NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.614

National Policy

Effective Date:
3/9/22

Cancellation Date:
3/9/23

SUBJ: Decommissioning OpSpec D077, Maintenance Contractual Arrangement Authorization, for Part 125

1. Purpose of This Notice. This notice announces the decommissioning of the operations specification (OpSpec) D077 template for Title 14 of the Code of Federal Regulations (14 CFR) part 125 certificate holders (CH). It directs aviation safety inspectors (ASI) with oversight responsibilities of part 125 CHs to archive OpSpec D077, if currently issued. This notice also directs ASIs having oversight responsibilities of part 125 CHs to reissue OpSpec A004, Summary of Special Authorizations and Limitations.

2. Audience. The primary audience for this notice is the Flight Standards (FS) Safety Assurance offices' ASIs who have certification and surveillance responsibilities for part 125 CHs. The secondary audience includes the Safety Standards and Foundational Business offices.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices, the Flight Standards Information Management System (FSIMS) at https://fsims.avs.faa.gov, and the Dynamic Regulatory System (DRS) at https://drs.faa.gov. Operators and the public can find this notice on the Federal Aviation Administration's (FAA) website at https://www.faa.gov/regulations_policies/orders_notices, FSIMS at https://fsims.faa.gov, and the DRS.

4. Background. OpSpec D077 dates back to 1998 and currently there is not a regulation that requires a part 125 CH to have a maintenance contractual arrangement or airworthiness agreement listed in or authorized by an OpSpec (refer to part 125, § 125.31).

a. Section 125.249(a)(2) requires the CH to have in its manual: "A list of those persons with whom the certificate holder has arranged for performance of inspections under this part. The list shall include the persons' names and addresses."

b. If the part 125 CH engages in maintenance contractual arrangements or airworthiness agreements, it should have procedures and controls in place to accomplish this task. No person may be used to perform the inspections required by part 125 unless that person is authorized to perform maintenance under 14 CFR part 43 (refer to § 125.247(c)). Part 43, § 43.3 details the persons authorized to perform maintenance for a part 125 CH. Section 43.13 details the methods, techniques, and practices the authorized person will be required to utilize as detailed in the part 125 CH's approved inspection program per § 125.247(b)(1) and (2).

c. When measuring the administrative burden to apply for, issue, and maintain the OpSpec, the FAA has determined there is no safety benefit derived when compared to the requirements in 14 CFR. For this reason, we are decommissioning OpSpec D077 for part 125 CHs.

5. Action. Effective immediately, but no later than 120 days from the effective date of this notice, ASIs assigned to part 125 CHs that are issued OpSpec D077 are directed to:

a. Notify the CH. Notify your CH, if applicable, that OpSpec D077 is no longer necessary and, therefore, we have discontinued its use.

b. Coordinate With the CH on Contractual Arrangements. Coordinate with the assigned CH to determine if it has the proper procedures and controls in place for contractual arrangements to ensure maintenance, preventive maintenance, alteration, or required inspection items are performed in accordance with the CH's approved inspection program and part 43 (refer to part 125 subpart G). This action must be accomplished prior to archiving OpSpec D077 as explained below.

c. If OpSpec D077 is Issued to a CH. Archive OpSpec D077 from the CH's issued authorizations and reissue OpSpec A004 to remove the authorization statement associated with the decommissioned OpSpec D077.

d. For All Other Part 125 CHs. OpSpec A004 should be reissued for all part 125 CHs to remove the authorization statement associated with the decommissioned OpSpec D077.

> **Note:** These changes have been coordinated with the Implementation and Integration Group (AFS-260), Technical Programs Section for revisions to OpSpecs and with the Safety Analysis and Promotion Division's (AFS-900) Technical Support Team (TST) for Data Collection Tool (DCT) required revisions.

6. Disposition. We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions or comments concerning the information in this notice to the Aircraft Maintenance Division (AFS-300) at (202) 267-1675 or at 9-AWA-AFS-300-Maintenance@faa.gov.



Robert C. Carty
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