

# **SUBJECT: FAR Part 91 MEL Approval**

PL-36 Revision 2

August 15,1997

SUBJECT: FAR Part 91 MEL Approval & Preamble

MMEL CODE: 00 (GENERAL)

REFERENCE: Previous Policy Letter 36, dated July 5, 1990.  
Original signed by Daniel C. Beaudette.

FROM: Manager, Air Transportation Division, AFS-200  
TO: All Region Flight Standards Division Managers  
All Aircraft Evaluation Group Managers

REPLY TO

ATTN OF: Manager, Program Management Branch, AFS-260

PURPOSE:

This policy letter provides policy with regard to approval of Minimum Equipment Lists (MEL) issued under the provisions of FAR 91.213. The policy is unchanged, but is reformatted in a standardized manner in Revision 2.

DISCUSSION:

Revision 2 reformats policy letter 36 with no change to policy. To alleviate delays involved with the approval process for Part 91 MELs, and to provide relief for field inspectors with respect to time and work expenditure, the following procedural changes were instituted in the previous issues of this policy letter. The key changes are as follows:

- \* Inspector's are no longer required to review the operator's O and M procedures prior to issuing the letter of authorization.

- \* Operators are required to countersign the letter of authorization prior to its issuance.

- \* Letters of authorization are to be issued without an expiration date.

- \* When operators relocate, the letter of authorization is not required to be reissued.

Field offices will issue Part 91 MEL applicants the Master Minimum Equipment List (MMEL) for their specific aircraft type with the accompanying new Part 91 preamble and letter of authorization. This new preamble will also be available from the national MMEL data base in the near future. The operator is authorized to use the MMEL in place of an MEL when the new preamble and other listed requirements are complied with. The letter of authorization and the preamble clarify that the burden of compliance is on the operator. It is not necessary to review the operator's O and M procedures prior to issuance of the letter.

POLICY:

The operator, as always, is responsible for developing and accomplishing operation and maintenance (O and M) procedures, for

the disabling, or rendering inoperative items of equipment in accordance with FAR Part 91, Part 145, or Part 43, as appropriate. Those procedures should be developed from guidance provided in the manufacturer's aircraft flight and/or maintenance manuals, manufacturer's recommendations, engineering specifications, and other appropriate sources. Operators are required to develop O and M procedures that correspond with those listed in the MMEL with respect to listed ATA codes and to place them in a separate document. All MMEL items that contain the statement "as required by FAR" must either list the specific FAR by part and section in this separate document (with the specific FAR carried on board the aircraft) or describe the operational restrictions/limitations for dispatch in this separate document. This document must accompany the MMEL, preamble, and letter of authorization and must be on board the aircraft anytime it is operated.

It will be necessary for the operator to contact the FSDO to schedule an appointment for the purpose of obtaining a copy of its aircraft's MMEL and Part 91 preamble and to discuss MEL operational procedures with operations, airworthiness, and avionics aviation safety inspectors (subject to their availability). It will be the responsibility of operators to develop O and M procedures that comply with all FAR. These procedures will not be subsequently reviewed by the FAA prior to their implementation by the operator. Following that discussion, which will cover operator responsibilities and use of the MMEL, the operator will be issued a letter of authorization signed by the principal operations inspector and cosigned by the operator affirming to operate in compliance with all FAR. The operator's name and address will be entered into the national MMEL data base (for postcard updates when a revision to the MMEL occurs) at this time.

The FSDO should open a file on the operator which will contain a copy of the letter of authorization and any subsequent correspondence. Copies of surveillance reports on the operator and postcard notices from the national MMEL data base sent to the FSDO relating to revisions of the MMEL for the operator's aircraft should also be placed in the operator's FSDO file. When revisions to the MMEL occur, both the issuing FSDO and the operator will be notified by the national MMEL data base. It is then incumbent upon the operator to request a copy of the revision from the FSDO. The operator will then incorporate the revised items and procedures into its O and M procedures, as applicable, within 30 calendar days of notification by the national MMEL data base system.

