



# Federal Aviation Administration

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## Memorandum

Date: APR 16 2009

To: All Aircraft Certification Service Directorates and all Aircraft Certification Offices (ACOs)

From: *For* David W. Hempe, Manager, Aircraft Engineering Division, AIR-100 *SJM Calder*

Prepared by: Madeleine Miguel, Order 8110.4 Program Manager, AIR-110

Subject: Response to Request to Deviate from Policy, FAA Order 8110.4C,  
Type Certification

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This is in response to a memorandum dated February 26, 2009 from Wichita ACO, requesting a deviation to Order 8110.4C related to the requirement that all items for a certification plan be in place and agreed to before processing/issuing conformity requests, approving test plans, or witnessing or observing certification tests (see paragraph 2-3.d). In the memo, the ACO requested that applicants be able to request FAA conformities on long lead time items prior to FAA acceptance of the certification plan. The applicant would be requesting these FAA conformities at their own risk with the understanding that if the subsequent certification plan identified items of emphasis (i.e., specific dimensions noted, etc.) for any of the already completed FAA conformities, those parts/components/ subsystems/systems would need to be conformed again by the FAA and potentially retested.

AIR-100 concurs with this request and approves the deviation, applicable to all AIR Directorates and ACOs.

Additional comments from AIR-110:

We would like to clarify that the intent of the type certification model as depicted in 8110.4C. The type certification process model presented in the order is a high-level flow diagram of the certification events that typically make up the life cycle of an aircraft. It is meant to explain the type certification process, not to dictate precisely how the project should flow. Although the model shows the proper sequence of events for certifying a product, the various aspects of the project generally progress through the process at different times and at different rates. The scope, magnitude, and complexity of the project influence the relative importance of the events specified in the model. On less-demanding projects, events may be combined, conducted informally, or skipped all together. Therefore, the type certification process model in 8110.4C allows for events and processes to be adjusted as needed.

We would also like to point out that although FAA conformities are considered to be low-risk activities with little negative impact on safety, that without an agreed upon certification plan, the ACO has not had the opportunity to evaluate the complexity of the applicant's proposed certification project, nor the opportunity to start planning the allocation of its own resources for the certification activities, and finally has not had the opportunity to agree on the proposed list of designees (DERs, DARs, DMIRs, ODARs) that will be conducting FAA certification activities (such as conformities) on the FAA's behalf. Therefore, please communicate to your applicants that because some of the key elements of the certification plan have not been reviewed and agreed by the FAA, that there is a strong possibility that when the certification plan is accepted by the FAA, that those conformities that were conducted prior may have to be re-evaluated and possibly repeated.

If there are further questions, please contact the Certification Procedures Branch, AIR-110, at (202) 385-6312.