Chapter 11 Certification of a Part 145 Repair Station

Section 3 Phase 3—Design Assessment (SAS Business Process Modules 2, 3, and 4)

2-1216 GENERAL. The Design Assessment (DA) phase is the part of the certification process when the applicant’s manuals and other documents are reviewed in depth to ensure compliance with applicable regulations and conformity to safe operating practices.

NOTE: These documents may include paper representation or electronic format. Advisory Circular (AC) 145-9, Guide for Developing and Evaluating Repair Station and Quality Control Manuals, provides guidance to develop a Repair Station Manual (RSM) and Quality Control Manual (QCM). AC 145-10, Repair Station Training Program, provides guidance to develop a training program.

A. Organization. An important responsibility of the certification project manager (CPM) is to organize the Certification Project Team’s (CPT) efforts to promptly review the applicant’s manuals and other documents. The Schedule of Events (SOE) determines what will be examined and when. The previously agreed-upon SOE will determine the priority of items to be reviewed and any additional inspector support or other Federal Aviation Administration (FAA) resources that will be needed beyond the composition of the basic CPT. The DA phase is an intensive process and will most likely require additional resources to accomplish the necessary task. The responsible Flight Standards office CPT may be augmented by other FAA resources.

B. Plan for Review. The plan for review should ensure that each of the required manuals or documents submitted by the applicant would be reviewed in accordance with procedures and criteria outlined in the other volumes of this order. Ensure that the Comprehensive Assessment Plan (CAP) has been developed to complete all elements. Principal inspector (PI) instructions for each DA will include at least the following:

- Name of inspector conducting the inspection;
- Indication of who is designated as team coordinator (TC) and/or team member; and
- The proposed completion date.

C. General Process for Approval or Acceptance. The general process of approval or acceptance of certain programs, documents, procedures, methods, or systems is an orderly method used by Flight Standards (FS) inspectors to ensure that such items meet regulatory standards and provide for safe operating practices. The process can result in approving or not approving or accepting or not accepting an applicant’s proposal. It is important for an inspector to understand that the process described in this section is not all-inclusive but rather a tool to use with good judgment in conducting day-to-day duties and responsibilities. This guidance explains the terms “acceptable to,” “accepted by,” and “approved.” These terms are used in, or in conjunction with, FAA regulations and guidance material to address whether an action,
procedure, process, etc., satisfies the FAA’s regulations, and whether the FAA must affirmatively make a determination to that effect. The terms, as explained below, are used across FS.

1) “Acceptable to” the FAA or the Administrator. This term means that the applicant or certificate holder (CH) may choose any method that meets English plain language in regards to the intent of the regulation, and must be submitted to the FAA with reference to some standard or publication as the basis for the intended application, procedure, method, etc. Assessment of the item at issue by the FAA prior to use is normally not required. When a regulation requires that a submission must be “acceptable to” the FAA as a precondition for the FAA to act, the FAA may exercise discretion as to whether the determination must be made before or after the FAA acts. For example, during initial certification of RSMs, FAA policy requires a review of procedures before the FAA issues the certificate. If the submitted documents are not acceptable to the FAA, the inspector should communicate to the applicant or CH with a detailed explanation of discrepancies noted.

NOTE: When the FAA has a form for a specific purpose, the “format acceptable to the FAA” is that form or the information required by the form. When the phrase is associated with the repair station’s requirement to create, maintain, and update data or documents, the 2001 Part 145—Repair Stations final rule preamble states a format acceptable to the FAA is “media that can accomplish the performance objective and be read or analyzed by the FAA for issuance and oversight of the air agency certificate.”

2) “Accepted by” the FAA or the Administrator. This term appears infrequently in the FAA’s regulations. Where the term is used, it means that the item at issue must be submitted to the FAA for review and acceptance prior to use. By whatever means the FAA’s acceptance of an item is communicated to the submitter, the acceptance means that the item meets the FAA’s applicable criteria, and that the FAA has no objection to the submitted item. Unless the context of the situation clearly provides otherwise, “accepted by” the FAA does not simply mean receipt by the FAA (i.e., that the item was given to a representative of the FAA and that person received (accepted) it on behalf of the FAA).

3) FAA “Approved” or “Approval.” Title 14 of the Code of Federal Regulations (14 CFR) part 1, § 1.1 defines “approved” as “unless used with reference to another person, means approved by the FAA or any person to whom the FAA has delegated its authority in the matter concerned, or approved under the provisions of a bilateral agreement between the United States and a foreign country or jurisdiction.”

