VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

CHAPTER 4 THE CERTIFICATION PROCESS—TITLE 14 CFR PART 135

Section 7 Evaluate Airworthiness Related Issues of a Part 135 (Nine Seats or Less) Operator

2-481. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

    A. Maintenance. 3204/3206.

    B. Avionics. 5204/5206.

2-482. OBJECTIVE. This section provides guidance for evaluation of aircraft, facilities, maintenance programs, and records for certification of a Title 14 of the Code of Federal Regulations (14 CFR) part 135, section (§) 135.411(a)(1) operator.

2-483. GENERAL.

    A. Inspection/Maintenance Programs. Applicants for certification under part 135, nine or less passenger seats, must comply with the requirements of section (§) 135.411(a)(1). This regulation gives them the option of inspecting or maintaining their aircraft under one of the following programs:

        1) A 100-hour/annual inspection as designed by the manufacturer or in accordance with 14 CFR part 91, § 91.409 and 14 CFR part 43, appendix D.

        2) An Approved Aircraft Inspection Program (AAIP) in accordance with § 135.419. Although large and multiengine turbine-powered airplanes must meet the requirements of § 91.409(e) and (f), these applicants may also choose to operate under an AAIP.

    B. Cargo Operations, Part 135 (Nine or Less). The requirements of § 91.409(b) only apply to aircraft carrying revenue passengers. The 100-hour inspection does not apply to cargo-carrying part 135 operations, as long as the operator has an approved inspection schedule.

    C. Additional Maintenance Requirements. An applicant for operations of aircraft under part 135 (nine or less) must comply with the additional maintenance requirements of § 135.421 for engines, propellers, rotors, and emergency equipment. An applicant may use either the manufacturer's recommended maintenance requirements or a program approved by the Administrator.

    D. Carry-On Oxygen Equipment for Medical Purposes. The oxygen equipment must meet the requirements of § 135.91 and must be under an approved maintenance program if owned by the applicant.

E. Single-Engine Airplane Carrying Passengers Under Instrument Flight Rules (IFR). Provided the operator meets the conditions of § 135.163 and other appropriate sections, the authority to operate under IFR with passengers and a combination of passengers and cargo will be authorized in the operations specifications (OpSpecs).

2-484. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites.

- Knowledge of the regulatory requirements of 14 CFR part 135

- Successful completion of the General/Air Carrier Airworthiness Safety Inspector Indoctrination course, or equivalent

- Previous experience with part 135 (nine or less) certification and surveillance

B. Coordination. This task requires coordination between maintenance, avionics, and operations aviation safety inspectors (ASIs).

2-485. REFERENCES, FORMS, AND JOB AIDS.

A. References (Current Editions).

- 14 CFR parts 43, 65, and 91

- Advisory Circular (AC) 20-42, Hand Fire Extinguishers for Use in Aircraft

- AC 39-7, Airworthiness Directives

- AC 43-9, Maintenance Records

- AC 120-27, Aircraft Weight and Balance Control

- AC 120-49, Certification of Air Carriers

- AC 135-10, Approved Aircraft Inspection Program

B. Forms.

- FAA Form 8400-6, Preapplication Statement of Intent

- FAA Form 8400-8A, Operations Specifications

- FAA Form 8430-18, Air Carrier Operating Certificate

- FAA Form 8430-21, Operating Certificate

C. Job Aids. None.

2-486. PROCEDURES.

     A. Inform About the Process. Advise Applicant of the Process for Certification of an Air Carrier (Nine or Less) and of 14 CFR Requirements. Provide the following:

- FAA Form 8400-6

- AC 120-49

     B. Inspect the Preapplication Statement of Intent (PASI). Review the Preapplication Statement of Intent (PASI) for Content, Completeness, and Acceptability.

     1) If the PASI is unacceptable, inform the applicant of the discrepancies in writing. A new PASI will be required to continue the certification process.

     2) If the PASI is acceptable, check the action box and forward a copy to the regional office.

     3) The district office assigned to the project should contact the Aviation Data Systems Branch, AFS-620, to acquire a precertification number.

     C. Schedule a Precertification Meeting With the Applicant. Ensure that key personnel from the applicant's organization and all certification team members will attend.

