

TECHNICAL IMPLEMENTATION PROCEDURES
FOR
AIRWORTHINESS AND ENVIRONMENTAL
CERTIFICATION

BETWEEN THE
FEDERAL AVIATION ADMINISTRATION
OF THE
UNITED STATES OF AMERICA

AND THE
EUROPEAN AVIATION SAFETY AGENCY
OF THE
EUROPEAN Union

Amendment 1
to
Revision 5

March 24, 2017

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CHAPTER 1: PURPOSE AND GENERAL PROVISIONS

The purpose of this document is to amend the Technical Implementation Procedures (TIP) for Airworthiness and Environmental Certification between the Federal Aviation Administration (FAA) and the European Aviation Safety Agency (EASA) to replace paragraph 2.4 to address the evaluation of operational and/or maintenance aspects to be used between the FAA and EASA.

This amendment has been developed in accordance with Annex 1 paragraph 2.2.1 of the Agreement between the United States of America and the European Community on Cooperation in the Regulation of Civil Aviation Safety dated June 30, 2008. This amendment will be incorporated into the TIP at the next revision.

CHAPTER 2: AMENDMENT

The following paragraphs supersede paragraph 2.4 (and all subparagraphs) of TIP Revision 5

2.4 Evaluation of Operational and/or Maintenance Aspects

2.4.1 Evaluation of European Union Operational and/or Maintenance Aspects

The EASA system includes, under the type certification process, an approval of data that are considered necessary for the safe operation of an aircraft, called the Operational Suitability Data (OSD). These data, once approved, are attached to the type certificate (TC) through a reference in the TC data sheet and owned by the TC holder. To support the process, specific panels of experts are part of the certification team. Means of compliance to the OSD requirements are described in the relevant Certification Specifications (CS), and listed below, and in the provisions in this TIP. The OSD consist of:

- 2.4.1.1 OSD Flight Crew (see EASA CS-FCD Flight Crew Data), consisting of the minimum syllabus of pilot type rating training, including determination of type rating;
- 2.4.1.2 OSD Cabin Crew (see EASA CS-CCD Cabin Crew Data), consisting of determination of type or variant for cabin crew and type specific data for cabin crew;
- 2.4.1.3 OSD Maintenance Certifying Staff consisting of the minimum syllabus of maintenance certifying staff type rating training, including determination of type rating;
- 2.4.1.4 OSD Simulator Data (see EASA CS-SIMD Simulator Data), consisting of the definition of scope of the aircraft validation source data to support the objective qualification of simulator(s) associated to the pilot type rating training, or provisional data to support their interim qualification; and
- 2.4.1.5 OSD Master Minimum Equipment List (MMEL) (see EASA CS-MMEL Master Minimum Equipment List), consisting of the MMEL.

2.4.2 Evaluation of U.S. Operational and/or Maintenance Aspects

- 2.4.2.1 The FAA has established Aircraft Evaluation Groups (AEG) that are responsible for the operational and maintenance evaluations necessary to support introduction of products into the FAA system.
- 2.4.2.2 The AEG will conduct Boards, as appropriate, to review the following items: Operational Configuration, Pilot Training and Licensing Requirements; and the formulation and approval of an MMEL.

2.4.3 FAA/EASA Validation of MMEL

This procedure allows validation of an initial or revised MMEL by the FAA or EASA as the Validating Authority (VA). Validation should occur concurrently with the

Certificating Authority (CA) MMEL development as far as practical, to optimize efforts and resources of both authorities. However, a request for sequential validation is possible, but the level of involvement will be determined to the satisfaction of the VA. This validation procedure is also applicable for MMEL content related to a Supplemental Type Certificate (STC).

2.4.3.1 The MMEL validation procedure is based on the following agreed and underlying conditions:

- (a) Validation is applicable when the FAA or EASA is the CA and does not cover cases when the product is from a third country State of Design;
- (b) The MMEL will be developed during the validation process. The VA validation of the MMEL will not be issued/approved until the TC or STC for the product has also been issued by the VA;
- (c) The validation of an initial MMEL results in a single MMEL document that will be acceptable in both CA and VA regulatory systems; for revisions of existing MMELs approved separately by EASA and the FAA, only the proposed change will be validated under this procedure and incorporated within the two separate MMELs;
- (d) The CA shall ensure the VA is informed of any request for validation of initial MMEL or revision of an existing MMEL;
- (e) The VA establishes its level of involvement in the MMEL validation process using risk-based principles;
- (f) The MMEL shall be approved in accordance with the procedures of the CA and after this validation procedure is satisfactorily completed, the CA approval shall also indicate that the MMEL is validated/approved by the VA;
- (g) FAA Flight Operations Evaluation Board and comparable arrangements when EASA is the CA, shall allow for participation by operators and stakeholders; and
- (h) The MMEL validation procedure when EASA is the CA shall allow for FAA public comment period and FAA internal coordination.

2.4.3.2 FAA and EASA will share information on regulatory and policy differences that have been identified during MMEL validations using agreed working procedures.

2.4.3.3 Any potential conflict derived from this process shall be resolved in a similar manner as the provisions outlined in TIP paragraph 1.1.4 but through the appropriate FAA Flight Standards Service and EASA Certification Directorate.

