

Mastering MELs Part 1 Webinar Resources and Q&A Response

Resources

- FAA Flight Standards Information Management System website:
<https://fsims.faa.gov/>
- FAA Dynamic Regulatory System:
<https://drs.faa.gov/browse>

SME Contact Information

David Burk, President
Aerodox
dburk@aerodox.com
www.aerodox.com
Office: 770-787-6426
Toll Free: 1-888-482-9358

Q & A Responses

Note: *The answers to these questions are not to be considered a final regulatory interpretation. They are the responses by our Subject Matter Expert (SME) for educational purposes only.*

Q: Whose responsibility is it to customize MEL, Engineering Department or Operation or joined together?

A: *This can vary from company to company, some companies the MEL falls under Maintenance, some flight operations. There is no set standard on who has control of the MEL, again that is a company decision.*

Q: Does the FAA make a letter of authorization, or just stamp a seal?

A: *Some FAA offices actually sign the MEL for Part 91 D195, or those who have a D095 OpSpec. This signature can be an actual signature, or an electronic signature. For Part 91 D095 LOAs, an LOA is issued for that operator. If the aircraft does not have a MMEL, then you are not allowed to have a MEL, D095 or D195 LOA.*

Q: Could you comment on MEL development and approval process for types that do not have an existing OEM MMEL?

A: *If the aircraft does not have a MMEL, then you are not allowed to have a MEL, D095 or D195 LOA.*

Q: CS-MMEL requirements.

A: CS-MMEL is a document from EASA that describes the requirements for MMELs and MELs. This document is similar to the FAA Policy Letters here in the US, but has everything in one document, not individual documents as in the US.

Q: Please expand on the two LOAs you were talking about regarding the MEL.

A: As far as the 91 operators, you have two different LOAs to use as a MEL, D095 and D195. D095, using the MMEL as a MEL along with the other documents required in the LOA, a procedures document that includes items like the Preamble, Definitions, all M and O procedures that might be required, are considered to be the FAA-approved MEL. D195 MELs have all the information in the MEL itself, this includes the Preamble, Definitions, all M and O procedures that might be required. The MEL is then approved by the FAA.

Q: Is MEL applicable for a maintenance ferry?

A: No, a maintenance ferry is permitted per 14 CFR 21.197. From 21.197: A special flight permit may be issued for an aircraft that may not currently meet applicable airworthiness requirements but is capable of safe flight. A MEL does meet applicable airworthiness requirements.

Q: How do you address Missing items?

A: Most MMEL items do not deal with missing equipment, there are a few items in the MMEL that state, "may be inoperative or missing", but for the most part missing items are dealt with in the CDL. If the MMEL/MEL does not state it can be missing, then the item must be installed.

Q: Can you shed any light on Design Change Relief Letters/Relief Letters in regards to utilization of existing MMEL relief for company modifications? (non-STC modifications) What is the proper path for utilizing the MMEL for a company modified system? For example Prerecorded Passenger Announcement System. CD player, MP3 to a different system such as an IPAD. Or items that meet the same TSO as the equipment installed that the ac was type certificated with? In regards to 121 operator.

A: Two different approaches when it comes to items you are discussing. If the item is a non-airworthy item, MP3 player for example, then that would could be included in your NEF Program. For those items installed that could be thought of as airworthy items, then a request for MEL relief would need to be sent to the associated FOEB Chairman so they could issue a STC Relief Approval Letter.

Q: Operating under part 91 with an approved MEL do you have to follow the repair category time limits?

A: For categories B, C, and D the answer is no. For A items you are required to comply with any provisos defining a repair interval (flights, flight legs, cycles, hours, etc).

Q: I operate on a single pilot charter certificate. I just bought a CJ and I'm about to start my proving runs with the FAA. I know that I'll be given scenarios where I'll have to reference the MEL. If I have to tag something INOP is there a preferred way to placard the item inoperative?

