

AIR Newsletter

In this issue of the AIR Newsletter, we review FAA Aircraft Certification Service (AIR) draft policy and guidance documents and recent rulemaking activity. The draft documents could potentially impact holders of and applicants for type certificates (TC), TC validation, supplemental type certificates (STC), technical standard order approvals (TSOA), parts manufacturer approvals (PMA) and other design and production approvals.

Draft AD Manual, FAA-IR-M-8040.1D

The Airworthiness Directives (AD) Manual, FAA-IR-M-8040.1D provides policy and guidance to standardize how AIR drafts, issues, and distributes ADs. The AD Manual was developed to explain the requirements that apply to ADs, procedures for writing an AD, and policies regarding key AD-related issues.

The [draft revision to the AD Manual](#) incorporates the guidance in FAA [Notice N8110.114](#), which was cancelled on September 28, 2012. The draft revision to the AD Manual also includes new chapters on: (1) general requirements for formatting ADs based on requirements from the Office of the Federal Register; (2) resolving issues related to the AD process; and (3) AD process monitoring.

The changes were developed by the Airworthiness Directive Implementation Aviation Rulemaking Committee (AD ARC), which was chartered in August 2009 to evaluate and address the recommendations issued by the Independent Review Team (IRT) and Airworthiness Directive Compliance Review Team (AD CRT) relating to ADs. The IRT and AD CRT were established after significant AD compliance issues were discovered to develop specific recommendations to address the FAA's safety culture and implementation of its safety systems, and airworthiness directive development and implementation processes.

Comments on Draft AD Manual, FAA-IR-M-8040.1D are due on or before **October 26, 2012**.

Draft SOP #: AIR-100-001 Standard Operating Procedure Aircraft Certification Service Project Sequencing

This Standard Operating Procedure (SOP) describes the AIR process for the sequencing of certification and validation projects.

[Draft Revision 3 to AIR-100-001](#) added considerations for import projects; revised the steps that occur after a Project is turned on (Figure 5—Project Exits Sequencing) and related process to reflect changes. The draft also includes revised appendices to include added and revised letter templates.

Comments on Draft SOP#: AIR-100-001 are due on or before **October 31, 2012**.

Draft AC21-XX; Obtaining Foreign Design Approval/Acceptance of U.S. Products and Articles

New [AC21-XX; Obtaining Foreign Design Approval/Acceptance of U.S. Products and Articles](#) provides guidance on obtaining a foreign design approval/acceptance of a U.S. product or article approved under Title 14 of the Code of Federal regulations (14 CFR) part 21. Its purpose is to provide information and offer guidance that will help obtain foreign design approval/acceptance.

The new draft AC would apply to any person who holds or will hold a U.S. type certificate (TC), supplemental type certificate (STC), or technical standard order (TSO) authorization and seeks approval/acceptance from a foreign Civil Aviation Authority (CAA).

Comments on Draft AC21-XX are due on or before **November 11, 2012**.

In addition to the draft documents discussed above, AIR will be addressing the recommendations on the assessment of the certification and approval process issued by the Aircraft Certification Process Review and Reform Aviation Rulemaking Committee (ACPRR ARC) earlier this year. The ACPRR ARC was established on April 20, 2012 and tasked to conduct an assessment of the certification and approval process and to make recommendations to streamline and reengineer the certification process in order to assist the FAA in meeting the objectives of section 312 of the [FAA Modernization and Reform Act of 2012](#). We anticipate additional draft guidance documents as AIR addresses the recommendations in the ACPRR ARC [final report](#).

If you have any questions about the guidance documents published by AIR, or if you would like assistance in the preparation or submission of comments on any of the draft documents, please contact our office.

Lisa A. Harig, Partner
lhurig@mklawdc.com

Randa A. Hayes, Senior Consultant
rhayes@mklawdc.com

McBreen & Kopko
1501 Lee Highway, Suite 180
Arlington, Virginia 22209
Tel: +1 703 247 5487
Fax: +1 703 852 3590

www.mcbreenkopko.com