**4A. Evaluation of maintenance organizations in accordance with the Agreement between the United States of America and the European Community on Cooperation in Civil Aviation Safety regulation**

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## 4A.1. Chapter- Purpose of the volume of the manual

This volume of the Airworthiness Inspector's Manual defines the procedures used by the State Agency "Civil Aviation Agency", hereinafter referred to as the CAA, when conducting an assessment of aircraft maintenance organizations in accordance with the provisions of the "Agreement between the United States of America and the European Community on Cooperation in the Regulation of Civil Aviation Safety", taking into account the agreement "Maintenance" conditions of Annex 2, following the procedures of the related "Maintenance Annex Guidance" (MAG- Maintenance Annex Guidance).

## 4A.2. Chapter- volume volume of the handbook

This volume of the Airworthiness Inspector's Manual contains the procedures to be followed by Civil Aviation Agency personnel when performing 4A.1. the actions specified in the chapter, determine the duties and responsibilities of the employees involved in this process, contain references to regulatory and instructional materials, and also determine the use of applicable forms.

This volume of the Airworthiness Manual has been developed taking into account the " Agreement between the United States of America and the European Community on Cooperation in the Regulation of Civil Aviation Safety" (including its amendment No. 001 (signed on 13.12.2017) Annex 2 (including the Bilateral Oversight Board - BOB decisions up to No. 0012 (19.11.2020), inclusive) and technical Maintenance Annex Guidance (MAG) change 9.

Thus from 4A.3. chapters, this manual is prepared in English, given that the procedures contained in this volume are performed under the terms of the Agreement on behalf of the United States Federal Aviation Administration - FAA.

## 4A.3 - Definitions and Abbreviations

Definitions contained in Article 1 the Agreement between the USA and the EU on cooperation in the Regulation of Civil aviation safety (BASA), including definitions in Chapter 2 of Annex 2- Maintenance and subsequent Maintenance Annex Guidance (MAG) Section A Appendix 10 are exclusively used.

The following additional explanatory abbreviations are used in this chapter:

CAA - State agency "Civil Aviation agency" of the Republic of Latvia;

AMO – approved maintenance organization;

ICAO - International Civil Aviation Organization;

LR (LV) - Republic of Latvia;

MOE - maintenance organization exposition;

EASA – European Union Aviation Safety agency;

PART 145 – Annex II (Part 145) to EU Regulation, as amended;

AMC - Acceptable means of Compliance (EASA);

GM – Guidance Material (EASA);

FAA - Federal Aviation Administration of the United States of America;

CFR - Code of Federal Regulation;

BASA- Bilateral Aviation Safety Agreement (For this Chapter-Agreement between the USA and the EU on cooperation in the Regulation of Civil aviation safety);

BOB - Bilateral Oversight Board;

MAG- Maintenance Annex Guidance.

## 4A. 4. Section- References

This Chapter of Airworthiness Manual is based on the following legal requirements:

1. EU Commission regulation No 1321/2014, as amended;
2. Agreement between the USA and the EU on cooperation in the Regulation of Civil aviation safety (BASA), in particular Annex 2-Maintenance, as amended, including BOB Decisions;
3. Maintenance Annex Guide, Rev.9, as amended.

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## 4.A.5. Section. General responsibility

All persons involved in the activities pursuant to this Chapter shall comply with the provisions described in this Manual.

Director of CAA has overall responsibility over functioning of CAA, including activities pursuant to BASA agreement in relation to monitoring of maintenance organizations located in Latvia on behalf of FAA of the United States of America. He/she is responsible for ensuring that the Airworthiness division has sufficient resources, qualified personnel, facilities, necessary administrative and information technology support.

Record keeping is responsible for the administrative proceeding and the documentation flow.

Chief of Airworthiness division is responsible for the assignment of appropriately qualified staff for that activity, as well as for the establishment of appropriate structure. He is responsible for the qualification of inspectors. Responsible for the development of procedures related to this activity.

Head of the Maintenance surveillance unit is responsible that all procedures related to this chapter are performed in accordance with the procedures contained in this manual and related Legislative/regulatory requirements. Responsible for nomination of inspectors for particular work pursuant to this Chapter. Responsible for the accomplishment and fulfillment of all documents, prescribed by regulations and procedures. Shall sign audit reports when performing audits or quality checks if performed by designated inspectors.

Inspector (responsible inspector) is responsible for the performance of the necessary investigation of documents and performance of the audits and evaluation of results and raising findings, if necessary. Responsible for the technical conclusion.

Information support is responsible for the activities related to information technology support for the activities of this Chapter.

**4A.6. Section. Main principles governing activities pursuant to the BASA agreement**

All activities related to evaluation of maintenance organizations located in Latvia and willing to receive FAA CFR.14. Part 145 approval is governed by the BASA agreement between the European Union and the United States of America.

The main principles to be taken into account when performing such activities are contained in the relevant parts of the agreement and especially in the Maintenance Annex 2 are listed in this Section.

Please note that this section only contains the main principles for explanatory purposes. Full text is available in the BASA agreement, as amended. Detailed procedure applicable for LV CAA is described in Section 4A.7.1.

**The main principle is contained in Article 2. of BASA** :

*A.1) enable the reciprocal acceptance, as provided in the Annexes to this Agreement, of findings of compliance and approvals issued by the Technical Agents and Aviation Authorities;*

The scope of BASA includes:

*B.3) approvals and monitoring of maintenance facilities.*

BASA Article 4:

*A. Each Party shall accept findings of compliance and approvals made by the other Party's Technical Agent and, in the case of the United States those made by Aviation Authorities, in accordance with the terms and conditions set forth in the Annexes to this Agreement.*

*D. The Parties shall ensure that their Technical Agents and Aviation Authorities fulfill their responsibilities under this Agreement, including its Annexes.*

**Annex 2 of BASA details the requirements for maintenance organizations. The main principle is the mutual acceptance of inspections and findings:**

*4. IMPLEMENTATION*

*4.1. Subject to the terms of this Annex, the Parties agree that their Technical Agents shall accept inspections and monitoring of repair stations/maintenance organizations made by the other technical agent or where applicable Aviation Authorities, for findings of compliance with their respective requirements as the basis for issuance and continued validity of certificates.*

*4.2. The certificate issued by a Technical Agent under this Annex shall not exceed the scope of the ratings and limitations contained in the certificate issued by the other Technical Agent or Aviation Authority.*

**For coordination purposes a Joint Maintenance Coordination Board (JMCB) is established:**

*3. JOINT COORDINATION BODY*

*3.1. Composition*

*3.1.1. A Joint Maintenance Coordination Board (JMCB), accountable to the Bilateral Oversight Board, is hereby established under the joint leadership of the EASA Director responsible for Organization Approvals and the FAA Director of Flight Standards. It shall include, from each Technical Agent, the appropriate representatives responsible for maintenance and quality management systems and rulemaking as appropriate.*

Additional requirement for FAA certificates for EU approved organizations, paragraph 4.3.

*4.3. FAA certificates*

*4.3.1. Without prejudice to the FAA Administrator's discretion under 14 CFR part 145, a maintenance organization shall be issued an FAA certificate and operations specifications if it has been approved for maintenance by an Aviation Authority or EASA in accordance with Annex II of Commission Regulation (EU) No 1321/2014, as amended, complies with the conditions set forth in this Annex, including the FAA Special Conditions set forth in Appendix 1, and an Aviation Authority or EASA has issued a recommendation to the FAA for certification.*

*4.3.2. The FAA certificate shall only cover additional fixed stations located within an EU Member State. Each additional fixed location must also be under the surveillance of an Aviation Authority or EASA.*

*4.3.3. The FAA certificate shall cover additional line stations which are under the surveillance of an Aviation Authority or EASA, except those located in the United States. 11 ( BOB Decision 0012 of 19 November 2020)*

**Paragraph 4.5. Describes the responsibilities:**

*4.5. The Technical Agents, and where applicable the Aviation Authorities, shall:*

*(a) Provide recommendations or endorsements for certification of repair stations to the FAA and of maintenance organizations to the EASA;*

*(b) Perform surveillance and provide reports regarding continued compliance with the requirements described in this Annex by maintenance organizations in the European Community and repair stations in the United States;*

*(c) Accept or approve, as appropriate, the supplement to the organization's manual/exposition submitted by the applicant and found to be in compliance with Appendix 1;*

*(d) Comply with the procedures as specified in Appendix 2.*

**Appendix 2 of Annex 2 contains the necessary procedures, which shall be developed by CAA in order to execute the activities contained in this Chapter of Airworthiness Manual. Those procedures shall include:**

*The Aviation Authority acting on behalf of the FAA shall in accordance with agreed JMCB guidance and procedures carry out the following actions:*

*1) For initial Maintenance Organization Application:*

*(a) Review the applicant's documentation for the FAA certificate;*

*(b) Provide the applicant with all appropriate procedures;*

*(c) Review and provide to the FAA all pre-application information;*

*(d) Review and approve the applicant's FAA supplement to the AMO Maintenance Organization Exposition;*

