



# Federal Aviation Administration

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## Memorandum

Date: MAY 19 2011

To: Ali Bahrami, Manager, Transport Airplane Directorate, ANM-100

From: <sup>FOR</sup> David W. Hempe, Manager, Aircraft Engineering Division, AIR-100 *symCable*

CC: See Distribution List

Prepared by: Brennen Roberts, Aerospace Engineer, AIR-150

Subject: Deviations to MSAD Order 8110.107 Regarding Higher-Level Policies

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This memorandum is the response to Transport Airplane Directorate (TAD) memorandum titled "Request for Deviation from Order 8110.107, Monitor Safety / Analyze Data (MSAD)", dated April 15, 2011 (attached).

The TAD memorandum describes that the Transport Airplane Risk Assessment Methodology (TARAM) handbook directly recognizes that when a higher-level policy, such as a regulation, requires that an Airworthiness Directive (AD) be written, that TARAM results are not to be used in making the decision to write an AD. The policy decision to write ADs in those cases was made during the course of rulemaking or other policy decisions, and overrides the TARAM risk guidelines. Examples of such higher-level policies include:

- the widespread-fatigue-damage rule requirement for mandatory modifications to justify a limit of validity;
- changes to Airworthiness Limitation Inspections; and
- maintenance and inspection instructions developed under Special Federal Aviation Regulation number 88

The TAD memorandum further states that some requirements of the MSAD order are not value-added or applicable in these situations, such as:

- paragraph 2-9, Step 5.0 - Record Risk Analysis Results;
- paragraph 2-11, Step 7.0 - Perform Causal Analysis;
- paragraph 2-12, Step 8.0 - Document the Cause(s);
- paragraph 2-13, Identify Causes and Contributing Factors; and
- paragraph 2-14, Step 9.0 - Evaluate and Select Corrective Action for a Fleet Issue.

TAD requested a permanent deviation from some of the requirements (including those mentioned above) of the MSAD order for specific transport category airplane issues, where a higher-level policy decision has already been made that dictates the course of action to be taken.

This memorandum approves your deviation request to the MSAD process requirements of the MSAD order, 8110.107, Chapter 2, for the following types of issues:

1. ADs for mandatory modifications required by the widespread-fatigue-damage rule (75 FR 69746, November 15, 2010).
2. ADs to mandate the incorporation in the airworthiness limitations section of the maintenance manual new or revised damage tolerance inspections or safe life limits required for § 23.571, 25.571, 27.571 and 29.571 compliance. (Note that this part of the deviation expands what was requested from TAD, to include other directorate products).
3. ADs that are needed for SFAR 88 compliance.
4. ADs required by the aging aircraft program (69 FR 45936, July 30, 2004 and 70 FR 5518, February 2, 2005) for changes to supplemental structural inspection programs and corrosion prevention and control programs (CPCP).

This deviation includes a waiver to the requirements of paragraph 2-15.a., requiring the presenting of risk analysis, causal analysis, and quantitative evaluation of the risk reduction of corrective actions to the Corrective Action Review Board (CARB). However, exceptions are that the following CARB requirements must continue to be accomplished:

- The issue and recommended action must be presented to the CARB for concurrence, per paragraph 2-15.a.; and
- The issue recommended action must be documented in the CARB meeting minutes per paragraph 2-15.b.

The AD will automatically become part of the MSAD AD database upon issuance, but will have no MSAD event or safety issue record associated with it, other than in the CARB meeting minutes.

However, if future trends indicate that these policies need revision, then such trending data must be forwarded to the responsible office for consideration as part of the rulemaking process.

These approved deviations, as applicable, may be utilized by any Directorate or Aircraft Certification Office that has MSAD responsibilities.

If you have any questions, please contact Brennen Roberts at (405) 954-6920 or Brian Skelly at (202) 267-8588.

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