Volume 3, Chapter 37, Section 1, Safety Assurance System – Evaluating Short-Term Escalation Procedures, as specified below.
  - a. During this period, operators may issue STEs up to 10%, not to exceed 500 hours time in service and PIs may approve STEs up to 30%, not to exceed 1500 hours time in service, *after* the calendar interval becomes due.
  - b. This flexibility is available for calendar items becoming due during storage or other non-operational status only.
  - c. The escalation percentage is calculated from the date the calendar item became due.

**NOTE:** Consistent with existing STE policy, STEs may only be issued by the operator (up to 10%, not to exceed 500 hours time in service), or approved by the PI (up to 30%, not to exceed 1500 hours time in service), *prior to* approval for return to service.

**Discussion.** The FAA considers the COVID-19 public health emergency and its effects on the aviation system to be a special condition under which PIs may approve STEs up to 30%, not to exceed 1500 flight hours.

**NOTE:** Although this memo specifies that the COVID-19 public health emergency and its effects on the aviation system constitutes a

“special condition,” PIs continue to be responsible for determining whether a given condition meets criteria for consideration of STEs in excess of current limitations.

Specifically, these approvals relieve the following:

- The condition specified in FAA Order 8900.1, Volume 3, Chapter 37, Section 1, paragraph 3-3708 A.(7), which states that an STE “...cannot be issued after an item has exceeded an established maintenance program time limitation.”; and
- The limitations in OpSpec/MSpec D076, paragraph b.(2) and c., which establishes the 10% extension maximum and restricts the scope of STE application.

Documentation: PIs must complete the following:

- Safety Assurance System (SAS) air carriers/operators: PIs should access the SAS CHAT:
  1. Select Complex Operations and Environmental Consideration
  2. Initiate an RMP
  3. In the Comment Field, enter the *exact* phrase “COVID-19”
  4. Document and track COVID-19 related STE actions within the AITT
    - a. Enter appropriate details of each STE
    - b. Specify whether the STE is greater than 10%
- Other operators:
  - Document COVID-19-related STEs using PTRS Code 3320/5320
  - Enter the *exact* phrase “COVID-19” in National Use field
  - In the Comments field, specify whether the STE is greater than 10%

Procedures for Amending OpSpecs/MSpecs: PIs must ensure that any amendment to OpSpecs/MSpecs are in accordance with the procedures in 14 CFR § 119.51 or 91.1017, as applicable.

### **Existing Policy and Information Related to Approvals Provided by this Memo.**

#### 1. Limitations.

This memo does not change a PI’s authority or responsibility regarding certificate management and oversight. To conduct proper oversight, PIs should understand that all other conditions and limitations of each STE program continue to apply, including all other limitations of operators’ STE process, and all conditions and limitations of their storage programs. STE’s that result in an escalation greater than 10% are subject to PI approval.

In accordance with existing STE procedures, PIs should ensure that each aircraft is considered individually and that STEs are applied against specified task(s) and interval(s) or packaged checks, and not on a fleet-wide basis. As with any STE, PIs should determine whether STE requests have been substantiated according to established procedures.

Under the temporary policy changes described in this memo, PIs may allow STEs

- while aircraft are in storage or other non-operational status (provided the STE is executed prior to approval for return to service);

- against aircraft that are operational or otherwise considered to be in-service (provided the STE is executed prior to the item becoming due).

PIs retain authority and responsibility for accepting/approving a given STE. In accordance with FAA Order 8900.1, Volume 3, Chapter 60, Section 2, and other guidance, PIs are encouraged to contact and/or coordinate with the Aircraft Evaluation Division (AED) for technical assistance, when needed. Also, PIs may coordinate, through the AED, with ACO and/or Safety Standards divisions. Note: The FAA's Aircraft Evaluation Group (AEG) is now named AED.

This flexibility should be used as a last resort to address calendar items that have come due, and not as general relief from scheduled maintenance intervals.