*(e) Conduct an audit/inspection of the AMO for compliance with applicable guidance material;*

*(f) Approve and provide the FAA with a complete application package including a copy of the surveillance report and a signed recommendation for FAA certification.*

*(g) Retain a current copy of the FAA Supplement.*

*2) For renewal of a Maintenance Organization's FAA certificate:*

*Renewals are to be conducted 12 months after the initial certification and every 24 months thereafter.*

*(a) Review the applicant's documentation for the FAA certificate;*

*(b) Verify that the required facility inspection(s) have been completed;*

*(c) Review and approve any amendment to the FAA supplement to the AMO Maintenance Organization Exposition;*

*(d) Advise the FAA of any findings relevant to the complete facility inspection;*

*(e) Approve and provide the FAA with a complete application package including a copy of the surveillance report and a signed recommendation for FAA renewal.*

*3) For change or amendment to the FAA certificate:*

*(a) Ensure that all changes or amendments include as a minimum the submittal of an application;*

*(b) For the addition of line stations or fixed locations, provide the FAA with a report and recommendation.*

**Technical assistance of all involved parties is described in paragraph 4.6:**

*4.6. Each Party's Technical Agent, or where applicable Aviation Authority, shall provide upon request technical assistance in maintenance activities to the other Party's Technical Agent, or where applicable Aviation Authority, to advance the purposes of this Annex. The Technical Agents or the Aviation Authorities may decline to provide such technical assistance due to lack of resource availability, because the maintenance activity is not within the scope of this Annex or there is no regulatory involvement with the facility. Such areas of assistance may include, but are not limited to:*

*(a) Conducting and reporting on investigations upon request;*

*(b) Obtaining and providing data for reports where requested.*

**For Technical agents there is a possibility to conduct inspections on maintenance organizations:**

*4.7. The Technical Agents may conduct independent inspections of repair stations/maintenance organizations when specific safety concerns warrant in accordance with Article 15.B of the Agreement.*

**Performance of modifications and repairs:**

*4.8. The Parties agree that maintenance and alterations or modifications performed on a civil aeronautical product under the regulatory control of one Party may be accomplished and that product approved for release or return to service by a repair station or maintenance organization under the regulatory control of the other Party , where it has been approved in accordance with the provisions of this Annex. 15*

**Emergency or non-routine maintenance**

*4.9. The Parties agree that emergency or non-routine maintenance may be performed outside the territory specified in Article 12 to the Agreement in order to maintain an aircraft or component, subject to prior approval. The approval for emergency or non-routine maintenance shall be granted in accordance with procedures defined by the JMCB.*

**Revisions to regulation, procedures, organization of CAA etc.**

*4.10. Revisions by either Party, to their civil aviation organization, regulations, procedures, or standards, including those of the Technical Agents and Aviation Authorities, may affect the basis on which this Annex is executed. Accordingly, the Parties, through the Technical Agents and Aviation Authorities, as appropriate, shall advise each other of plans for such changes at the earliest possible opportunity, and discuss the extent to which such planned changes affect the basis of this Annex. If consultations pursuant to Article 15 C. of the Agreement result in an agreement to amend this Annex, the Parties shall seek to ensure that such an amendment enters into force at the same time as, or as soon as possible after, the entry into force or implementation of the change that prompted such amendment.*

**Communication and Cooperation of involved parties**

*5.1. The Parties, through the JMCB, shall exchange a list of contact points for the various technical aspects of this Annex. This list shall be maintained by the Technical Agents.*

*5.2. All communications between the Parties, including technical documentation provided for review or approval as detailed in this Annex, shall be in the English language.*

*5.3. When urgent or unusual situations develop, the Technical Agents', and where applicable the Aviation Authorities' contact points shall communicate and ensure that the appropriate immediate actions are taken* .

**Requirements for the CAA to be qualified for the acceptance of findings of compliance. This shall be done before performing activities on organization.**

6.1. Basic Requirements

6.1.1 Each Party's Technical Agent and Aviation Authorities, as applicable, shall demonstrate to the other Party's Technical Agent their respective systems for the regulatory oversight of repair stations/maintenance organizations. In order to carry out oversight of repair stations/maintenance organizations on behalf of the other Party, each Party's Technical Agents and Aviation Authorities, as applicable, shall demonstrate, in particular, effective and adequate:

(a) Legal and regulatory structure;

(b) Organizational structure;

(c) Resources, including sufficient qualified staff;

(d) Training program;

(e) Internal policies, processes and procedures;

(f) Documentation and records;

(g) Active certification and surveillance program;

(h) Authority over regulated entities.

6.2. Training requirements

6.2.1. In addition to the provisions of Chapter 1 of this manual, t he initial training and recurrent training will cover the Agreement, its applicable annexes, the MAG (including applicable Special Conditions), and the certification procedures contained in the MAG.

6.2.2. All training provided (initial and recurrent) should be appropriately recorded in the individual training records of the affected staff.

6.2.3. The inspectors involved in the activities covered by this Chapter shall be accredited for those activities pursuant to the provisions of Chapter 1 of this Manual.

6.3. Language requirements

Inspectors involved in activities covered by this chapter shall be able to communicate in English language. This should be demonstrated by the completed English language course in accordance with the requirements of the educational system (secondary or higher education), or completion of additional English language courses.

**Initial Confidence. Before procedures of this Chapter are used, EASA assessment will be performed.**

*6.2.2 EASA shall, before an Aviation Authority starts carrying out oversight of maintenance organizations on behalf of the FAA, conduct an assessment of that Aviation Authority in accordance with the approved JMCB procedures as set forth in the MAG ( BOB Decision 0012)*

**Continued confidence is based on the following:**

*6.3.1. The Technical Agents and Aviation Authorities shall continue to demonstrate effective oversight as detailed in paragraph 6.1.1 according to JMCB procedures.*

*(a) In particular, Technical Agents and Aviation Authorities shall:*

*(i) Have the right to participate in each other's quality audits, standardization and sampling inspections and establish an annual schedule of sampling inspections including potential changes as necessary to adapt to circumstances;*

*(ii) Submit to inspections as detailed in 6.3.1 (a) (i);*

*(iii) Ensure that regulated entities provide access to both Technical Agents for audits and inspections;*

*(iv) Make available the reports from quality audits, standardization and sampling inspections applicable to this Annex;*

*(v) Make the appropriate personnel available to participate in the sampling inspection;*

*(vi) Make available the maintenance organization's records, inspection reports including completed enforcement actions;*

*(vii) Provide interpretive assistance at the Aviation Authority's office during the review of internal maintenance organization records and documentation that are recorded in the national language;*

*(viii) Assist each other in closure of any findings from the inspection; and*

*(ix) Ensure that any sampling inspections are identified and based on risk analysis and objective criteria, without prejudice to the discretionary power of the Technical Agents;*

*(b) The Technical Agents shall notify each other at the earliest opportunity in the event that a Technical Agent or Aviation Authority is not able to meet a requirement in this paragraph. If either Technical Agent believes that technical competence is no longer adequate, the Technical Agents shall consult and propose an action plan, including any necessary rectification activities, in order to address deficiencies;*

*(c) In the event that a Technical Agent or Aviation Authority does not rectify deficiencies within the timeframe specified in the action plan, either Technical Agent may refer the matter to the JMCB;*

*(d) When a Party intends on suspending acceptance of findings or approvals made by a Technical Agent or Aviation Authority, the Party shall promptly notify the other Party in accordance with Article 18 A of the Agreement.*

**NOTIFICATION OF INVESTIGATION OR ENFORCEMENT ACTION**

*7.1. Consistent with the provision of Article 8 of the Agreement, each Party, through its Technical Agents, and where applicable, the Aviation Authorities, shall notify each other promptly of any investigation and subsequent closure actions for a non-compliance within the scope of this Annex by a repair station/maintenance organization under the regulatory control of the other Party that could result in an enforcement action in the form of a penalty or the revocation, suspension, or limitation of a certificate.*

*7.2. The notification shall be sent to the other Party's appropriate contact point identified in the list referred to in Article 5 of this Annex.*

*7.3. The Parties retain the right to take such enforcement action. However, in some cases, a Party may choose to review a remedial action taken by the other Party. The enforcement consultation process under this Annex will be subject to a regular joint review by the JMCB.*

*7.4. In the event of a revocation or suspension of an FAA 14 CFR part 145 certificate of a repair station or a certificate for an Approved Maintenance Organization pursuant to Commission Regulation (EU) No 1321/2014, as amended* ***,*** *Annex II, the Technical Agent and where applicable, the Aviation Authority shall notify the other Technical Agent of the revocation or suspension.*

**4 A.7. Procedures for the certification and oversight activities on behalf of the FAA**

Note: procedures not directly related to CAA, but to other parties (EASA or FAA) are in Italix and marked with letter "A".

