European Bilateral Agreement

Acceptance of PMA Parts under the BASA

US-EU Bilateral Agreement

- Entered into effect May 1, 2011
  - Goal to improve the cooperative relationship between Europe and the U.S.
  - Ensure high level of aviation safety
  - Minimize economic burden
  - Minimize redundant oversight

Acceptance of PMA Parts

- Acceptance of PMA parts is dictated by the Bilateral Aviation Safety Agreement (BASA) and the Technical Implementation Procedures (TIP)
- BASA:
  - New PMA parts manufactured under a U.S. production approval when accompanied by an FAA Form 8130-3 and appropriate certifying statements (Appendix to Annex I)

Acceptance of PMA Parts

- Europe generally accepts nearly all PMA parts
  - All “non-critical” PMA parts
    - (Nearly all PMA parts will fall into this category)
  - “Critical” PMA parts if under a license from the TC/STC holder
- Parts can be accepted directly by customer; no EASA involvement

Acceptance of PMA Parts

- What about a PMA part deemed a “critical component” without a license agreement?
  - Obtain EASA STC
    - Apply through FAA ACO to EASA
      - Include all necessary supporting data and documentation
    - EASA will validate and issue STC

8130-3 Language

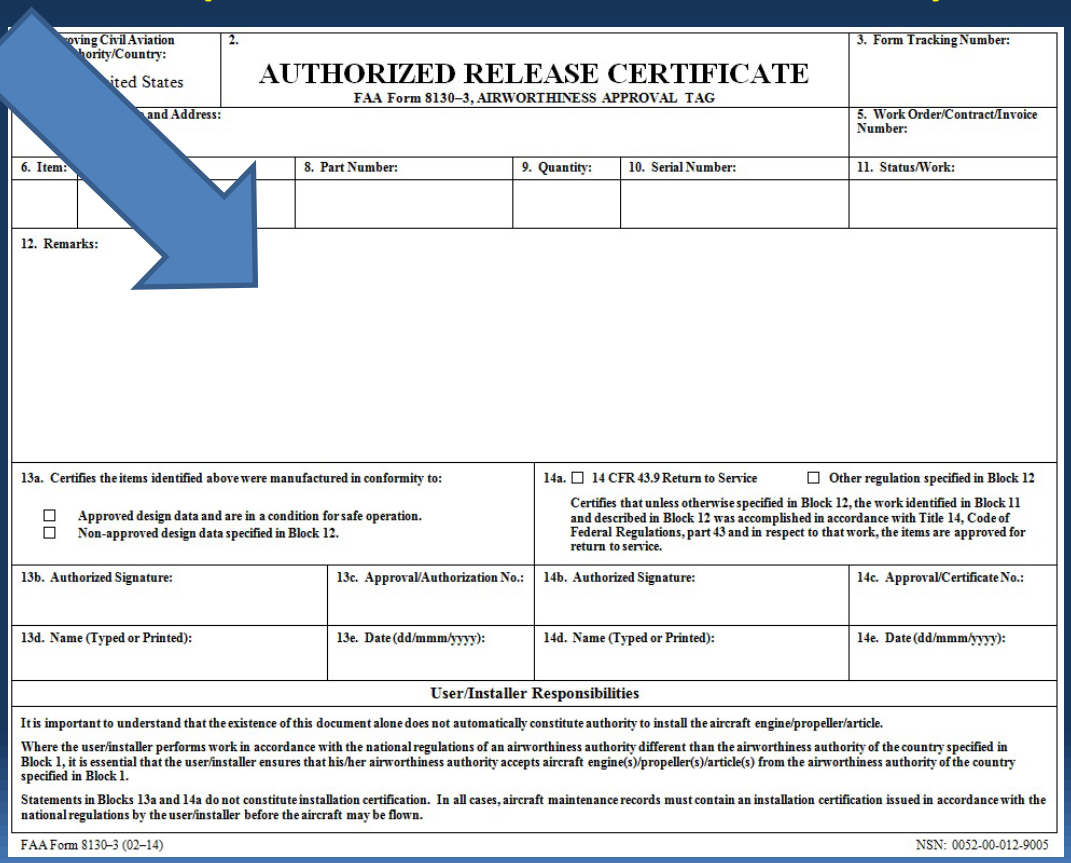
- Specific language must appear on the 8130-3 depending on the nature of the part
  - Non-critical
  - Critical

- Language appears in Block 12 “Remarks” of the tag
  - Identify PMA part as one of three categories

8130-3 Language

(1) Non-critical PMA parts:

– "This PMA part is not a critical component"



oving Civil Aviation thority/Country: ited States

2.

