U.S. Department
of Transportation
Federal Aviation Administration

Office of the Chief Counsel
800 Independence Avenue, S.W.
Washington, D.C. 20591

MAR - 7 2019

Mr. John DiSalvatore
26 Nurmi Drive
Ft. Lauderdale, FL 33301

Re: Whether a Manufacturer's Recommended Time Between Overhaul (TBO) in an Engine Maintenance Manual is Mandatory for an Aircraft Operated under 14 CFR Part 91

Dear Mr. DiSalvatore:

This responds to your August 24, 2018 E-mail asking whether a turbine engine manufacturer's recommended time between overhaul (TBO) in an engine maintenance manual is mandatory for an aircraft operated under 14 CFR Part 91. The answer is no, unless that TBO is specified in the applicable FAA-approved Airworthiness Limitations section or is required by an Airworthiness Directive (AD) or other FAA regulation.

You asked specifically about the TBO for a Pratt & Whitney Model PW530 turbine engine on a Citation Bravo you operate under 14 CFR part 91. Note 2 in this engine's type certificate data sheet (TCDS) states that life-limited parts are listed in the Airworthiness Limitations section of the engine's maintenance manual. Under 14 CFR §§ 43.16 and 91.403(c), replacement times, inspection intervals, and related procedures specified in an FAA-approved Airworthiness Limitations section of a maintenance manual are mandatory. The TBO for this engine, however, is not listed in the FAA-approved Airworthiness Limitations section of the maintenance manual—rather, it is found in another section of the manual under Scheduled Maintenance Checks. This section (05-20-00, Rev. 47.0 – 06/AUG/18) provides the Pratt & Whitney "TBO" by stating: "The recommended initial time between overhaul (TBO) for all **PW530A** engines is 4000 hours." Accordingly, while it may be a good practice for an operator to follow an engine manufacturer's recommended TBO, doing so is not mandatory under the FAA's regulations for operations under part 91.

The FAA's Office of the Chief Counsel has addressed similar issues in prior letters and memorandums of interpretation. We are enclosing the following for your assistance in assessing similar issues in the future:

Legal Interpretation of "Current" as it Applies to Maintenance Manuals and Other Documents Referenced in 14 C.F.R. §§ 43.13(a) and 145.109(d), dated August 13, 2010, addressed to Manager, AWP-230, from Assistant Chief Counsel for Regulations, AGC-200; *Response to Request for Interpretation of 14 C.F.R. § 135.421(b)*, dated May 23, 2017, addressed to John S. Duncan, Director Flight Standards Service, from Assistant Chief Counsel for Regulations; *Applicability of 14 CFR Part 43 Maintenance Regulations for Aircraft Operated under 14 CFR Parts 91 and 135*, dated July 5, 2017, addressed to W. Harvey Cash, from Assistant Chief Counsel for Regulations, AGC-200; *Request for Legal Interpretation on the Use of Manufacturers' Publications to Determine Inspection Intervals and Replacement Times*, dated April 22, 2011, addressed to Albert T. MacMillan, from Assistant Chief Counsel for Regulations.

I trust this letter is responsive to your questions. This response was prepared by Edmund Averman, an attorney in the Regulations Division in the Office of the Chief Counsel, and coordinated with the Aircraft Maintenance Division (AFS-300) in the FAA's Flight Standards Service. If you have additional questions regarding this matter, please contact us at your convenience at 202-267-3073.

Sincerely,

Lorelei D. Peter

Assistant Chief Counsel for Regulations, AGC-200

Enclosures

Young, Kim L (FAA)

From: Doan, Viet (FAA)
Sent: Friday, August 24, 2018 2:13 PM
To: Young, Kim L (FAA)
Subject: RE: Legal Interpretation

Yes, this looks like a question for Skip. Thanks!

From: Young, Kim L (FAA)
Sent: Friday, August 24, 2018 2:06 PM
To: Doan, Viet (FAA) <viet.doan@faa.gov>
Subject: FW: Legal Interpretation

Richard

Please let me know if this belong to AGC-210?

Thanks

Kim L Young
Management & Program Analyst
Regulations Division, AGC-200
& Federal Register Liaison
(202) 267-3073 office
(202) 267-7971 fax
Kim.L.Young@faa.gov

From: John DiSalvatore <John@mercedestranscription.com>
Sent: Friday, August 24, 2018 12:13 PM
To: Young, Kim L (FAA) <kim.l.young@faa.gov>
Cc: John DiSalvatore <John@mercedestranscription.com>
Subject: Re: Legal Interpretation

Ms. Young,
I'm requesting a written legal interpretation of Turbine TBO's under Part 91 operation. I'm told I can go beyond TBO if it's a Part 91 operation. We obviously will still conform with a maintenance program post TBO. The plane is a Citation Bravo with P&W 530-A engines.
My address: 26 Nurmi Drive
Ft. LAUDERDALE FL.
33301
Feel free to contact me with any questions.

Model 501
TC # A29CE

John DiSalvatore
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On Aug 23, 2018, at 8:24 AM, "kim.l.young@faa.gov" <kim.l.young@faa.gov> wrote:

> Mr. Salvatore
>
> You will need to address your request to Lorelei Peter, Assistant Chief Counsel for Regulations 800 Independence Avenue, SW Washington, DC 20591. You can also submit by email to me but please make sure your US mailing address is on your request.
>
> Thanks
>
> Kim L Young
> Management & Program Analyst
> Regulations Division, AGC-200
> & Federal Register Liaison
> (202) 267-3073 office
> (202) 267-7971 fax
> Kim.L.Young@faa.gov