Procedures in this chapter are based on Maintenance Annex Guide (MAG) (at issue 8).

The MAG is subdivided into Sections A, B, C, D, and E:

**Section A – Authority Interaction**

**Section B – Certification for US-based Repair Stations**

**Section C – Certification Process for EU-based Approved Maintenance Organizations**

**Section D – Entry into Force and Termination**

**Section E – Authority**

For Latvian CAA procedures are mainly cover the provisions of Section A and Section C.

**4A.7.1. Procedures for the CAA for adding the acceptance of findings of compliance of approvals (before first activity)**

1. The following procedures are applicable to the LV CAA that have not previously exercised certification and oversight activities on behalf of the FAA in accordance with Annex 2. This procedure are based on MAG Section A requirements.

2. In the case of need to exercise activities on behalf of the FAA in accordance with Annex 2, the chief of Airworthiness Division shall inform EASA about this by the e-mail sent to [tca@easa.europa.eu](mailto:tca@easa.europa.eu) . In addition to this separate e-mails may be sent to the National Focal point at EASA and/or directly to the person responsible for that activity, in order to acquire detailed instructions on how to apply this procedure.

*2A. Upon receipt of the CAA's request, EASA shall review it to confirm its validity and check its acceptability based in particular on the results of the EASA continuous monitoring approach and EASA oversight activities. If the request is considered valid and acceptable, EASA shall send a questionnaire (see Section A, Appendix 9) to the LV CAA to initiate the process. EASA shall inform the FAA National Coordinator (AFS-300) and the FAA Coordinator (AFS-54).*

3. CAA shall receive from EASA a questionnaire (Appendix 9 to Section A of MAG).

4. Airworthiness Division together with Compliance monitoring and internal audit Division shall review this questionnaire and together with over involved divisions- legal and human resources shall prepare an answers.

The EASA questionnaire includes the following questions:

* the laws governing the CAA AMO oversight/audit responsibilities';
* the general legal structure of the AA organization, including the assigned managers within the structure. Please also indicate who is the National Standardization Coordinator;
* the structure of the CAA's audit/surveillance organization for AMOs;
* an organizational chart of the CAA. This should include the CAA's airworthiness unit for audit/surveillance of EASA Part-145 AMOs.;
* the total number of CAA airworthiness staff, the number of staff for the AMO (EASA Part-145) audit/surveillance, and the number of valid EASA Part-145 (AMO) approvals.;
* the procedure that allows the CAA to monitor and control the workload of personnel.;
* the CAA's average attrition rate for inspection personnel. For example, retirements, transfers, etc.;
* Has the CAA surveyor workload expanded rapidly over the years? Are there sufficient resources to conduct oversight?'
* Is there a mandatory retirement age for surveyors?;
* the list of the CAA inspectors involved in AMO (EASA Part-145) certification/audit/surveillance;
  + Indicate the CAA inspectors involved in AMO (EASA Part-145) oversight that have been trained on The Agreement, its Annex 2, and the FAA Special Conditions, current revision to the MAG, FAA Supplement to MOE, training management;
* Identify all references to CAA processes and procedures, including the latest revision status in use, with regards to the AMO (EASA Part-145). (Surveillance period, findings and corrective actions, off-hours inspections, qualification requirements, initial and recurrent training)
* Exchange of Continuing Airworthiness Information (reporting);
* Language requirements;
* Active certification and surveillance program;
* the CAA's enforcement requirements, particularly regarding the civil penalty process.

5. When this Questionnaire is completed, the Chief of Airworthiness shall send completed questionnaire in Section A, Appendix 9, back to EASA together with the internal procedures covering its responsibilities under Annex 2. (Airworthiness Manual Chapter 4A and Chapter 1 regarding training and accreditation .)

*6A. EASA*

*When EASA accepts the questionnaire (Section A, Appendix 9), EASA shall perform a dedicated inspection of the CAA relating to the FAA Special Conditions, CAA procedures to comply with the FAA Special Conditions, and the CAA personnel's completion of the relevant technical training. EASA shall also conduct a review of files, records, and surveillance programs. The FAA may attend this inspection as an observer.*

7. The CAA Airworthiness Division shall participate during an EASA audit and provide all necessary information requested by the Inspection Team.

8. When non-conformances are discovered during an inspection, the CAA shall take an action in order to rectify them.

*9A. EASA*

*If the result of the inspection is satisfactory, EASA shall inform the FAA of the assessment result. This will include a copy of the EASA "Visit Report AA" (Section A, Appendix 4), the Audit Report 2 (Section A, Appendix 6), and the completed questionnaire (Section A, Appendix 9).*

10. When all previous provisions are completed, the CAA may conduct activities related to approval and oversight on behalf of FAA.

1 1. The first application processed by the CAA on behalf of the FAA under Annex 2 shall be reviewed by EASA before being sent to the FAA. In order to comply with this, the Chief of Airworthiness Division, before sending information to FAA, shall forward this information to EASA for review. Only after positive evaluation, the document package shall be sent to FAA.

(See point 26 of paragraph 4A.8.1.)

*11A. EASA*

*The CAA shall be audited by EASA as part of the EASA verification of FAA Special Conditions no later than 2 years after the CAA has issued its first recommendation to the FAA in accordance with Annex 2.*

## 4A.8. Section - Certification Process for EU/LV-based Approved Maintenance Organizations

To apply for a 14 CFR part 145 repair station certificate under the provisions of the Agreement, an applicant AMO must:

a. Be located in the Republic of Latvia as EU MS and hold an EASA Part-145 approval issued by LV CAA.

b. Include in its application for both initial and renewal of the FAA approval a statement demonstrating that the FAA certificate and/or rating is necessary for maintaining or altering US aircraft and/or aeronautical products being installed on US-registered aircraft and foreign-registered aircraft and /or aeronautical products being installed on foreign-registered aircraft operating under the provisions of 14 CFR.

c. Contact the LV CAA Airworthiness Division.

d. Review 14 CFR part 187 for determining fees for certification services and approvals.

**4A.8.1. Initial Certification Process**

1. Organization wishing to apply for 14CFR part 145 repair station certificate pursuant to EU US BASA agreement and following MAG procedures, shall make the preliminary inquiry about this intention to CAA of Latvia. The preliminary information should be provided by official means of communication (may be repeated by direct e-mail to CAA Airworthiness Division).

2. Upon receipt of the preliminary inquiry of the AMO, the Chief of Airworthiness Division of CAA should provide the following to the applicant:

a. A copy of the MAG, as revised (hard copy or digital format).

b. FAA Form 8400-6, Pre-application Statement of Intent. The form can be found at: https://www.faa.gov/forms/

c. FAA Form 8310-3, Application for Repair Station Certificate and/or Rating. The form can be found at: https://www.faa.gov/forms/

Information may be provided by e-mail.

3. The Chief of Airworthiness Division of LV CAA should also advise the applicant that the applicant must:

a. Submit an FAA Supplement to the EASA Part-145 MOE.

b. Provide all documentation submitted to the LV CAA, and required to be forwarded to the FAA, in the English language.

c. The applicant should provide a written statement attesting to the requirements of 14 CFR § 145.51(c)(1). The following (or similarly worded) example could be used as an acceptable statement:

“[Insert Name] intends to pursue current or future business relationships, which requires an FAA certificate or rating to maintain or alter US-registered aircraft, or foreign-registered aircraft operated under the provisions of 14 CFR part 121 or part 135, and articles for use on these aircraft.”

Note: Additionally, if an AMO applies for an added FAA rating, the AMO is required to meet the requirement of 14 CFR § 145.51(c)(1). The AMO does not need to meet § 145.51(c)(1) when adding products to an existing rating or articles to a capability list.

*4A. AMO. The AMO should review the guidance and submit the completed Pre-application Statement of Intent and FAA Form 8310-3 to the CAA in the English language.*

*Statement of Need. In order for an AMO located in an EU Member State to qualify for an FAA 14 CFR part 145 repair station certificate, an AMO must have previously obtained an EASA Part-145 approval. The AMO must submit evidence of a need (perceived or continuing) to maintain or alter US-registered aircraft and articles and/or parts for use on such aircraft or foreign-registered aircraft operated under the provisions of 14 CFR, and articles and/or parts for use on those aircraft. This evidence may be in the form of a Letter of Intent (LOI), work order, or contract with details of the relevant customer. A relevant customer may be a US-based repair station; or a US operator, distributor, or lessor.*

*The organization shall also complete the SAS Vital Information addressed in Appendix 2 to Section C of MAG.*

4. The organization shall send the completed Pre-Application Statement of Intent (FAA Form 8400-6) and FAA Form 8310-3 together with the Statement of need and SAS Vitals Information to CAA using official communication to CAA Secretariat.