2.4.4 EASA Evaluation of Other OSD Elements

While the FAA and EASA have agreed to a validation process for MMELs, they are still working together to develop validation processes for the remaining operational suitability aspects. Until these processes are completed, EASA will verify compliance with the EASA OSD requirements based on the following:

- 2.4.4.1 A U.S. original equipment manufacturer will send its application and compliance package to FAA;
- 2.4.4.2 FAA will forward the application and compliance package to EASA;
- 2.4.4.3 EASA experts will perform the necessary reviews and evaluations, and verify compliance to the appropriate CS OSD requirements; and
- 2.4.4.4 EASA will coordinate all activities with the FAA.

2.4.5 Evaluation of Maintenance Review/Type Board Aspects

- 2.4.5.1 The FAA and EASA agree that when acting as the CA for an initial issue or a revision of a Maintenance Review Board (MRB) or Maintenance Type Board (MTB) process based report, its approval/acceptance shall be automatically accepted by the VA as being equivalent to having granted and issued its own approval/acceptance.

- 2.4.5.2 The process hereafter referred to as "reciprocal acceptance" requires that the VA shall accept the CA's report approval/acceptance and shall not issue its own approval/acceptance, as there is full confidence in each other's approval/acceptance system. In this case, an application for approval/acceptance of a report to the VA shall not be required.

Note: In the transition period, for ongoing initial MRB/MTB Reports' exercises, the planned CA and VA concurrent participation should be maintained until the initial revision is approved/accepted. An exercise is considered to be ongoing, when an application/notification had been received from an applicant before the date when this Amendment entered into force. For amendments to living MRB/MTB reports, CA and VA concurrent participation shall be maintained until the approval/acceptance of the next planned complete MRB/MTB report revision.

- 2.4.5.3 The reciprocal acceptance of Maintenance Steering Group – 3rd Task Force (MSG-3) derived MRB/MTB process based reports under the Agreement is based on the following agreed and underlying conditions:
 - (a) That the CA and VA are members of the International MRB Policy Board (IMRBPB);
 - (b) That the CA and VA commit to implement the latest revision of the International MRB/MTB Process Standard (IMPS) developed and approved by the IMRBPB;

- (c) That reciprocal acceptance is applicable to all current and future reports issued by the FAA or EASA;
- (d) That either the FAA or EASA is the CA for the State of Design for the product;
- (e) That the product has been issued a TC or validated TC by both parties, or the TC application is being processed;
- (f) That the CA shall inform the VA of any application for a new or revised issue of the report;
- (g) That the report shall be approved/accepted in accordance with the approval/acceptance procedures of the CA; the CA approval/acceptance shall state that the report is also approved/accepted on behalf of the VA under the provisions of the Agreement;
- (h) That for existing legacy products where specific VA requirements are addressed in appendices/annexes to the report, the CA approval/acceptance of these specific requirements shall be coordinated with the VA;
- (i) That for existing legacy products where specific VA action items are still open, the closure of these action items by the CA shall be coordinated with the VA;
- (j) That significant changes to the MRB/MTB approval/acceptance processes or procedures shall be communicated by each authority to the other in accordance with the provisions outlined in TIP paragraph 1.1;
- (k) That the VA reserves the right to review or sample the CA approval/acceptance process and the resultant MRB/MTB reports at any point, in the lifecycle of the product from the MRB/MTB report application, to ensure continued confidence that the agreement is being implemented in accordance with the TIP and that the MRB/MTB report achieves its intended goals. The CA shall make data supporting the report available to the VA on request, bearing in mind that this shall not prevent or delay the CA approval/acceptance process; and
- (l) That any potential conflict derived from this process shall be resolved in a similar manner as the provisions outlined in TIP paragraph 1.1.4 but through the appropriate FAA Flight Standards Service and EASA Flight Standard offices.

2.4.5.4 If processes other than MRB/MTB are used to develop scheduled maintenance interval and/or tasking requirements, those processes shall be managed by the VA office responsible for the product.

- 2.4.6 Acceptance or approval, as appropriate, of instructions for continued airworthiness (ICA), including the Airworthiness Limitations Section (ALS) of the ICA, will be managed by the VA office responsible for the product.

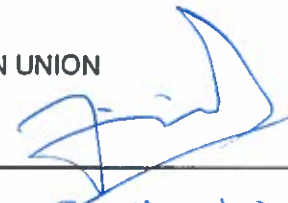
CHAPTER 3: AUTHORITY

The FAA and EASA agree to the provisions of this TIP Amendment as indicated by the signature of their duly authorized representatives.

FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
UNITED STATES OF AMERICA

EUROPEAN AVIATION SAFETY AGENCY
EUROPEAN UNION

By Dorenda A. Baker
Title Director, Aircraft Certification
Date March 24, 2017

By 
Title CERTIFICATION DIRECTOR
Date 24 MARCH 2017

APPENDIX A AMENDMENT ADDRESSES

FAA Contact Point for MRB Procedures

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EASA Contact Point for MRB Procedures

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FAA Contact Point for MMEL Validation and OSD Procedures

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EASA Contact Point for MMEL Procedures

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EASA Contact Point for OSD Procedures

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