The policy changes in this memo do not affect Airworthiness Directives (AD), Life Limited Parts (LLP), Certification Maintenance Requirements (CMR), Airworthiness Limitation Items (ALI), or initial Aging Aircraft Inspections. PIs should direct operators to established procedures when seeking such relief.

PIs retain all authority under 14 CFR § 119.51 to amend any/all of these provisions for cause (e.g. abuse, misuse, lack of control over operations, or at such time when operations at the assigned air carrier/operator no longer warrant relief, etc.)

## 2. Administration.

During this period, Flight Standards personnel from SA, AED, and SS organizations are encouraged to exercise both accessibility and flexibility. PIs are encouraged to collaborate with their air carriers/operators to the fullest extent possible. This includes participation in periodic updates on a weekly or more frequent basis to monitor the air carrier/operator's current STE status, as well as their running plan for transitioning to full operations. These interactions may include any or all of the following:

- Conference calls and/or face-to-face working meetings (when practical)
- Monitoring documented planning activities
- Monitoring risk mitigation activities

With the goal of maintaining operational safety at the highest level, FS personnel are expected to apply the foundational principles of critical thinking, interdependency, and consistency in their decision-making.

## 3. NTO Statements.

The FAA is also aware of OEMs issuing No Technical Objection (NTO) statements in response to operator requests to increase flexibility when managing calendar items for aircraft in storage or in some other non-flying status. The following is included to clarify for PIs, the limitations on the use of original equipment manufacturers' (OEM) NTO statements (or equivalent OEM statements).

An OEM-issued NTO is not a manufacturer's approval to alter an operator's maintenance/inspection program, nor is it sufficient as a stand-alone substantiation to change an operator's inspection programs or procedures. An NTO is merely a statement provided by an OEM that, at the time it is issued and based on the information provided by the requestor, it has no technical objection to the operator pursuing a proposal to an

operator's inspection programs or procedures. When evaluating an STE request, PIs should ensure that the proposal has been substantiated with appropriate data (e.g., reliability data, engineering orders, etc.), and that any specific procedures directly related to the proposal have been observed.

**NOTE:** OEMs sometimes issue NTOs that are contrary to FAA policy and/or guidance. Such NTOs have no effect on that policy or guidance.

FAA policy states that an NTO (or similar statement) is not sufficient substantiation in and of itself. Further, NTOs do not absolve or in any way provide relief from an operator's responsibility for the airworthiness of its aircraft, or for the requirements and results of its published programs. See AC 120-77, Maintenance and Alteration Data, for additional information.

**References.** The current editions of the following documents were used as references in the discussion above.

- Template, OpSpec/MSpec D076 – Short-Term Escalation Authorization
- Template, OpSpec D074 – Reliability Program Authorization: Entire Aircraft
- FAA Order 8900.1 Volume 3, Chapter 18, Section 6, Parts D and E Maintenance Operations Specifications/Management Specifications/Letters of Authorization.
- FAA Order 8900.1 Volume 3 Chapter 18 Section 2, Automated Operations Safety System
- FAA Order 8900.1 Volume 1 Chapter 1 Section 1, General Order Information
- FAA Order 8900.1 Volume 3, Chapter 37, Section 1, Safety Assurance System: Evaluating Short-Term Escalation Procedures.
- FAA Order 8900.1 Volume 6, Chapter 2, Section 28, Safety Assurance System: Evaluate a Part 121/135.411(a)(2) Operator Aircraft Storage Program.
- FAA Order 8900.1 Volume 3, Chapter 38, Section 1, Safety Assurance System: Evaluate and Approve an Approved Aircraft Inspection Program.
- FAA Order 8900.1 Volume 4, Chapter 14, Section 3, Evaluate/Approve an Inspection Program Under Part 91, § 91.409(f)(4).
- AC 91-90, Part 91 Approved Inspection Programs.
- AC 120-77, Maintenance and Alteration Data