5. The CAA Secretariat shall forward this information to the Chief of Airworthiness Division using the Doclogix system.

6. The chief of Airworthiness Division shall forward this information to the Head of Maintenance Surveillance unit.

7. The Head of Maintenance Surveillance unit in cooperation with Chief of Airworthiness Division shall nominate the responsible inspector and, if necessary, additional inspectors for that task. All inspectors nominated, shall have been authorized for that Function in accordance with the provisions of Chapter 1 to this Manual.

8. Upon receipt of the Pre-application Statement of Intent (FAA Form 8400-6) and the SAS Vitals Information addressed in Section C, Appendix 2 and other documents contained in point 4A., the CAA responsible inspector shall review the package. Once the package is complete, the responsible inspector shall make a statement by e-mail to the Head of Maintenance Surveillance unit, that the package has been reviewed and found to be complete. The completed package shall be forwarded to the Chief of Airworthiness Division.

9. The Head of airworthiness Division shall make a supporting letter and shall forward a copy of Pre-application Statement of Intent (FAA Form 8400-6) and the SAS Vitals Information to the appropriate FAA office using Declogix system and direct e-mail to FAA for information.

Note. For the first application, before sending an application to FAA, this information shall be forwarded to EASA for review. Information shall be sent to FAA only, when positive opinion from EASA is received.

*9A, FAA.* ***FAA Actions.*** *Upon receipt of the information, the FAA shall obtain from the Flight Standards Service, Regulatory Support Division (AFS-620) the pre-certification and final certification numbers to be forwarded to the CAA for distribution. The pre-certification number must be used for all correspondence regarding the application for tracking purposes. The information contained in Section C, Appendix 2, must be entered into the SAS.*

***NOTE:*** *At this time the FAA ASI shall verify if there are any special authorizations and limitations (such as electronic record keeping system) that will need to be entered in paragraph A004 of the OpSpecs.*

10. Upon receipt of information from FAA, the responsible inspector shall notify the applicant of the pre-certification number for inclusion on future correspondence.

11. The responsible inspector of CAA shall also give the AMO the final certification designator number and advise the AMO that it must be used only for the creation of forms and the supplement to support the final certification.

12. In cases where additional fixed locations are located in another EU Member State that is subject to the terms of this Agreement, the CAA assigned for the organization where the principal place of business is located should conduct oversight in accordance with the provisions of Chapter 4 Line stations must be under the supervision of an LV CAA that is part of the Agreement.

**NOTE:** EASA uses the term “line stations;” the FAA uses the term "Line Maintenance Authorization" when it authorizes lines stations in a repair station's OpSpecs under 14 CFR part 145. These terms are synonymous when applied under the terms of the Agreement.

*13A. AMO.* ***Applicant Responsibilities.*** *At least 60 days prior to the date initial approval is required, the applicant must submit to the CAA the formal application package, which contains the following.*

*a. FAA Form 8310-3 containing the list of maintenance functions. (See Section C, Appendix 3.)*

*A statement of need (defined in Section A, paragraph 5.2.1.1(a)(1) and Section C, paragraph 1.1(b).*

*b. FAA Supplement to the MOE (see Section C, Appendix 1).*

*c.* *Hazardous Materials (Hazmat) Letter. If the AMO and/or its contractors and subcontractors perform a job function that concerns transporting dangerous goods (ie, hazmat), the AMO must train its employees to the hazmat standards. Written confirmation from the AMO certifying that the appropriate employees have been trained (as outlined in the current edition of the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air as specified in Annex 18 and technical instructions in Doc 9284) is required to be submitted to the AA.*

***NOTE:*** *The above training requirement is limited to job functions for personnel packaging and shipping dangerous goods only.*

*d. Additional Hazmat Training. If the AMO is also involved in the loading or handling of dangerous goods on a US-registered aircraft, the AMO's employees must be trained in accordance with the air carrier's hazmat training program. See 14 CFR § 145.165(b).*

***NOTE:*** *The training requirement is limited to shipping companies*

*(loading or installing on board an aircraft) such dangerous goods only.*

*e. The addresses of all additional fixed locations located within an EU Member State subject to the Agreement. (A repair station may have additional fixed locations (facilities) without certifying each facility as a stand-alone or satellite repair station.)*

*f. The addresses of each line station authorized, if any, and the name of the air carrier or operator of the US-registered aircraft.*

***NOTE:*** *The FAA will recognize only line stations that are under the direct supervision of an CAA and holding an EASA line station approval, except those located in the United States.*

*g. Copy of EASA Form 3 approval certificate, including the scope of approval.*

13. The AMO shall submit the formal application to CAA using formal communication channels. The application shall be submitted to the CAA Secretariat and shall include:

- a. FAA Form 8310-3 containing the list of maintenance functions. (See Section C, Appendix 3.)

-b. A statement of need (defined in Section A, paragraph 5.2.1.1(a)(1) and Section C, paragraph 1.1(c).;

-c. A statement demonstrating that the FAA repair station certificate and/or rating is necessary for maintaining or altering US-registered aeronautical products or foreign-registered aeronautical products operated under the provisions of 14 CFR.

-d. A list of maintenance functions, approved by the CAA or EASA, to be contracted/sub-contracted to perform maintenance on US civil aeronautical products or foreign-registered civil aeronautical products operated under the provisions of 14 CFR.

- e. FAA Supplement to the MOE (which contains the provisions specified in Section C, Appendix 1 and. 5.2.1.1.(b) of Section A of MAG);

- f. Hazardous Materials (Hazmat) Letter pursuant to paragraphs 13A (c) and (d) above.

-y. The addresses of all additional fixed locations located within an EU Member State subject to the Agreement. (A repair station may have additional fixed locations (facilities) without certifying each facility as a stand-alone or satellite repair station.)

- h. The addresses of each line station authorized, if any, and the name of the air carrier or operator of the US-registered aircraft.

**NOTE:** The FAA will recognize only line stations that are under the direct surveillance of an AA and holding an EASA line station approval, except those located in the United States.

-k. Copy of EASA Form 3 approval certificate, including the scope of approval.

14. The CAA Secretariat shall forward this information to Chief of Airworthiness, who shall forward this to Head of Maintenance surveillance unit and finally, to responsible inspector nominated under point 7.

15. The responsible inspector shall review the application package as defined in Section C, paragraph 1.7, and the associated appendices for completeness. If the package is complete, the C AA should review the contents for correctness. This should include a review of the proposed FAA Supplement in comparison with the sample FAA Supplement in Section C, Appendix 1.

16. When the responsible inspector finds, that the application is complete, the responsible inspector shall:

a) Review proposed FAA Supplement in comparison with the sample FAA Supplement in Appendix 1 to Section C of MAG;

- use the EMPIC system for the evaluation;

- The supplement must be customized to reflect the AMO's operations and procedures but still must contain the same information as the example supplement paragraphs

- record all non-compliances;

- when all non-conformances are satisfactorily closed, approve the amendment of EASA Part 145 MOE (if necessary), separate approval of FAA Supplement and separate approval of List of maintenance functions to be contracted/subcontracted. Procedures for the approval of MOE, FAA Supplement and List of maintenance functions are similar to Chapter 4 of this Manual. When satisfied with the results of evaluation of MOE Supplement to MOE and List of maintenance functions to be contracted/subcontracted, the responsible inspector shall prepare the approval letter and send it to the organization using the Doclogix system. Approval letters shall be attached to the approval package.

Note. When one approval letter is used for more than one approval, there shall be clear separation of different approvals.

b) Conduct an oversight audit for compliance with EASA Part 145;

- conduct an Intermediate audit in accordance with Chapter 4 of this Manual, using the EMPIC system.

Note: If the AMO has successfully completed an AA oversight audit within the preceding 180 days/6 month period of the AA's recommendation to the FAA for certification, the AA should not have to conduct a review for compliance with EASA requirements.

c) Conduct an audit for compliance with FAA Special Conditions and provisions of MAG.

- use the appropriate provisions of EMPIC system for the audit;

- FAA Special conditions can be found in Chapter 5.2. in Section A of MAG.

Note: When FAA Special conditions relates to FAA Supplement to MOE, reference to the audit report of MOE Supplement also should be added to report.

The Airworthiness Division of LV CAA shall conduct an oversight audit for compliance with FAA Special Conditions and the FAA Supplement (points a) and c) above) regardless of whether an audit for compliance with EASA requirements has been successfully completed within the 180 days/6 month period. Where applicable, the CAA should notify the AMO of the required fee for the performance of this audit.

The audits for paragraphs b) and c) (EASA Part 145 and Special Conditions) audits shall be performed for each additional location and line stations, using a separate audit report in the EMPIC system for each location.

17. The audit shall include the evaluation of training of persons involved in the activities pursuant to this Chapter.

All personnel involved in this activity shall receive an initial training on EU US BASA Agreements, its Maintenance Annex and MAG procedures. The persons shall be trained on FAA Supplement to MOE. ALL training shall be recorded. Continuation training shall be scheduled at the interval not exceeding 24 months or when changes to Agreement, Maintenance annex or MAG are made.

