



European Aviation Safety Agency

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Cologne, **22. JUNI 2009**
SCA/sbr (R.1) D(2009) 70160

Mr Daniel Calleja Crespo
Director
Directorate F – Air Transport
Directorate General Energy
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European Commission
DM 24 05/153
BE-1049 Brussels
Belgium

Subject: Agency measures for the inspection of US based organisations
Attachments: Manpower requirements table and draft tender

Dear Mr Calleja Crespo,

Thank you for your letter dated 5 June 2009 (Ref: TREN F3 – OK/vp D2009) 55777) concerning the above mentioned subject.

The Agreement between EC and the US signed on 30 June 2009 is based on mutual trust of each other's system. Therefore, the legislative proposal affecting the US FAA Reauthorisation Act that would require the US FAA to inspect twice yearly all 325 foreign repair stations located in the Community serving American airlines particularly contravene the confidence built in the regulatory oversight carried out by both parties.

As a result, I do have the same opinion that measures should be put in place to make sure, that the European side will act in a reciprocal manner, if the above mentioned act is finally adopted. Therefore, the Agency considers that the following measures can be put in place:

EASA to carry out oversight of all 1233 US repair station approvals of stations located in the US that have been granted an EASA 145 and are currently surveilled by the FAA.

For this purposes, an invitation to tender is currently under preparation and will be launched shortly to establish a service contract to conduct a study aiming at defining the most efficient way for oversight of US repair station applying for, or having, an EASA approval. The study should, in particular, consider the establishment of local EASA offices in the US.

The requested service contract (see enclosed draft) will include:

- (1) Identification of US Maintenance Organisations having an EASA approval, and their location in the US.
- (2) Identification and evaluation of possible solutions for ensuring direct approval and oversight of US Maintenance Organisations (including two

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inspections per year of the approved facilities), such as direct oversight from EASA Headquarters and establishment of local offices.

- (3) As part of the evaluation, the study should estimate, for each solution (as relevant) the staff needed for the good conduct of operations and their level of expertise.
- (4) Concerning the possible establishment of local offices, the study shall identify the number of local offices needed for efficiently approve and oversee US Maintenance Organisations, and more generally, the costs associated to the establishment of such offices.
- (5) In addition, the study will have to consider the legal aspects linked to any solution such as the impact of the associated costs on the current fees and charges regulation, the need for amending regulatory texts as well as other general legal issues such as US emigration rules in the case of establishment of local offices.

Moreover, as a preliminary outcome to the above mentioned contract, my services have identified the following options in case that EASA carries out direct approval and oversight of all 1233 repair station located in the US.

Option 1: All surveyors are based in Europe, the surveillance activities will be organized from Europe. This option could serve as the initial option before all open legal questions with regard to a deployment in the US are dealt with.

Option 2: All surveyors are based in the US including managers and support staff. This option could be activated if all legal prerequisites for a deployment in the US have been met.

In the attachment to this letter you can find the manpower requirements for the above mentioned options.

Financial aspects:

For the time being EASA is raising fees in accordance to Commission Regulation (EC) No 593/2007, Part III, No 1: "Acceptance of approvals equivalent to "Part 145" and "Part 147" approvals in accordance with applicable bilateral agreements", that means 1500 EUR for an initial approval and 750 EUR for renewals of existing approvals.

It must be clarified when the status of these approvals will or should change from a "Bilateral" status to a "full" Maintenance Organisation Approval i.a.w. Part I - table 9 of the aforesaid Regulation.

To prepare for this change there should be an additional *Intermediate measure*. The purpose of the intermediate measure is to inform the US industry as soon as possible of an envisaged change in applying the Fees and Charges Regulation.

By letter to all 1233 EASA Maintenance Organisations in the US, EASA will request information on the number of employees of the affected repair station and on the technical rating the affected Maintenance Organisation will have to be applied for if their status changes from "Bilateral accepted approval" to a full EASA Part 145 approval. This letter would serve the purpose of informing all maintenance organizations on the negative impact of the envisaged change, and this will trigger most probably some reactions in the repair station community.

Based on the replies EASA will be in a position to evaluate:

- The income which could be expected on the basis of the rating applied for and the number of employees and
- The total number of repair stations which will be interested in keeping their approval after the envisaged status changes.

EASA draft measures:

Letter to US industry: July 2009

Launch study: July 2009

End study: September 2009

Choice of option following the study: October 2009

Deployment: November 2009 to June 2010

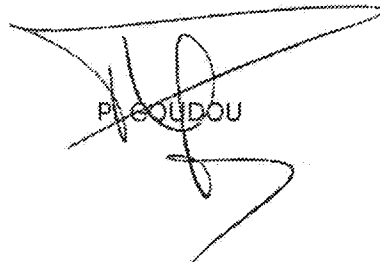
This includes definition of transition measures, recruitment and deployment of staff and the tendering process of the activities, as necessary.

Start of full implementation of oversight: July 2010

This does not take into account the further actions, as described in the EASA Briefing Note on the Consequences of the absence of ratification of the Agreement between the US and the EC on co-operation in the regulation of civil aviation safety, that would be deemed necessary by the Commission, such as, actions resulting from a change to the Annex 2 to this Agreement and the oversight that will be made necessary when Regulation (EC) No 216/2008 fully enters into force.

We would appreciate if the Commission would agree to these measures.

Yours sincerely,



P. COUDOU