A: *Best answer on this is to take a look at the definition of placarding from FAA PL 25 (Definitions): Each inoperative instrument or equipment item must be placarded to inform and remind the crewmembers and maintenance personnel of the item condition. To the extent practical, placards should be located adjacent to the control or indicator for the item affected; however, unless otherwise specified (i.e. AFM), placard wording and location will be determined by the aircraft operator.*

Q: For Part 91 - When the MMEL gets updated by the manufacturer, how does the operator update his/her customized MEL?

A: *For D095 LOAs, download the latest version of the MMEL, add this to your "Procedures Document", then update any M or O item that needs to be addressed in the latest MMEL revision. For D195 LOAs, you will need to do a revision to your MEL updating the MEL per the MMEL revision. That revision is then submitted to your FAA for approval. You have 90 days from the date the new MMEL was released to submit the MEL for approval.*

Q: Can you speak to repair categories

A: *Part 91, only A items you are required to comply with any provisos defining a repair interval (flights, flight legs, cycles, hours, etc). B, C, and D not applicable. For all other operations, 121, 125, 135, 91K, you are required to comply with the time limits found in PL 25. You can be authorized one extension for categories B and C.*

Q: In the fire detection MEL example now in this scenario how many MELs do you apply? One for the APU fire detection or 2 one for fire detection and one for APU based on fire detection MEL conditions/restrictions

A: *Each operator does this somewhat different, but for the most part one MEL item is applied, but you must comply with the restrictions of the APU MEL item when deferring the APU Fire Detection. Some operators actually defer the APU item as well as the Fire item, this will mean two MELs and not one.*

Q: With very little regulatory requirements for equipment in Part 91 as well as the fact that light single engine aircraft don't have a MMEL, how could a flight school or operator incorporate a MEL for training purposes?

A: *For training you could take the generic single engine MMEL and put together an MEL that could be used to show how a MEL works and what steps you need to take when an item is inoperative.*

Q: The majority of the challenges that we face are with CFR Part 23 aircraft operating under Part 91. For example Piper Meridians or Pilatus PC12s. These are turbine powered aircraft and operators will want to defer inoperative equipment with out having an FAA approved MEL. Can you help clarify the relationship between CFR 91.213 for inoperative equipment, the MMEL for the aircraft and the operator's responsibility to correct inoperative equipment?

A: *For the most part when operating a multi-engine or turbine powered aircraft, you either defer the item per your MEL, D095 or D195. For other type aircraft you have two options per 91.213. The inoperative instruments and equipment are removed from the aircraft, the cockpit control placarded, and the maintenance recorded in accordance with §43.9, or deactivated and placarded "Inoperative." If deactivation of the inoperative instrument or equipment involves maintenance, it must be accomplished and recorded in accordance with part 43. As you can see, the Piper if it has a turbine engine, and Pilatus you use as a reference must have a MEL, no option to just deactivate.*

Q: If you have MEL for 135 what happens when you are operating that same aircraft Part 91?

A: *Well, that one does have some different points of view, for example who has operational control at the time, and different interpretations of the regulations, but for me 91.213 states, "A person authorized to use an approved Minimum Equipment List issued for a specific aircraft under subpart K of this part, part 121, 125, or 135 of this chapter must use that Minimum Equipment List to comply with the requirements in this section."*

Q: Can you tell us what are the policy letters for?

A: *FAA MMEL Policy Letters are written to establish standardized Master Minimum Equipment List (MMEL) relief for various items. These Policy Letters are addressed to the FOEB Chairman for them to include in the MMEL's that they are responsible for. There are two types of FAA Policy Letters:
Regular Policy Letters (used by FOEB Chairman only)
Global Change Policy Letters (these can be used by operators to update their MELs to latest policy)*

Q: If not using the D095 approved MMEL and are getting a MEL specific to your plane built, does that Specific MEL need to be approved by the FAA if you are flying under part 91?

A: *Yes, all D195 compliant MELs must be approved by the FAA.*

Q: Does a Part 91 operator have to have a LOA to use the MMEL to defer inoperative equipment?

A: *Quick answer, yes, to defer inoperative equipment per 91.213 you must have either a D095 or D195 LOA.*

Q: After a flight a pilot recorded that his seat is torn can this be deferred and what document will be used to defer this item

A: *More than likely you would defer this item per your NEF.*

Q: Can the MEL use the term "as per 14 CFAR 91.xxx or 135.xxx?"