18. Agreement requires that the MOE FAA Supplement shall contain the procedures to confirm that the AMO supervisors and employees responsible for final inspection and approval for release or return to service of US aeronautical products and foreign-registered products operating under the provisions of 14 CFR are able to read, write, and understand English.

In order to comply with this, the organization shall establish the criteria for the English language requirements at least for the persons involved in BASA activities.

If those criteria are established in a different document, the FAA Supplement shall include the reference.

Each person shall be evaluated again established criteria. This may include a certificate from an educational establishment attested by examination or attendance of English courses with evaluation. This also shall be done by the individual assessment by a competent person or positive results of testing.

This evaluation shall be recorded and shall be available to the auditing persons, including EASA and FAA auditors.

The CAA inspector shall evaluate whether the criteria are established and evaluation is conducted and properly evaluated.

19. If the CAA discovers deficiencies in an AMO's application package or after conducting an oversight audit, the CAA shall process the findings in accordance with EASA Part-145, Section B, requirements, but the period for corrective action may not exceed 6 months. Details about handling of findings in Chapter 4 of this manual. If the applicant fails to correct the deficiencies within the timeframe allowed by the CAA, the CAA should terminate the application process and notify the FAA.

In the event of unusual circumstances, the CAA should notify the FAA, and the FAA may agree to extend the period upon mutual agreement for a reasonable period of time, if the applicant demonstrates an ability and willingness to correct the noted deficiencies. If corrective action must be taken, the applicant should notify the CAA in writing when all deficiencies have been corrected.

20. Responsible inspector shall record findings in EMPIC system and forward all findings to applicant in writing in accordance with the procedures of Chapter 4 of this manual.

21. The organization/applicant shall rectify findings within prescribed period and report closure actions to CAA using finding closure report CAA Form 200AF.

22. The responsible inspector shall evaluate the closure actions, if he/she is satisfied with the information provided by the organization, the responsible inspector shall close findings and inform the organization.

23. When audits are completed, based on the audit reports performed as described above, the responsible inspector shall complete Audit Report 2 (Section A, Appendix 6) for each location and line station and complete Blocks 6., 7., 8. and 9. of FAA Form 8310-3. Approve the FAA Supplement to MOE and separately List of maintenance functions to be contracted/subcontracted.

24. The responsible inspector shall retain the copies of each document related to initial certification, including MOE with FAA Supplement using EMPIC system. Documents from the Doclogix system shall be copied in the EMPIC system. This package shall be available to the FAA on request.

25. All packages shall be completed in English.

26. The responsible inspector shall forward the completed Audit Reports 2 to the Chief of Airworthiness Division. If necessary, any additional document may be forwarded on request.

27. The chief of Airworthiness Division shall evaluate the documents and complete and sign the recommendation section of Audit Report 2.

28. The Chief of Airworthiness Division shall send to the FAA the following completed documents:

a. FAA Form 8310-3 with the appropriate recommending inspector/surveyor official completing blocks 6, 7, 8, and 9.

b. A copy of the completed Audit Report 2 (Section A, Appendix 6) for the applicant AMO. Also include a separate Audit Report 2 and a signed recommendation for each additional fixed location and line station that will utilize the 14 CFR part 145 privileges.

c. If applicable, a list of the additional fixed locations that will use the AMO's FAA certificate privileges. The list must include the address of each location, the FAA liaison telephone number and e-mail address, if available, and identify the CAA office with oversight responsibility (main office for Latvia).

d. The addresses of each line station authorized, if any, and the name of the air carrier or operator of the US-registered aircraft for which the line station is authorized to perform maintenance.

e. The applicant's letter certifying that its employees, contractors, and subcontractors have been trained in the transportation of dangerous goods in accordance with ICAO standards. (Only applicable if the AMO is involved with the transport of dangerous goods, including shipping and receiving.

NOTE: If there are no changes to the letter content, then update the date of the letter. If there are changes, update both the text and the date.

f. A copy of the AMO's AA Certificate and scope of approval, EASA Form 3.

NOTE: In the case of first application, this package, before sending to FAA shall be sent to EASA for view using TCA mailbox. After EASA review, additions may be made in the package.

29. This information shall be included in the Doclogix system with the supporting letter addressed to FAA and signed by the Chief of Airworthiness Division. This information shall be sent to the FAA by mail or any other official means of communication. In addition to this, this information shall also be sent directly to the FAA contact person/s.

30. The CAA shall retain one current copy of the FAA Supplement to the MOE in the English language and make that supplement available to the FAA on request.

*31A. FAA.*

*1.7.1 The FAA shall review the documents to ensure the package is complete.*

*1.7.1.1 When the applicant's FAA Supplement to the MOE is included as a supplement chapter to the MOE (Part 7), and the MOE has been approved by the AA, the FAA considers the manual acceptable in accordance with 14 CFR part 145. 1.7 .1.2 The CAA is not required to provide to the FAA the MOE or FAA Supplement as a part of a certification package.*

*1.7.2 During initial certification, there should be no open findings on Audit Report 2 (Section A, Appendix 6) or on any of the documents submitted to the FAA. However, the FAA recognizes that several languages are involved in the process. Minor discrepancies may occasionally be noted because of various interpretations or misunderstandings on the documents submitted. These minor discrepancies must be discussed with the CAA, but should not delay the issuance of the FAA certificate.*

*1.7.3 The FAA ASI shall update the information contained in the SAS Vitals Information. 1.7.4 At this time the FAA ASI shall verify if there are any special authorizations and limitations (such as an electronic record keeping system) that will need to be entered in paragraph A004 of the OpSpecs.*

*1.7.5 When all of the application documentation is reviewed and found to meet the requirements of the Maintenance Agreement, the FAA shall invoice the AMO in accordance with the current edition of AC 187-1, Flight Standards Service Schedule of Charges Outside the United States . Once the AMO has paid the appropriate fee, the following will be accomplished:*

*a. The FAA ASI shall complete block 10 of FAA Form 8310-3. (Once block 10 action block is checked approved, this action approves the maintenance functions listed in block 4, unless block 6 is noted by the CAA inspector/surveyor that the maintenance functions requested are not approved.)*

*b. The FAA shall forward FAA Form 8000-4, Air Agency Certificate, and FAA Form 8000-4-1, Repair Station Operations Specifications, with all applicable limitations to the AMO via e-mail as a PDF attachment. The FAA shall also include a cover letter with instructions for an appropriate official at the AMO to sign and return a copy of the Operations Specifications to the FAA and CAA by e-mail as a PDF attachment. The Air Agency certificate will list the FAA rating or ratings. The FAA OpSpecs will list the EASA certificate number (EASA Form 3) and the current revision and date. (There is no need to list FAA ratings on the OpSpecs except in special circumstances discussed in Section A, Appendix 7.)*

*1. To ensure prompt attention to certification and renewal correspondence, the AMO (in addition to copying the FAA) should use the following organizational e-mail address:* [*9-AVS-NYC-IFO@faa.gov*](mailto:9-AVS-NYC-IFO@faa.gov)

*2. The FAA ASI shall ensure that the ratings of the EASA Part-145 certificate are consistent with the 14 CFR part 145 certificate ratings.*

*1.7.6 The FAA shall notify the TSA when a 14 CFR part 145 certification has concluded and an Air Agency Certificate is issued.*

31. When the organization receives FAA 14 CFR Part 145 certificate, the normal surveillance activities related to FAA Special conditions and FAA Supplement to MOE shall be included in the Maintenance organization's audit plan (surveillance schedule) together with EASA Part 145 audit plan. Audit period for the first time shall be 12 months, and then every 24 months.

32. The oversight of organization shall take into account provisions of FAA special conditions and MOE supplement.

A series of partial audits may collectively fulfill the requirement to perform a complete facility audit.

Complete audit report in EMPIC system shall include both EASA and FAA parts of EMPIC. This means that complete audit report shall include EASA Form 6 and audit reports for FAA Special Conditions and FAA Supplement. The findings closure period for FAA part of audit shall not exceed 6 month period.

3 3. The Continuation report must indicate whether the AMO complies with C AA requirements and the FAA Special Conditions attached to EASA Form 6 continuation report.

34. EMPIC system for particular organization shall include all audits.

**4 A.8.2. Renewal Process**

An FAA-issued certificate for a repair station located outside the United States is effective until the last day of the 12th month after the initial date of issue. It may be renewed for a period of 24 months if the repair station has operated in compliance with the applicable regulations during the preceding certification period. The holder of a repair station certificate subject to the Agreement may apply for renewal prior to the certificate's expiration date as provided below.

1. The organization shall submit a renewal package to the CAA 90 days before the AMO's current certificate expires.

Application package shall be submitted to CAA Secretariat using official communication channels.

