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

AUG 2 8 2015

Cyrus Ghassemi
Turbo Technologies, LLC
5310 South 32nd Street
Phoenix, AZ 85040

Re: Legal Interpretation of "Overhaul" in 14 CFR § 43.2

Dear Mr. Ghassemi:

On June 30, 2015, we responded to your February 25, 2015 request for legal interpretation. We subsequently became aware that the response contained an error, in that we referred to "FAA-approved overhaul instructions." This letter corrects our June 30 letter of interpretation, and strikes that prior letter from the Federal Aviation Administration database.

This letter responds to your February 25, 2015 request for a legal interpretation of the term "overhaul" in § 43.2 of Title 14 of the Code of Federal Regulations. In your letter, you ask whether an aircraft component part may be recorded as overhauled if it is not subjected to "disassembly, repair, assembly, [or] testing." More specifically, you ask whether "a component part is deemed '[o]verhauled' if it is processed [only] to the extent . . . [of] the requirements of the . . . Overhaul Manual, or other approved data, even if it is only cleaned and inspected." For the reasons described below, we agree that under some circumstances aircraft parts may be considered overhauled after being only cleaned and inspected.

Section 43.2(a)(1)&(2) sets out the requirements for describing a part as "overhauled." Under § 43.2(a)(1), a part may be described as overhauled when, "[u]sing the methods, techniques, and practices acceptable to the Administrator, [the part is] disassembled, cleaned, inspected, repaired as necessary, and reassembled . . . ." Section 43.2(a)(2) further requires a part to be "tested in accordance with approved standards and technical data, or in accordance with technical data acceptable to the Administrator . . . ."

As you note in your request for interpretation, in 1991 we published a legal interpretation addressing the logical and practical limitations of § 43.2—namely, that not all component parts *can* be disassembled.[1] At the time, a member of the public requested clarification of "the term *overhaul* as it applies to items or parts that are incapable of nondestructive disassembly."[2] In our response, we noted that, for example, an engine can be disassembled, but not all of an engine's component parts can be *further* disassembled. We stated, "a part, component, or subassembly of [a] larger assembly or product should . . . be deemed overhauled if it can be shown to be airworthy by inspection, examination, or tests that do not

[1] Legal Interpretation to J.E. Murdock III, 1991 WL 11663129 (Nov. 26, 1991).
[2] *Id.* (Emphasis in original.)

require disassembly beyond [the part's] normal state."[3] In other words, if disassembly is illogical or impossible, for example because it would destroy the part, and if a mechanic can both perform the required maintenance and confirm the adequacy of that maintenance, then disassembly is not required.

A similar rationale guides our analysis here. You ask whether § 43.2 requires disassembly or repairs if the design approval holder's overhaul instructions or other data acceptable to the Administrator expressly requires only cleaning and inspection. The answer is that, just as a mechanic is not required by the term "disassembly" in § 43.2(a) to destroy an aircraft part, neither is a mechanic required by the phrases "disassembly," "reassembly," etc., to take maintenance action beyond what is provided in the overhaul instructions. Of course, this interpretation assumes that a mechanic follows the entirety of the overhaul process and that, during the overhaul, does not discover that additional repairs are necessary. In all cases, a mechanic may not label a part as overhauled if that mechanic performs less than the entirety of the maintenance process acceptable to the Administrator.

This response was prepared by Benjamin Jacobs, an attorney in the Regulations Division of the Office of the Chief Counsel, and was coordinated with the Aircraft Maintenance Division (AFS-300) of the Flight Standards Service. If you need further assistance, please contact our office at (202) 267-3073.

Sincerely,

Lorelei Peter
Acting Assistant Chief Counsel for Regulations

[3] *Id.*