AUTHORIZED RELEASE CERTIFICATE

FAA Form 8130–3, AIRWORTHINESS APPROVAL TAG

3. Form Tracking Number:

and Address:

5. Work Order/Contract/Invoice Number:

6. Item:	8. Part Number:	9. Quantity:	10. Serial Number:	11. Status/Work:

12. Remarks:

13a. Certifies the items identified above were manufactured in conformity to:

☐ Approved design data and are in a condition for safe operation.
☐ Non-approved design data specified in Block 12.

14a. ☐ 14 CFR 43.9 Return to Service ☐ Other regulation specified in Block 12

Certifies that unless otherwise specified in Block 12, the work identified in Block 11 and described in Block 12 was accomplished in accordance with Title 14, Code of Federal Regulations, part 43 and in respect to that work, the items are approved for return to service.

13b. Authorized Signature:	13c. Approval/Authorization No.:	14b. Authorized Signature:	14c. Approval/Certificate No.:
13d. Name (Typed or Printed):	**13e. Date (dd/mmm/yyyy):**	**14d. Name (Typed or Printed):**	**14e. Date (dd/mmm/yyyy):**

User/Installer Responsibilities

It is important to understand that the existence of this document alone does not automatically constitute authority to install the aircraft engine/propeller/article.

Where the user/installer performs work in accordance with the national regulations of an airworthiness authority different than the airworthiness authority of the country specified in Block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts aircraft engine(s)/propeller(s)/article(s) from the airworthiness authority of the country specified in Block 1.

Statements in Blocks 13a and 14a do not constitute installation certification. In all cases, aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.

FAA Form 8130–3 (02–14) NSN: 0052-00-012-9005

8130-3 Language

(2) Critical PMA part under license from TC/STC holder:

- "Produced under licensing agreement from the holder of [TC/STC NUMBER]."

8130-3 Language

(3) Critical PMA part incorporated into EASA certified or validated product via EASA STC

- "Produced by the holder of the EASA STC number [INSERT FULL REFERENCE OF THE EASA STC INCORPORATING THE PMA]."

8130-3 Language

- Statements (2) and (3) are the only two options to export FAA-PMA critical components to EU

- Don’t forget special requirements if necessary
  - “Export airworthiness approval – This article meets the special requirements of [COUNTRY].”

Critical Components

- Criticality statement is required by the TIP (See 2.8.2; 5.1.8(b))
- Critical Component:
  - "[A] part identified as critical by the design approval holder during the product type validation process, or otherwise by the exporting authority. Typically, such components include parts for which a replacement time, inspection interval, or related procedure is specified in the Airworthiness Limitations section or certification maintenance requirements of the manufacturer's maintenance manual or Instructions for Continued Airworthiness." (TIP 1.6(i) (emphasis added))

Critical Components

- The design approval holder makes determination of PMA part criticality
  - FAA confirms determination as part of approval
- FAA Order 8130.21H: "The determination of a PMA article's criticality, as required to be entered in Block 12 when exported, can only be determined by the actual design approval holder (that is, the FAA-PMA holder)." (Section 4.4(C) (emphasis added)).

Critical Components

- Determination of criticality made by production approval holder means others must rely on that determination
  - Foreign governments
  - Competitors
  - Customers

Who May Issue?

- Confusion as to whether a DAR may issue an 8130-3 tag requiring a criticality statement
  - Some think only PMA holder/Designated Manufacturing Inspection Representative may issue, because design approval holder makes determination of criticality

- Don't confuse <u>determination</u> of criticality with <u>statement</u> of criticality

Who May Issue?

- Determination of criticality does NOT prevent DAR from issuing 8130-3
  - DAR may issue export 8130-3 and make PMA criticality statement as long as it is consistent with the PMA holder's criticality determination
- DAR is expected to rely on PMA holder (and FAA) determination of criticality
  - Cannot make criticality determination on their own

Criticality Statement

- The criticality statement is typically only required for export to EU
- BUT inclusion of criticality statement does not undermine usefulness of tag in other cases

Thank you!

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