Some operators have items of equipment installed on their aircraft (other than passenger convenience items such as galley equipment and passenger entertainment devices), such as "TCAS," windshear detection devices, and ground proximity warning systems (GPWS) that are in excess of what is required and are not listed on the MMEL. If such is the case, O and M procedures for those items of equipment must be developed and comply with all FAR. Operation may be conducted with those items disabled in accordance with those O and M procedures until the earliest

opportunity for the Flight Operations Evaluation Board (FOEB) to be convened to consider adding the equipment to the MMEL. Operators wishing to obtain relief through an MMEL change must notify the FSDO exercising jurisdiction over its operation, in writing, within 10 calendar days (includes weekends and holidays) following the completion of the installation. The FSDO will then contact the Aircraft Evaluation Group (AEG) for scheduling the FOEB to consider adding the equipment to the MMEL. Operators not seeking MMEL relief need not contact the FSDO, and will thereafter be required to maintain those items of equipment in operable condition for dispatch.

When the operator initially contacts the FSDO for the purpose of obtaining an MMEL, if the aircraft has items of equipment installed that are (other than passenger convenience items) not listed on the MMEL, the FSDO will contact the AEG to request those items be considered at the next FOEB meeting. The operator may conduct operations until the FOEB convenes to consider the request.

Operators that utilize several aircraft of the same type may be issued a single letter of authorization that lists each aircraft by registration and serial number; however, for aircraft of different types, separate letters should be issued. When more than one operator will operate a specific aircraft, each operator must meet with appropriate aviation safety inspectors at the issuing FSDO prior to issuance of a letter of authorization containing the name of their company. A single letter may be issued containing all names of authorized aircraft users, or separate letters may be issued at the FSDO's discretion. If more than one operator is using a specific aircraft, all the operators must sign the "Statement of Operator" on the letter of authorization.

Should the operator's principal base of operations (address) change, it must notify both the FSDO exercising oversight of the jurisdictional area in which it operates and the new FSDO which will exercise oversight, in writing, within 10 calendar days following the relocation. The previous FSDO will then forward the operator's MEL file to the acquiring FSDO which will enter the new address information into the national MMEL data base for revision and update. It is not necessary to reissue the letter of authorization.

Letters of authorization, as in the past, are signed by principal operations inspectors and now are additionally countersigned by the operator. The office file copy is also initialed by the principal airworthiness and avionics inspectors present during the FSDO/operator meeting. Due to the revision and update capability of the automated MMEL data base, the letters of authorization are issued without expiration dates and remain valid until voluntarily surrendered by the operator, the operator ceases to be the owner or operator of the aircraft (sale, etc.), or the FAA suspends or revokes the authorization for cause. In any case, should it become invalid, it must be returned to the holding FSDO (the FSDO currently having jurisdiction) within 10 calendar days.

A sample of the letter of authorization and Part 91 preamble are attached for your use. This procedure will be incorporated into the Order 8700.1 and other related handbooks, orders, and documents as soon as possible. This action notice information should be provided to all applicants during the interim. Program requirements to be accomplished within available resources.

2 Attachments  
Sample Letter of Authorization  
Part 91 Preamble

\*\*\* SAMPLE LETTER OF AUTHORIZATION \*\*\*

Mr. John Dough  
President, John Dough Enterprises  
Hangar 9, Suite 203  
Washington National Airport  
Washington, DC 20001

Dear Mr. Dough:

This letter is issued under the provisions of Section 91.30(a)(2) [NEW Section 91.213(a)(2)] of the Federal Aviation Regulations (FAR) and authorizes John Dough Enterprises ONLY to operate Cessna Citation 500, N81149, Serial No. 12345, under the master minimum equipment list (MMEL), using it as a minimum equipment list (MEL).

