U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

OCT 2 0 2010

Michael J. Keller
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P.O. Box 582809
Tulsa, OK 74158-2809

Dear Mr. Keller,

This is in response to your request for a legal interpretation submitted on June 10, 2010, seeking further clarification of a legal interpretation issued to Southwest Airlines, Co., on October 19, 2009. That interpretation provides that an air carrier would be exempt from the requirement to carry its maintenance manual aboard the aircraft only when it is conducting a supplemental operation en route to a station where the maintenance parts of its manual are kept, such that all scheduled maintenance could be performed at that station.

In your scenario, you state that American Airlines (AA) keeps it manuals stored electronically via a web portal "such that the manuals may be accessed world-wide on the intranet[.] [This] ensure[s] that the manuals are always current and accessible to all AA personnel." You note that AA does not maintain any manuals in paper form, and that the web portal is available at all of the supplemental operations stations to which AA normally flies. In light of the fact that the maintenance manuals are kept online and can be accessed at any location, you question whether AA would be subject to the provision in §121.139 to carry the maintenance manuals on board the aircraft during supplemental operations.

Section 121.139(b) provides an exception to the general rule that requires certificate holders conducting supplemental operations to carry the appropriate parts of its manual on board the aircraft. It states:

> If a certificate holder conducting supplemental operations is able to perform all scheduled maintenance at specified stations where it keeps maintenance parts of the manual, it does not have to carry those parts of the manual aboard the aircraft en route to those stations.

If an air carrier conducting supplemental operations is able to perform all scheduled maintenance at specified stations where it keeps maintenance parts of the manual via a web portal, the certificate holder would not be required to carry the maintenance parts of its manual aboard the aircraft en route to those stations.

However, please note that the specified stations must have policies and procedures in place so that the relevant portions of the maintenance manual can be obtained if, for some reason, the web portal is not accessible (*i.e.*, if there is a web service outage at the station). An example of an acceptable policy would be for the station to call the certificate holder and request information about updates to the maintenance manual and, if necessary, request a fax with the updated information from the certificate holder.

You also seem to suggest that you maintain other manuals solely in non-paper format. The FAA notes that the exception in § 121.139(b) applies only to the maintenance part of the manual for certificate holders conducting supplemental operations under part 121.

We appreciate your patience and trust that the above responds to your concerns. If you require further assistance on this issue, please contact Anne Bechdolt at (202) 267-3073. This response was coordinated with the Aircraft Maintenance Division of Flight Standards Service.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel for Regulations, AGC-200