NOTE: The FAA affirms approval by letter, memo, email, fax, stamp of approval, issuance of operations specifications (OpSpecs), or some other official means. This affirmation signifies the FAA’s or an FAA-delegated person’s assessment of the “item at issue” is complete, and the FAA approves and authorizes its incorporation and use.

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

2-1217 REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):
   - Volume 1, Chapter 3, Section 1, Safety Assurance System: Responsibilities of Aviation Safety Inspectors.
   - Volume 10, Safety Assurance System Policy and Procedures.
   - Volume 14, Chapter 1, Section 2, Flight Standards Service Compliance Action Decision Procedure.

B. Forms. None.

C. Job Aids. None.

2-1218 REVIEW OF APPLICANT’S SUBMISSIONS. During this phase, members of the CPT evaluate and approve or accept the applicant’s manuals and any other required documents. Review of the applicant’s submissions should be accomplished by simultaneous reference to 14 CFR and the appropriate manual or document. The following are examples of typical submissions from applicants during the DA phase. This list is not all-inclusive, and certain items may not be applicable to a particular type of operation:

- Supervisory personnel résumés outlining proposed supervisory qualifications and compliance histories.
- Applicant’s optional, self-audited ED DCTs or National/Divisional Custom DCT (C DCT), if submitted.
- RSM.
- QCM (may be combined with the RSM). (Note: Incorporation by reference is the act of including a second document within another document by only mentioning the second document. This incorporation by reference enables the use of additional information already published elsewhere.)
- Training program/manual (may be combined with the RSM or QCM; however, the training program must be approved). The RSM along with the training manual are published regulatory requirements, which allow for the incorporation by reference.
- Exemption requests.
- Letter stating compliance with 14 CFR part 145, § 145.53(c) or (d).
- Hazardous materials (HAZMAT) program.
- Proposed OpSpecs.

2-1219 OPSPECS. The CPM will coordinate with the applicant and draft OpSpecs in the Web-based Operations Safety System (WebOPSS).
2-1220 DATA COLLECTION (Module 4A).

A. Accuracy Verification and Data Analysis. The Certification Project Team (CPT) will verify accuracy of the applicant’s optional, self-audited ED DCTs or C DCT, if submitted, and complete their assigned ED DCTs or C DCT. The CPT will collect and analyze the data by conducting a data analysis meeting. If the current submission is not of sufficient quality and/or when additional data is necessary, notify the applicant with a written explanation of concerns identified during the data analysis meeting. If a subsequent submission contains minimal concerns that will allow the PI to approve or accept the program with mitigation, schedule and conduct a meeting with applicable members of the CPT and the applicant to discuss and correct the remaining discrepancies.

B. Letter to the Applicant. The letter must advise the applicant that they must return the next revision as an entire submission. The applicant will label all documents in the revised submission in sequential order (e.g., Revision B, Revision C). In addition, applicants will use their manual revision process when revising their manuals (e.g., change bars).

NOTE: The CPT should remember that it is the applicant’s responsibility to develop manuals and procedures that ensure safe operating practices and compliance with the rules.

2-1221 DATA REPORTING (Module 4B). Each team member will then enter their responses into the Safety Assurance System (SAS). Save data by clicking “Submit.”

NOTE: If an inspector observes any finding(s) not related to their assigned element, or they cannot capture it in their assigned element, document the finding(s) in a Dynamic Observation Report (DOR) and notify the inspector(s) working that element.

2-1222 DATA REVIEW (Module 4C). The data reviewer will ensure that data meets the data quality guidelines (DQG) and submit to Module 5, Analysis, Assessment, and Action (AAA).

2-1223 ANALYSIS AND ASSESSMENT (Module 5A). Along with the identified members of the CPT, the CPM conducts an Element Design Assessment (EDA) meeting to analyze ED DCT collected data by element. The CPM will make a bottom-line assessment and document it in AAA.

2-1224 ACTION (Module 5B). Follow the Module 5 business process to determine the appropriate course of action for each element.

NOTE: The applicant must maintain an active project. The responsible Flight Standards office must evaluate an inactive period that exceeds 90 calendar-days. Inactivity of greater than 90 calendar-days may be cause to terminate the certification process, or the CPM may terminate the process when it is clear that continuing the process will not result in approval or acceptance (i.e., multiple failures of the applicant’s submissions).

RESERVED. Paragraphs 2-1225 through 2-1229.