This letter of authorization and the MMEL constitute a supplemental type certificate for the aircraft and must be carried on board the aircraft as prescribed by Section 91.30(a)(2) of the FAR [NEW Section 91.213(a)(2)]. Operations must be conducted in accordance with the MMEL. Operations and maintenance (O and M) procedures for the accomplishment of rendering items of equipment inoperative must be developed by the operator. Those procedures should be developed from guidance provided in the manufacturer's aircraft flight and/or maintenance manuals, manufacturer's recommendations, engineering specifications, and other appropriate sources. Such operations or maintenance procedures must be accomplished in accordance with the provisions and requirements of Part 91, Part 145, or Part 43 of the FAR. A means of recording discrepancies and corrective actions must be in the aircraft at all times and available to the pilot in command. Failure to perform O and M procedures in accordance with Part 91, Part 145, or Part 43, as appropriate, or to comply with the provisions of the MMEL, preamble, O and M procedures, and other related documents, is contrary to the FAR and invalidates this letter. All MMEL items that contain the statement "as required by FAR" must either state the FAR by part

and section (i.e., 91.33, NEW 91.205) with the appropriate carried aboard the aircraft, or the operational requirements/limitations required for dispatch must be clearly stated. When the MMEL is revised by the Flight Operations Evaluation Board (FOEB), John Dough Enterprises will be notified by postcard of the revision. John Dough Enterprises must then obtain a copy of the revision from this Flight Standards District Office (FSDO), or the FSDO having jurisdiction, and incorporate any changes as soon as practicable including O's and M's as required.

John Dough Enterprises must develop O and M procedures that correspond with those listed in the MMEL. John Dough Enterprises must also list the "as required by FAR" by specific FAR part and section or state the operational requirements/limitations for dispatch. These items must be contained in a document separate from the MMEL and must accompany the MMEL, preamble, and letter of authorization. They must all be on board the aircraft anytime it is operated.

Equipment installed on this aircraft (other than passenger convenience items such as galley equipment and passenger entertainment devices) that are in excess of what is required, and are not listed on the MMEL, must be operational for dispatch unless a request is made to this FSDO (or subsequent FSDO that has jurisdiction) to seek relief from the FOEB, through a revision to the MMEL, at the earliest opportunity for the FOEB to convene. If MMEL relief is sought, this FSDO (or subsequent FSDO) must be notified within 10 calendar days (including weekends and holidays) following installation. The operator may then conduct operations with the equipment inoperative for dispatch provided it is disabled, or rendered inoperative, in accordance with all FAR. It is the responsibility of John Dough Enterprises to endeavor to determine if O and/or M procedures must be developed for disabling, rendering inoperative, or removal of the equipment. If so, any procedures that are developed must comply with all FAR. If MMEL relief is not sought, the FSDO need not be notified following installation of the equipment.

Should John Dough Enterprises relocate its principal base of operations (address), it must notify, in writing, both this FSDO and the new FSDO that will have jurisdiction within 10 calendar days following relocation.

This letter is issued without an expiration date and will remain valid until voluntarily surrendered by John Dough Enterprises, John Dough Enterprises ceases to be the operator of N81149, or it is surrendered or revoked for cause by the FAA. In any case, should it become invalid, it must be returned to this office or the FSDO having jurisdiction within 10 calendar days from the date it becomes invalid.

#### STATEMENT OF OPERATOR

As evidenced by my signature below, I certify that John Dough Enterprises will operate Cessna 500, N81149, in compliance with the authorizations, provisions, and limitations incumbent with

the utilization of this letter of authorization issued in accordance with Section 91.30(a)(2) of the FAR [NEW Section 91.213(a)(2)]. A copy of this letter will be made a part of the MEL file maintained by this FSDO of John Dough Enterprises.

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Signature	Title	Date
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Sincerely,

Principal Operations Inspector

Preamble - PART 91 ONLY  
\*\*\* PART 91 PREAMBLE \*\*\*  
FEDERAL AVIATION ADMINISTRATION  
MASTER MINIMUM EQUIPMENT LIST  
(AIRCRAFT TYPE)

Preamble - PART 91 ONLY

This preamble is applicable to, and will be included in, master minimum equipment lists (MMEL) issued under the provisions of Section 91.30(a) [NEW Section 91.213(a)(2)]. It is not applicable to MMEL's issued under the provisions of Parts 121, 125, 129, and 135 of the FAR.