The renewal package must contain the following:

a. FAA Form 8310-3.

b. Showing of need. The applicant should demonstrate continued need by submitting evidence of the requirements outlined in the MAG, Section A, paragraph 5.2.1.1(a)(1), as well as Section C, paragraph 1.2.3.

c. FAA Supplement to the MOE if changed since the last certification. The AMO does not need to submit a new FAA Supplement to the MOE if its current procedures and activities are described in its current supplement. When seeking renewal, an AMO must ensure that its FAA Supplement to the MOE reflects current procedures and activities. All changes to procedures and activities described in the supplement will require a revision of the FAA Supplement to the MOE, which the AMO must submit to the AA for approval. Separate approval for FAA Supplement is required.

d. If not previously submitted, a hazmat, as stated in paragraph 1. 5. ( c) of MAG and 13A. of this chapter of Airworthiness manual.

e. The AMO must provide any changes made that affect the SAS Vitals Information elements described in Section C, Appendix 2.

2. The LV CAA Secretariat shall forward this application to the Chief of Airworthiness Division using the Doclogix system.

3. The chief of Airworthiness Division shall forward this to the Head of Maintenance surveillance unit, who shall organize the renewal process. He shall nominate the responsible inspector and may nominate other persons to act as part of the team. All those persons shall be qualified for those tasks pursuant to Chapter 1 of this Manual. Additional inspectors may be included as observers in order to receive practical training for accreditation purposes.

4. The LV CAA Airworthiness Division responsible inspector shall review the statement of continued need as part of its recommendation to the FAA.

If the AMO is unable to establish the continuing need, the CAA (responsible inspector) shall advise the AMO that the FAA will renew the AMO's 14 CFR part 145 certificate based on its previous statement of continued need. The LV CAA shall also advise the AMO that, if at the time of its next renewal, the AMO is still unable to show continued need, the FAA may not renew the certificate.

5. During the LV CAA's normal surveillance schedule, the LV CAA shall include the FAA Special Conditions and verify the AMO's compliance with the FAA Supplement to the MOE. The purpose of the Agreement is to make every effort to utilize the LV CAA surveillance time efficiently, thereby reducing redundant inspections/surveillance unless necessary. The LV CAA Airworthiness Division shall complete Audit Report 2. A series of partial audits may collectively fulfill the requirement to perform a complete facility audit. The audit must indicate whether the AMO complies with AA requirements and the FAA Special Conditions.

6. The responsible inspector shall verify that the organization is properly assessed within the prescribed periods and that all findings discovered are within the prescribed time limits. The EMPIC system is used for this purpose.

7. If necessary, additional audits may be performed using the EMPIC system.

8. Additional fixed locations and line stations under one certificate are covered by the completion of Audit Report 2 for that AMO. The LV CAA oversight for a fixed location must follow provisions of EASA-Part 145, Section B. The LV CAA can adopt a sampling surveillance program for the line stations based upon their number and complexity.

9. The AMO does not need to submit a new FAA Supplement to the MOE if its current procedures and activities are described in its current supplement. When seeking renewal, an AMO must ensure that its FAA Supplement to the MOE reflects current procedures and activities.

10.. Changes to procedures and activities described in the supplement will require a revision of the FAA Supplement to the MOE. In the case of Amendment to MOE FAA Supplement, Responsible inspector shall evaluate this supplement, using EMPIC system.

The CAA shall retain an English language copy of the FAA Supplement and make that copy available to the FAA on request.

11. If the LV CAA responsible inspector discovers deficiencies in an AMO's application for renewal of its 14 CFR part 145 certificate, or after conducting an oversight audit, the LV CAA shall follow the corrective action requirements of EASA Part-145, Section B. If the LV CAA finds the written plan for corrective action is acceptable, the AA shall attach the plan to Audit Report 2. Once the LV CAA has found the renewal to be acceptable, the appropriate recommending inspector/surveyor shall complete blocks 7, 8, and 9 of FAA Form 8310-3.

12. Based on this information, the responsible inspector shall complete Audit Report 2 and forward this to the Head of Maintenance Surveillance unit and to the Chief of Airworthiness Division.

**NOTE:** The inspector/surveyor should complete the findings section of Audit Report 2 for Level 1 (all) and Level 2 findings (only those that are related to the FAA approval). The LV CAA should place special emphasis on ensuring the findings and/or corrective action plan is included in the surveillance form. Findings and the corrective action plan must be forwarded to the FAA in the English language.

13. The Head of Maintenance Surveillance unit (CAA) shall then make a quality assessment of documents package and recommendation (Part 3 of Audit Report 2) for or against certificate renewal, based on a complete surveillance/audit of the AMO conducted within the renewal time frame of every 24 months or 12 months for the first audit cycle.

14. The Responsible Inspector shall prepare a renewal documentation package to be forwarded to the Chief of Airworthiness Division. This package shall include:

a. A completed FAA Form 8310-3.

b. A copy of the AMO's EASA Form 3 and approval schedule, as revised.

c. A completed copy of Audit Report 2.

**NOTE:** For renewal, only one Audit Report 2 is required to cover all facilities under one approval certificate.

d. If applicable, and only if it was not previously submitted, a letter certifying that its employees, contractors, and subcontractors have been trained in the transportation of dangerous goods in accordance with ICAO standards. (Only applicable if the AMO is involved with the transport of dangerous goods including shipping and receiving.)

e. information regarding any changes made that affect the SAS Vitals Information elements described in Section C, Appendix 2.

15. The Chief of Airworthiness Division shall evaluate this package ad, if satisfied, shall forward this information to FAA at least 30 days before the expiration date of FAA 14 CFR Part 145 Certificate. This shall be done using the Doclogix system. Additional e-mail to FAA inspector may be additionally sent.

*16.A. FAA.* ***FAA Actions.***

*2.3.1 The FAA shall review the documentation submitted by the AA to determine whether the appropriate information has been entered and is acceptable. The AMO must not have any outstanding issues involving corrective action unless the AA has approved a corrective action plan.*

*2.3.2 An essential step in the renewal process is the FAA's use of the available risk management tools. The SAS is the oversight tool used by the FAA to identify and mitigate risk. A risk management system is essential in identifying and controlling hazards, and managing risk. Information received from the AA on Audit Report 2 requires input into the SAS. This will assist the ASI to identify an elevated risk. The SRDT is one of the tools to address any hazard that the FAA ASI identifies that is significant enough to justify intensive analysis and tracking, but there are other tools to mitigate the identified risk.*

*2.3.3 If the FAA finds that the documentation supporting an AMO's application for renewal is incomplete or contains minor deficiencies (eg, typographical or grammatical errors or lack of clarity), the FAA ASI shall contact the AA for resolution. If the documentation contains major deficiencies (eg, incomplete application, incorrect information, etc.), the FAA shall notify the AA in writing indicating the deficiencies.*

***NOTE:*** *Major deficiencies in the renewal application package should be discussed with the AA as soon as possible to resolve them before the certificate expiration date.*

*2.3.4 When all of the application documentation is reviewed and found to meet the requirements of Annex 2 of the Agreement, and the AMO has paid the appropriate fee in accordance with 14 CFR part 187, the following will be accomplished:*

*a. The FAA ASI shall complete block 10 of FAA Form 8310-3.*

*b. The FAA shall forward FAA Form 8000-4, Air Agency Certificate, and the repair station OpSpecs, with all applicable limitations to the AMO and the AA via e-mail as a PDF attachment. The FAA shall also include a cover letter with instructions for an appropriate official at the AMO to sign and return a copy of the OpSpecs to the FAA and AA by e-mail as a PDF attachment. The Air Agency Certificate will list the FAA rating and the FAA OpSpecs will list the EASA certificate number and the current date, which are on EASA Form 3. (There is no need to list FAA ratings on the OpSpecs except for specialized services.)*

*1. To ensure prompt attention to certification and renewal correspondence, the AMO (in addition to copying the FAA) should use the following organizational e-mail address: 9-AVS-NYC-IFO@faa.gov , as appropriate.*

*2. The provisions of paragraph 2.3.4(b) above related to the inclusion of specialized services of the FAA OpSpecs apply only to existing FAA approvals prior to the entry into force of the Agreement on March 15, 2011.*

*3. The FAA ASI should verify if there are any special authorizations and limitations (such as an electronic recordkeeping system) that will need to be entered in paragraph A004 of the OpSpecs.*

*2.3.5 If, however, the AMO cannot demonstrate a need to hold the certificate, the AMO and the AA shall be advised in writing by the FAA that, if at the time of its next renewal the AMO is still unable to show continued need , the FAA may not renew the certificate.*

*Renewal Extensions.*

*In exceptional circumstances, the FAA may grant an extension for a maximum of 60 days, subject to receipt from the AA/EASA of a completed Audit Report 2 (Section A, Appendix 6) confirming that the maintenance organization remains in compliance with EASA Part- 145 and the FAA Special Conditions, and giving a valid reason for the late submission. The Audit Report 2 recommendation for an extension must be made prior to the end of the 2-year period.*

**4A.8.2.1. Significant Findings Noted Between Certificate Renewals**

When the LV CAA has reason to raise significant findings (Level 1) against an FAA-approved AMO including any additional fixed location or line station which may result in revocation, limitation, or suspension, in whole or in part, of the EASA Approval, the AA shall complete Audit Report 2 with a non-recommendation and immediately forward the form to the FAA Coordinator (IFO).

