NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.615

National Policy

Effective Date:
3/9/22

Cancellation Date:
3/9/23

SUBJ: Decommissioning OpSpecs D077, Maintenance Contractual Arrangement Authorization: For Entire Aircraft, and D078, Maintenance Contractual Arrangement Authorization: For Specific Maintenance, for Parts 121, 135, and 121/135

1. Purpose of This Notice. This notice announces the decommissioning of the operations specifications (OpSpecs) D077 and D078 templates for Title 14 of the Code of Federal Regulations (14 CFR) parts 121, 135, and 121/135 certificate holders (CH). It directs aviation safety inspectors (ASI) with oversight responsibilities of parts 121, 135, and 121/135 CHs to archive OpSpecs D077 and D078, if currently issued. This notice also directs ASIs having oversight responsibilities of parts 121, 135, and 121/135 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 parts 121, 135, and/or 121/135 CHs that are authorized to use a Continuous Airworthiness Maintenance Program (CAMP). 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. The available historical data going back to the 1990s shows that the need for OpSpecs D077 and D078 is not warranted any longer from a regulatory standpoint. The contract maintenance regulations for both parts 121 and 135 contract maintenance have become robust enough since these OpSpecs were initially implemented.

a. Airworthiness Agreements. If a part 121 or part 135, § 135.411(a)(2) CH is going to utilize another part 121 or 135 contracting CH's procedures/program, it should have an airworthiness agreement that essentially becomes an extension of the part 121 or 135 CH's program that is requesting the contract maintenance. FAA Order 8900.1, Volume 20, Chapter 8, Section 1, Contract Maintenance Regulations and Maintenance Provider Airworthiness

Agreements—Parts 121 and 135 (With OpSpec D072), discusses airworthiness agreements between CHs authorized to use a CAMP and what the CH should have in its manuals for using airworthiness agreements. Part 121 and § 135.411(a)(2) CHs authorized to use a CAMP must ensure they meet the requirements set forth in part 121 subpart L and part 135 subpart J, as appropriate, when utilizing contract maintenance.

b. Historical and Current Issuance of OpSpec D077. Since 1999, there have been only three part 121, one part 121/135, and six part 135 CHs issued OpSpec D077. Currently, there is only one part 121 and no part 121/135 or 135 CHs issued OpSpec D077.

c. Historical and Current Issuance of OpSpec D078. Since 2013, there have been only five part 121 and three part 135 CHs issued OpSpec D078. Currently, no part 121, 121/135, or 135 CHs have OpSpec D078 issued.

> **Note:** Any current issuance of OpSpecs D077 and D078 is due to lack of clear guidance in Order 8900.1. The last time OpSpecs D077 and D078 were revised was in 1999 for parts 121 and 121/135, and in 1997 for part 135.

d. Safety Recommendations. FS Handbook Bulletin for Airworthiness (HBAW) 98-03 included recommendations from a Safety Review Team for lessons learned from FAA oversight experience with ValuJet Airlines, which included the 1999 revisions to OpSpecs D077 and D078. The recommendations dealt with ensuring new entrant air carriers not being approved to use another air carrier's time intervals, maintenance processes, or maintenance program tasks until the new entrant has proven they can adhere to the current manufacturer's recommended maintenance program, time intervals, and maintenance processes.

e. Decommissioning of OpSpecs. When measuring the administrative burden to apply for, issue, and maintain these OpSpecs, the FAA has determined there is no safety benefit derived when compared to the requirements in 14 CFR. For this reason, we are decommissioning OpSpecs D077 and D078 for parts 121, 135, and 121/135 CHs.

5. Action. Effective immediately, but no later than 120 days from the effective date of this notice, ASIs assigned to parts 121, 135, and 121/135 CHs that are issued OpSpec D077 or D078 are directed to:

a. Notify the CH. Notify your CH, if applicable, that OpSpecs D077 and D078 are no longer necessary and, therefore, we have discontinued their use.

b. Coordinate With the CH on Airworthiness Agreements. In order to ensure maintenance, preventive maintenance, and alterations are performed in accordance with the CH's CAMP, coordinate with the assigned CH to determine if it has a written agreement with anyone who performs maintenance, preventive maintenance, and alterations on its behalf. The airworthiness agreement should be in place prior to archiving OpSpec D077 or D078. Refer to Order 8900.1, Volume 20, Chapter 8, Section 1 and Advisory Circular (AC) 120-106, Scope and Recommended Content for an Airworthiness Agreement Between an Air Carrier and a Maintenance Provider.

c. If OpSpec D077 or D078 is Issued to a CH. Archive OpSpec D077 or D078 from the CH's issued authorizations and reissue OpSpec A004 to remove the authorization statement associated with the decommissioned OpSpecs.

d. For All Other Part 121, 121/135, and 135 CHs. OpSpec A004 should be reissued for all part 121, 121/135, and 135 CHs to remove the authorization statement associated with the decommissioned OpSpecs.

> **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 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.



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