     D. Conduct the Precertification Meeting. Ensure the following:

     1) That the applicant understands the applicable regulations. Advise the applicant to become familiar with 14 CFR and pertinent ACs.

     2) That the applicant and key personnel understand the certification process.

     3) Advise the applicant that the FAA will not issue a certificate until proof of Department of Transportation (DOT) economic authority or the DOT 298 exemption is provided.

     NOTE: If at any time during the preapplication phase the applicant formally terminates certification efforts, return the PASI to the applicant and notify the regional office and AFS-620.

     E. Receive the Formal Application and Accompanying Documentation. These may include the following:

- A manual (as required)

- An initial compliance statement

- Operations Specifications (OpSpecs)

- Schedule for proving flights (as required)

- Training curriculum

- Minimum Equipment List (MEL) (as required)

- Any other documents required by the certification team

F. Schedule and Conduct the Formal Application Meeting.

1) The certification team will review the application form, the initial compliance statement, the schedule for proving flights with the applicant, and key personnel from the organization.

2) Resolve any open questions and obtain missing information.

3) If the applicant cannot meet the regulatory requirements, reject and return the formal application and accompanying documents to the applicant. A letter listing the reasons for the rejection must accompany this package.

G. Review Documents Submitted by the Applicant. Ensure that each document complies with the regulations. If deficiencies are found in any of the documents, send the applicant a letter outlining the deficient areas.

NOTE: The team members should remember that the applicant is responsible for developing manuals and procedures. The team can offer suggestions on how to improve the manual but must not write the document.

H. Observe Demonstrations and Conduct Inspections.

1) Ensure that the following are acceptable:

- Station facilities (equipment, procedures, and personnel), if applicable

- Recordkeeping procedures (documentation of training, flight and duty times, flight papers, etc.), as required

- Flight control (dispatch, flight following, or flight locating capabilities)

- Inspection and maintenance program procedures

- Maintenance activities (facilities, personnel, technical information, spare parts, etc.), as required

- Weight and balance control (procedures, accuracy, and document control).

- Aircraft (conformity, maintenance records, etc.)

- Single-engine airplane carrying passengers under IFR conformity, if applicable

- MEL

- Aircraft proving tests (ability of applicant to operate independently, safely, and in compliance with the applicable 14 CFR), if required

- Any other event appropriate for the type of operation to be conducted

2) Inform the applicant of any deficiencies noted. Advise the applicant that corrective action will be required to continue the certification process.

I. Prepare the Certificate. When the applicant has met all certification requirements, fill out the certificate with the following information:

- Certificate holder's name

- Certificate holder's address (a post office box is not acceptable)

- Certificate number (obtained from AFS-620)

- Effective date

- District office designator

- Signature and title of district office manager

J. Issue OpSpecs, as Appropriate. OpSpecs must be signed by the applicant or authorized member of the organization and the appropriate principal inspector. Give the original certificate and the OpSpecs to the certificate holder.

2-487. TASK OUTCOMES.

A. PTRS Data Sheet. File PTRS Data Sheet.

B. Task Completion. Completion of this task results in one of the following:

- Issuance of a certificate and OpSpecs (see Volume 3, Chapter 18, Section 6, Parts D and E—Maintenance MSpecs/OpSpecs)

- A letter to the applicant indicating denial of the certificate

- A letter to the applicant confirming termination of the certification process by the applicant

C. Establish Certificate-Holding District Office (CHDO) File for Certificate Holder. Include the following information in the file:

- FAA Form 8400-6

- The completed application form

- Final compliance statement

- Proving test evaluation report (if required)

- A copy of OpSpecs

- A copy of the certificate

- A report by each team member, summarizing evaluations and observations from each phase of the certification process

2-488. FUTURE ACTIVITIES.

  A. Transition. The district office manager must ensure an orderly transition from the certification process to certificate management.

  B. Postcertification Surveillance. Assigned inspectors should observe the operator carefully during the first 90 days of operation. Additional inspections may be necessary to determine that operating practices are performed as required.

   1) The inspector should pay particular attention to areas that may not have been demonstrated or observed during certification, such as cargo and passenger loading.

   2) The inspector may detect a need for changes in the methods, techniques, operations, inspections, and/or maintenance during this early period of operation.

RESERVED. Paragraphs 2-489 through 2-505.