



# Federal Aviation Administration

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## Memorandum

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To: ACO Managers

From: David W. Hempe, Manager, Aircraft Engineering Division, AIR-100 

Prepared by: Kevin Kendall, Delegation and Airworthiness Programs Branch, AIR-140 and  
Mike Thompson, Transport Airplane Directorate, Standards Staff, ANM-113

Subject: Authorization and Delegation of Functions Related to the Fuel Tank  
Flammability Reduction Rule

Memo No. AIR100-2010-001

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This memorandum addresses using Designated Engineering Representatives (DERs) and Organization Designation Authorization (ODA) engineering Unit Members (UMs) to support implementation of the new Title 14, Code of Federal Regulations (14 CFR), part 26 and amended § 25.981 (Amendment 25-125) requirements, as they pertain to the Fuel Tank Flammability Reduction (FTFR) rule. It describes the proper use of delegated functions and authorized areas related to Design Approval Holder support by powerplant installation DERs and UMs (reference: Federal Aviation Administration (FAA) Order 8110.37 Chart B.) It is expected this will result in changes in authority to some existing powerplant installation DERs and UMs.

The new part 26 and amended § 25.981 regulations require Type Certificate (TC) and Supplemental Type Certificate (STC) holders and applicants to conduct fuel tank flammability analyses and develop designs, airworthiness limitations, Instructions for Continued Airworthiness (ICA) and service instructions, as applicable, to ensure that certain flammability limits are not exceeded. Advisory Circular (AC) 25.981-2A provides guidance for demonstrating compliance with these requirements. Powerplant installation DERs and corresponding ODA UMs with the delegated functions for Fuel & Oil, Safety Analysis, and Service Documents can be authorized to approve and recommend approval of amended § 25.981 and part 26 FTFR requirements as outlined in Table 1.

The FAA retains findings of compliance to these regulations, except those identified in Table 1 as possible for delegation. Compliance plans and ICA required by §§ 26.33 and 26.35 are not delegated for approval.

Each designee with FTFR authority will have that authority established in the form of Table 1 or a list of the specific sections for which 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 powerplant installation (Chart B) UM having authority in the above-listed functions will have that authority identified in their organization's procedures manual/unit member list.

This information will be included in future revisions to FAA Order 8110.37 and FAA Order 8100.8. It is expected that this policy will serve to standardize all future designee appointments that involve the FTFR rule-related delegated functions.

**Table 1 – FTFR Areas of Delegated Authority**

<b>Part 26</b>	<b>Approval Delegation Possible (Yes/No)</b>	<b>Notes/Limitations</b>
§ 25.981(b),(c), (d) at Amd. 25-125	Yes	FAA may delegate approval.
§ 26.31	No	N/A
§ 26.33 (a)	No	N/A
§ 26.33 (b)(1)	No	N/A
§ 26.33 (b)(2)	No	N/A
§ 26.33 (c)	Yes	FAA retains the first approval of this requirement for each model. Designees are limited to recommending these first approvals. FAA may delegate all subsequent approvals.
§ 26.33 (d)(1)	Yes	FAA retains the first approval of this requirement for each model. Designees are limited to recommending these first approvals. FAA may delegate all subsequent approvals.
§ 26.33 (d)(2)	Yes	FAA retains the first approval of this requirement for each model. Designees are limited to recommending these first approvals. FAA may delegate all subsequent approvals.
§ 26.33 (e)	No	FAA retains approval of this section. Designees limited to recommend approval.
§ 26.33 (f)	No	N/A
§ 26.33 (g)	No	N/A
§ 26.33 (h)	No	N/A
§ 26.33 (i)	No	N/A
§ 26.35 (a)	No	N/A
§ 26.35 (b)(1)	Yes	FAA may delegate approval.
§ 26.35 (b)(2)	Yes	FAA may delegate approval.
§ 26.35 (c)	No	N/A
§ 26.35 (d)(1)	No	FAA retains approval of this section. Designees limited to recommend approval.
§ 26.35 (d)(2)	Yes	FAA may delegate approval.
§ 26.35 (d)(3)	Yes	FAA may delegate approval.
§ 26.35 (e)	No	N/A

§ 26.35 (f)	No	N/A
§ 26.35 (g)	No	N/A
§ 26.37 (a)	No	N/A
§ 26.37 (b)	No	N/A
§ 26.39 (a)	No	N/A
§ 26.39 (b)	Yes	FAA retains the first approval of this requirement for each model. Designees are limited to recommending these first approvals. FAA may delegate all subsequent approvals.
§ 26.39 (c)	Yes	FAA retains the first approval of this requirement for each model. Designees are limited to recommending these first approvals. FAA may delegate all subsequent approvals.