1. When during normal oversight audits pursuant to Chapter 4 with additional FAA requirements, or by any other means, the Level 1 findings are discovered, in addition to the actions of revocation, limitation or suspension EASA Part 145 certificate, the following additional actions shall be taken:

a. Responsible inspector shall notify the Head of Maintenance Surveillance unit and Chief of airworthiness Division about Level 1 Finding.

b. The Responsible Inspector shall complete Audit Report 2 form with a non-recommendation and forward this to the Chief of Airworthiness Division.

c. The Chief of Airworthiness Division shall forward the signed Audit Report 2 form to the FAA Coordinator (IFO) using the official Doclogix correspondence system. Additional e-mail may be sent to the FAA contact person.

*2A. FAA. FAA Action.*

*2.5.2.1 The FAA shall, upon notification that a certificate has been revoked or suspended, take action in accordance with Section C.*

*2.5.2.2 The FAA shall, upon notification of a limitation imposed on an EASA Form 3, scope of approval, take action to amend the AMO's FAA OpSpecs to reflect the limitation imposed by EASA.*

*2.5.2.3 Where this action is made against an additional fixed location or line station authorization, the FAA shall ensure the new OpSpecs are modified to show these changes.*

*2.5.2.4 The FAA shall notify the AA of the action taken by sending a copy of the revised OpSpecs via e-mail.*

**4A.8.2.2. 3A. Renewal Extensions *.***

In exceptional circumstances, the FAA may grant an extension for a maximum of 60 days *,* subject to receipt from the LV CAA/EASA of a completed Audit Report 2 (Section A, Appendix 6) confirming that the maintenance organization remains in compliance with EASA Part -145 and the FAA Special Conditions and giving a valid reason for the late submission. The Audit Report 2 recommendation for an extension must be made prior to the end of the 2-year period.

## 4A.8.3. Change/Amendment to the approval

1. Each of the following situations requires the AMO to apply for a change in a repair station certificate using FAA Form 8310-3:

a. A change in the housing and facilities that would affect the certificate and/or OpSpecs, eg, change in address (this is not required for internal movement of departments, machinery, etc.),

b. A request to add or remove a rating, or

c. A change in ownership or name change (including d/b/a). If the holder of a repair station certificate sells or transfers its assets, the new owner must apply for a new or an amended certificate. Name changes also require an application and certificate change.

2. Changes or amendments to the FAA approval must be submitted to the FAA (e-mail to: 9-AVS-NYC-IFO@faa.gov , as appropriate) using the SAS Vitals Information sheet in Section C, Appendix 2.

3. The addition or deletion of an aircraft/engine type under an existing EASA or FAA rating does not require submission of an FAA Form 8310-3. The procedure is as follows.

3.1.3.1 The CAA shall inform the FAA IFO via e-mail and attach the revised EASA Form 3 (including scope of approval) and a new SAS Vitals Information form.

3.1.3.2 The FAA shall process the amendment to OpSpecs paragraph A003 without the need for additional documentation (eg, FAA Form 8310-3). The FAA may request additional information from the AA before proceeding.

**4A.8.3.1. Procedures for Changes under Paragraph 1 above (3.1.1. MAG)**

1. The AMO requesting a change must forward the required documentation, indicating the change, to the CAA including any supporting documentation required by the change. The AMO documentation submitted must be available in the English language. If the request requires a change to the AMO's FAA Supplement to the MOE, these documents must also be submitted to the CAA.

The AMO must provide updated SAS Vitals Information (Section C, Appendix 2.)

2. All those documents shall be submitted to the LV CAA Secretariat.

3. The LV CAA Secretariat shall include this into Doclogix system and forward this to the Chief of Airworthiness Division.

4. The Chief of Airworthiness Division shall forward this information to the Head of Maintenance Surveillance unit, who shall appoint the responsible inspector. (Usually the same as nominated for previous actions).

5. For any proposed changes to the current certificate (other than a change to a rating), the Chief of Airworthiness Division shall inform the FAA within 10 business days of the proposed change.

6. After discussions with the FAA, the LV CAA may recommend that the AMO be permitted to continue operating as a 14 CFR part 145 repair station while the proposed changes are being implemented.

**NOTE:** During the process of name change to an AMO, the AMO may continue issuing EASA Form 1 dual release, provided the AMO completes the release with the “NEW” name in block 4 and the “OLD” name stated in block 12.

7. Responsible inspector shall conduct an on-site audit of the AMO pursuant to procedures in Chapter 4 of this manual as amendments to EASA Part 145 certificates. Additional FAA requirements shall be conducted for amendment requests involving a change in rating or facilities.

8. All audit documents and amendment to EASA certificate shall be performed in accordance with Chapter 4 procedures, taking into account additional provisions related to evaluation of FAA Special Conditions and evaluation of FAA Supplement.

9. Immediately after the EASA Part 145 certficate is amended, the responsible inspector shall prepare the following documents:

a. A copy of FAA Form 8310-3.

b. Copies of the AMO's amended AA certificate and limitation document/Approval Schedule.

c. Audit Report 2, including Part 3, signed recommendation.

d. A list of line station locations and/or additional fixed locations as applicable (see renewal requirements).

e. If applicable, and only if it was not previously submitted, a letter certifying that its employees, contractors, and subcontractors have been trained in the transportation of dangerous goods in accordance with ICAO standards. (Only applicable if the AMO is involved with the transportation of dangerous goods, including shipping and receiving.) If the AMO is involved in the loading of dangerous goods on a US air carrier's aircraft, the AMO's employees must be trained in accordance with the air carrier's hazardous materials training program.

10. This package shall be forwarded to the Head of Maintenance Surveillance unit for quality review. If satisfied, the Head of Maintenance Surveillance unit shall sign a recommendation in Audit Report 2, Part 3 and forward this to the Head of Airworthiness Division.

If not satisfied, the package shall be returned to the responsible inspector for correction.

11. The Chief of Airworthiness Division shall forward the document package in point 9. as a PDF document to the FAA by e-mail within 10 business days after the issuance of the EASA certificate and related scope of approval.

12. The LV CAA shall retain a copy of all the documents supporting the change in the AA's office file for a minimum period of 3 years and provide copies to the FAA on request. The documents shall be kept on the EMPIC system as part of the audit reports.

*13.A. FAA.*

*- The FAA shall review the documentation to ensure that it is complete.*

*- After review, the FAA shall forward FAA Form 8000-4, Air Agency Certificate, and the repair station OpSpecs, with all applicable limitations to the AMO and AA within 5 business days via e-mail as a PDF attachment. The FAA shall also include a cover letter with instructions for an appropriate official at the AMO to sign and return a copy of the OpSpecs to the FAA and AA by e-mail as a PDF attachment.*

***NOTE:*** *To ensure prompt attention to certification, renewal, and amendments/changes correspondence, the AMO (in addition to copying the FAA) should use the following organizational e-mail: 9-AVS-NYC-IFO@faa.gov , as appropriate .*

*The FAA shall retain a copy of the documents supporting the change in the certificate holder's IFO office file.*

**4A.8.4. Revision to the FAA Supplement to MOE**

Revisions to an AMO's FAA Supplement that do not require submission of an 8310-3 do not need to be submitted to the Lv CAA before implementation. However, the revised copy of the FAA Supplement must be sent to the LV CAA.

1. The revisions/supplements to MOE shall be proceeded in accordance with the provisions of Chapter 4 of this Manual with the following additions:

- in additions to the revisions of EASA MOE, the FAA Supplement, if affected, shall be evaluated pursuant to FAA Special conditions and MOE Supplement check list in the EMPIC system.

- If the LV CAA finds the nature of the changes do not meet the FAA Special Conditions, the CAA shall reject the revision and advise the repair station as soon as possible in writing with the information in the Doclogix system.

2. If the revision affects both EASA MOE and FAA Supplement, separate approvals shall be issued and entered into the Doclogix system.

**4A.8.5. Revocation, suspension, and surrender**

1. The FAA may take action to revoke or suspend a 14 CFR part 145 certificate if the certificate becomes invalid under the conditions specified in the Agreement, Annex 2 of the Agreement, or applicable FAA regulations.

2. In the case of the a revocation or suspension of an approval for an AMO pursuant to Commission Regulation (EU) No 1321/2014 Annex II (Part 145), the Chief of Airworthiness Division shall inform the FAA and EASA via TCA generic E -mail [tca@easa.europa.eu](mailto:tca@easa.europa.eu) ..