Except as provided in Section 91.30(d) [NEW Section 91.213(d)], or under the provisions of an approved MMEL, all equipment installed on an aircraft in compliance with the airworthiness standards or operating rules must be operative. Experience has shown that with the various levels of redundancy designed into modern aircraft, operation of every system or component installed may not be necessary when the remaining equipment can provide an acceptable level of safety.

An MMEL is developed by the FAA, with participation by the aviation industry, to improve aircraft utilization and thereby provide more convenient and economic air transportation for the public. The FAA-approved MMEL includes only those items of equipment which the Administrator finds may be inoperative and

yet maintain an acceptable level of safety by appropriate conditions and limitations. The MMEL and FAA-issued letter of authorization are used as an MEL by an operator and permit operation of the aircraft with inoperative equipment. The MMEL includes all items of installed equipment that are permitted to be inoperative. Equipment required by the FAR, and optional equipment in excess of FAR requirements, is included with appropriate conditions and limitations. For each listed item, the installed equipment configuration considered to be normal for the aircraft is specified. Items of equipment installed on aircraft (except for passenger convenience items such as galley equipment and passenger entertainment devices), such as "TCAS," windshear detection devices, and ground proximity warning systems (GPWS) that are in excess of what is required, and are not listed on the MMEL, must be operational for dispatch unless MMEL relief is sought through the FSDO having jurisdiction for the operator. If MMEL relief is sought, the operator must notify the FSDO who will make a request of the FOEB to convene and consider adding the equipment to the MMEL. The operator may then dispatch with the equipment disabled, or rendered inoperative, in accordance with all FAR. It is incumbent on the operator to endeavor to determine if O and/or M procedures for that equipment must be developed. If so, any procedures developed must comply with all FAR. Procedures developed to use the MMEL must not conflict with either the aircraft flight manual limitations, emergency procedures, or with airworthiness directives (AD), all of which take precedence over the MMEL and those procedures. Suitable conditions and limitations in the form of placards, maintenance procedures, crew operating procedures, and other restrictions, as necessary, are required to be accomplished by the operator to ensure that an acceptable level of safety is maintained. Those procedures should be developed from guidance provided in the manufacturer's aircraft flight and/or maintenance manuals, manufacturer's recommendations, engineering specifications, and other appropriate sources. Procedures must not be contrary to any FAR. Wherever the statement "as required by FAR" appears in the MMEL, the operator must either list the specific FAR by part and section and carry the FAR on board the aircraft or specify the requirements and/or limitations to conduct the flight in accordance with the appropriate FAR.

The MMEL is intended to permit operations with inoperative items of equipment for the minimum period of time necessary until repairs can be accomplished. It is important that repairs be accomplished at the earliest opportunity in order to return the aircraft to its design level of safety and reliability. Inoperative equipment in all cases must be repaired, or inspected and deferred, by qualified maintenance personnel at the next required inspection [Section 91.165(c), NEW Section 91.405(c)]. The repair intervals indicated by the Letters A, B, and C inserted adjacent to column 2 are NOT applicable to this MMEL. The MMEL provides for release of the aircraft for flight with inoperative equipment. When an item of equipment is discovered to be inoperative, it is reported by making an entry in the aircraft maintenance records. The item is then either repaired or deferred per the MMEL or other approved means acceptable to

the Administrator prior to further operation. In addition to the specific MMEL conditions and limitations, determination by the operator that the aircraft is in condition for safe operations under anticipated flight conditions must be made for all items of inoperative equipment. When these requirements are met, the aircraft may be considered airworthy and returned to service. Operators are responsible for exercising the necessary operational control to ensure that an acceptable level of safety is maintained. When operating with multiple inoperative items, the interrelationship between those items, and the effect on aircraft operation and crew workload, must be considered. Operators are expected to establish a controlled and sound repair program, including the parts, personnel, facilities, procedures, and schedules to ensure timely repair.

WHEN USING THE MMEL, COMPLIANCE WITH THE STATED INTENT OF THE PREAMBLE, DEFINITIONS, CONDITIONS, AND LIMITATIONS SPECIFIED IN THE MMEL IS REQUIRED.