



## Federal Aviation Administration

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# Memorandum

Date: January 10, 2008  
To: ACO Managers  
Cc: ACMT  
From: <sup>col</sup> David Hempe, Manager, Aircraft Engineering Division, AIR-100 *Sym Cabler*  
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Subject: Authorization and Delegation of Functions Related to the Aging Airplane Safety Rule (AASR).

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This memorandum addresses using Designated Engineering Representatives (DERs) and delegated organization engineering staff members (Authorized Representatives (ARs) or Unit Members (UMs)) to support implementation of the new 14 CFR 26 requirements as they pertain to the Aging Airplane Safety Rule (AASR). It describes the proper use of delegated functions and authorized areas related to Design Approval Holder support by Structures DERs/ARs/UMs (ref: Order 8110.37 Chart A). It is expected this may result in changes in authority to existing DERs/ARs/UMs with Structures authority. As such, affected DERs and delegated organizations should be made aware of the requirements and qualifications for the delegation of functions related to AASR as soon as possible.

The new 14 CFR 26 regulations require TC Holders and STC Holders to develop certain information needed to support operator compliance with 14 CFR 121.1109 and 14 CFR 129.109, the Aging Airplane Safety Final Rule (AASFR) with respect to repairs and alterations. 14 CFR 26 specifically requires that Damage Tolerance data be developed. It is expected that this data will be developed in accordance with 14 CFR 25.571. Data showing compliance to 14 CFR 25.571 can be approved by DERs/ARs/UMs with the appropriate existing delegation. In addition, Structural (Chart A) DERs and corresponding delegated organization engineering staff members can be authorized with specific delegated AASR functions for repair data review and development of inspection procedures that must be approved under part 26.

Existing Chart A DERs and delegated organizations for ARs and UMs with Damage Tolerance Authority will communicate with their managing office to establish the part 26 AASR authority. This is not considered a request for expansion of authority and does not need to follow the FAA

Order 8100.8 expansion of appointment process. New Chart A DER/AR/UM applicants will have their part 26 AASR authority established as part of the appointment process.

The FAA retains findings of compliance to all of part 26 except those parts identified in Table 1 as possible for delegation. When part 26 applies, the FAA can delegate any findings of compliance, for any supporting data developed under the existing part 25 paragraphs, needed in order to determine part 26 compliance. This can be done in accordance with our existing policy. Compliance plans required in the design approval holder (DAH) rules of section 26.49 are not delegated for approval or recommend-approval.

Each DER/AR/UM who will have AASR authority will have that authority established in the form of Table 1 or a list of the specific part 26 sections they are authorized. For DERs, this table or list and any associated limitations or specific delegations will be provided to the DER and also captured in the Designee Information Network (DIN). Each Chart A AR/UM with AASR authority will have that authority identified in their organization's procedures manual/unit member list.

This information will be included in future revisions to Order 8110.37 and Order 8100.8. It is expected that this policy will serve to standardize all future DER/AR/UM appointments that involve the AASR related delegated functions.

**AASR Areas of Delegated Authority**

The Table that follows shows which parts of 14 CFR 26 are eligible for delegation and are therefore available for authorization/delegation.

**Table 1 - AASR Areas of Delegated Authority**

<b>Part 26</b>	<b>Delegation Possible (Yes/No)</b>	<b>Limitations</b>
26.41	No	N/A
26.43 (a)	No	N/A
26.43 (b)	No	NO <sup>1</sup>
26.43 (c)	Yes	Limited to TC Holder Company DERs/ARs/UMs
26.43 (d)	Yes	Limited to TC Holder Company DERs/ARs/UMs
26.43 (e)	No	N/A
26.43 (f)	No	N/A
26.45 (a)	No	N/A
26.45 (b)	No	No <sup>2</sup>
26.45 (c)	Yes	Limited to TC Holder Company DERs/ARs/UMs
26.45 (d)	Yes	Limited to TC Holder Company DERs/ARs/UMs
26.45 (e)	No	N/A
26.47 (a)	No	N/A
26.47 (b)	No	No <sup>3</sup>
26.47 (c)	Yes	None
26.47 (d)	Yes	None
26.47 (e)	No	N/A
26.49	No	N/A

1 First TC model retained for FCBS. Subsequent submittals may be delegated.

2 First TC holder submittal of FCAS is retained by the FAA. Subsequent submittals may be delegated

3 For each designee, the first STC submittal of FCAS is retained by FAA. Subsequent submittals may be delegated.