*2A. FAA. In the event of a revocation or suspension of an approval for an AMO pursuant to Commission Regulation (EU) No 1321/2014 Annex II, the FAA shall investigate the effect of the revocation or suspension on the FAA certificate and take appropriate action.*

*Any FAA certificate action involving suspension or revocation shall be carried out by the FAA Coordinator (IFO) with certificate oversight responsibility in accordance with FAA regulations and procedures (ie, the current editions of FAA Order 8900.1 and FAA Order 2150.3, FAA Compliance and Enforcement Program ).*

*The FAA shall notify the 14 CFR part 145 certificate holder in writing regarding any suspension or revocation action being proposed. The FAA shall also notify the appropriate AA of the action.*

3. When a repair station surrenders its 14 CFR part 145 certificate to the LV CAA, the LV CAA shall inform the FAA by e-mail to: 9-AVS-NYC-IFO@faa.gov . (Be sure to copy the EASA FS-designated Focal Point at: tca@easa.europa.eu.) The FAA Coordinator (IFO) shall confirm to the LV CAA and EASA of the FAA's acceptance for cancellation of the 14 CFR part 145 certificate. The FAA IFO shall retain the certificate in its office file for that repair station.

**NOTE:** Under 14 CFR § 145.55(b), a surrendered FAA repair station certificate remains effective until the FAA accepts it for cancellation.

The information to the FAA shall be provided by the Chief of Airworthiness Division.

**4A.8.6. Appeal and conflict resolution**

The 14 CFR part 145 certificate holder may appeal the suspension or revocation of its 14 CFR part 145 certificate in accordance with 14 CFR part 13.

**NOTE:** There is no right of appeal to the FAA when the CAA revokes, limits, or suspends any EASA Part-145 maintenance organization approval.

**4A.8.7. FAA SIS in the EU**

The FAA Coordinator (AFS-54) shall establish a SIS visit schedule based on risk. AFS-300 shall coincide with the sampling visit schedule prior to its submission to EASA. The sampling inspections verify that the CAA is following the guidance provided in Sections A and C of the MAG and is using a risk-based oversight system in managing and planning surveillance.

1. Objectives:

- To mutually ensure the application by EASA and the AAs (incl. LV CAA) of Annex 2 in a consistent

and harmonized manner. Additionally, to ensure any AMO issued a repair station certificate by the FAA in accordance with the provisions of Annex 2 meets a standard equivalent to that required of a 14 CFR part 145 repair station.

- To assist EASA, AAs, and the European industry in understanding the FAA Special Conditions and the procedures associated with implementation of the Agreement.

2. SIS Team Composition

- The FAA Coordinator (AFS-54) assembles the composition of the team.

- An EASA representative and an AA Headquarters Representative, if applicable, should accompany the SIS Team during the visit to ensure joint cooperation and good communication in the interpretation and application of maintenance standards or regulations.

- The AA surveyor assigned to the AMO(s) visited should join the team for the visit.

3. Member States AA Selection criteria

The following are the main criteria used to select a Member State's AA to visit and should be used by the FAA:

- AAs having a large concentration of FAA-certified repair stations may provide an inspection team with a diversified sampling of various ratings and limitations held by those repair stations that could also be useful in determining the oversight ability of the AA (eg, Limited Specialized Services , Class Ratings, etc.).

- EU countries, where the FAA has received a number of reports of non-compliance within that country, may indicate a concern with that AA.

-Previous FAA sampling inspection reports that indicate a particular AA may be of concern to the FAA may be subject to additional inspections.

4. SIS Procedure

4.1. During the visit to the AA offices, the Agreement requires the AA to assist and cooperate with the SIS Team by allowing the FAA to review AA repair station (AMO) surveillance records, reports, findings, and corrective actions.

4.2. The FAA shall review AA procedures and processes used during surveillance and certification of repair stations under the Agreement.

4.3. The AA shall provide individual inspector/surveyor training records for review as well as individuals assigned surveillance for interviews.

4.4. As appropriate and when possible, the AA should also provide the FAA assistance by allowing an AA staff member who speaks English to assist in reviewing the above files in addition to assisting with interviews as necessary.

*4.5.A. The FAA SIS Team shall complete SIS Audit Report 1, FAA Audit of an Aviation Authority (see Section A, Appendix 5) during the inspection, documenting any problems with the AA processes and procedures. The FAA SIS Team shall provide the AA with a signed copy of the form at the end of the visit.*

*4.6.A. The FAA Coordinator (AFS-54) should review the SIS Audit Report 1 and request the AA to provide a corrective action plan in a timely manner, but not later than 90 days after the visit. The FAA Coordinator (AFS-54) shall be informed of the completion of the corrective action plan. Findings and resolutions are to be presented annually during the meeting of the JMCB.*

*4.7.A. The FAA SIS Team shall complete Audit Report 3, SIS Audit of an FAA-certified AMO Located in the EU (see Section A, Appendix 8), when sampling AMOs for compliance with Section C of the MAG. The FAA SIS Team shall provide the AA with a signed copy of each Audit Report 3 at the end of the visit.*

4.8. The above mentioned forms shall be completed and signed by FAA and AA representatives while the team is on site and before the final debrief takes place. An AA representative's signature indicates that the form has been reviewed and that they understand the findings. This also gives the AA an opportunity to add any comments regarding the findings. A copy of the form will be left on the site.

5. Resolution of SIS Team Findings.

5.1. When findings reviewed with the AA are not considered as the AA's failure to demonstrate continued confidence in terms of the Agreement, the AA shall forward a corrective action plan addressing those findings to the FAA Coordinator (IFO). Findings against the AA's failure to demonstrate continued confidence per the Agreement will be handled in accordance with Section A, paragraph 1.6.

5.2. Where findings have been formally discussed with the AMO and agreed with by the CAA during the formal debrief at the organization, the AA shall complete the follow-up and closure actions required. Follow-up of the findings will be accomplished by the CAA and reported to the FAA Coordinator (AFS-54) for closure with a copy sent to the EASA TCA generic e-mail.

5.3. Consistent with the classification of findings developed by EASA, a Level 1 finding is any significant non-compliance with a 14 CFR part 145 requirement that lowers the safety standard and seriously impacts flight safety. A Level 2 finding is a non-compliance with any 14 CFR part 145 requirement that could lower the safety standard and possibly impact flight safety.

a) Level 1 findings require immediate action by the competent authority to revoke, limit, or suspend (in whole or in part) the AMO's approval, depending upon the extent of the Level 1 finding, until successful corrective action has been taken by the AMO . Chapter 4 Procedures apply.

b) Level 2 findings require a corrective action plan that is appropriate to the nature of the finding, but, in any case initially, it must not exceed 3 months. In certain circumstances, and subject to the nature of the finding, the CAA may extend the 3-month period subject to a satisfactory corrective action plan agreed to by the AA. Action shall be taken by the CAA to suspend (in whole or part) the approval in case of failure to comply within the timescale granted by the CAA. Chapter 4 of this Manual applies.

**4A.8.8. Mutual exchange of information**

1. Revisions by either Party, to their civil aviation organization, regulations, procedures, or standards, including those of the Technical Agents and Aviation Authorities, may affect the basis on which this Annex is executed. Accordingly, the Parties, through the Technical Agents and Aviation Authorities, as appropriate, shall advise each other of plans for such changes at the earliest possible opportunity, and discuss the extent to which such planned changes affect the basis of this Annex. If consultations pursuant to Article 15 C. of the Agreement result in an agreement to amend this Annex, the Parties shall seek to ensure that such an amendment enters into force at the same time as, or as soon as possible after, the entry into force or implementation of the change that prompted such amendment.

2. The Parties, through the JMCB, shall exchange a list of contact points for the various technical aspects of this Annex. This list shall be maintained by the Technical Agents.

3. All communications between the Parties, including technical documentation provided for review or approval as detailed in this Annex, shall be in the English language.

4. When urgent or unusual situations develop, the Technical Agents', and where applicable the Aviation Authorities' contact points shall communicate and ensure that the appropriate immediate actions are taken.

5. The FAA, EASA, and LV CAA shall keep each other informed of significant changes within those systems, such as:

a. Statutory responsibilities;

b. Organizational structure (eg, personnel, management structure, technical training, office location); and

c. Revisions to maintenance organization approval oversight systems standards or procedures.

6. Revision by the FAA, EASA, or LV CAA to its regulations, acceptable means of compliance, guidance material, policies, procedures, or organizational structure, which may affect the basis and the scope of this guidance, shall be notified in a manner consistent with Annex 2, Article 4.10. Accordingly, upon notice of such changes by the FAA or EASA, either agency may request a meeting to review the need for amendment to this MAG.

7. Changes to the MAG shall be implemented, as applicable, within 120 days after the signature date of the change identified in Section E. Changes to the MAG are expected to be reflected in EASA, FAA Flight Standards Office (FSO), and LV CAA procedures and policies, as applicable, in order to ensure a consistent and harmonized approach at all levels.

8. The LV CAA shall communicate with the FAA when during the oversight of AMO the difficulties are discovered, which should affect FAA approval. Details in the chapters for initial certification and renewal.