A: *No, the MEL must define the restrictions from the applicable regulation. Generic terms like this are not permitted.*

Q: Why does the MMEL not provide M and O procedures? With my Bombardier aircraft, I have to get the Dispatch Deviation Guide (DDG) to get M and O procedures. It would seem to me that the FSB writing the MMEL should provide what they would like to see as minimum guidance for M and O's.

A: *Some MMELs do supply what the M and O requirements are, but do not contain what the actual procedure would be, the procedures are the responsibility of the operator, either to obtain them from the manufacturer, or develop them on their own. Since M and O procedures are not required to be submitted as part of the certification process, most FOEB Chairs do not require them as part of the MMEL process*

Q: Can a Part91 RVSM operator replace hard copy MEL with copy on iPad or iPhone?

A: *General answer, yes you can. Large aircraft, covered in 91K would need approval like a 135 operator would.*

Q: In the 121 world, is a NEF required and what items can be listed in this document? What ATA chapters can be used to build the NEF?

A: *For 121, yes you either have a NEF, or all those items would need to be serviceable. Numerous ATA chapters can be in the NEF, but the main NEF item itself is found in ATA 25. Suggest taking a look at 89001. Volume 4, Chapter 4, Section 4 for additional guidance on NEF Programs.*

Q: Seems like many FSDO's are "independently owned and operated" since you get a different interpretation one to another. Does your industry group address these differences and are there inroads to getting all FSDO's on the same page?

A: *There are currently several working groups working on this issue with the FAA to see if a more standard interpretation can be published so these different interpretations can be minimized.*

Q: Can you brief your audience on FSIMS Policy Letter 25

A: *PL 25 is a list of standard Definitions that would be found in either an MMEL, or an MEL. The Policy Letter explains which definitions are required in your MEL and which ones are not required. This is from PL 25, "The following definitions will be used in MMELs. For MELs, certain MMEL definitions may be edited and/or not required. MEL definitions, including format issues, will be tailored, as appropriate, dependent upon the aircraft operator's make/model of aircraft, type of installed instrument and equipment items, and specific operation."*

Q: NEF covers non airworthiness items, can you fly without these items not covered in the NEF programme or MEL?

A: *If the aircraft is required to have a MEL, D095 or D195 for part 91, or OpSpec D095 for other operators, then yes you are required to have a NEF Program, or a list of items you want to be able to defer. Suggest taking a look at 89001. Volume 4, Chapter 4, Section 4 for additional guidance on NEF Programs.*

Q: The statement was made that you must have an approved MEL to take-off with inoperative equipment but 91.213 (d) states you can under (1) and (2). Is it incorrect to use the MMEL in lieu of an approved MEL as your basis to defer an item listed in the MMEL per 91.213(d)(1)(ii) for the applicable aircraft?

A: *To comply with 91.213 for multi-engine or turbine powered aircraft, to defer an item you must have an approved MEL. Remember, D095, using the MMEL as a MEL along with the other documents required in the LOA, a procedures document that includes items like the Preamble, Definitions, all M and O procedures that might be required, are considered to be the FAA-approved MEL. D195 MELs have all the information in the MEL itself, this includes the Preamble, Definitions, all M and O procedures that might be required. The MEL is then approved by the FAA.*

Q: For SE aircraft Part 91 operation, if there is no MEL FAR 91.213(d)(3) and (4) (assuming (1) and (2) are met) allow a pilot to make a determination that the inoperative equipment does not constitute a hazard. (d)(39)(ii) gives the pilot the option to deactivate an inop instrument/equipment and so placard it if that doesn't require maintenance. Example, a radio goes inop. The pilot can deactivate by pulling the CB and placard the radio inop. That allows operation of the aircraft, does it not?

A: *The way I read the regulation on this, you are correct.*

Q: Does an aircraft on a part 91 flight in EASA countries, which is also on a part 135 FAA certificate, need a separate LOA for an MEL in the name of the part 91 operator? (In addition to the FAA 135 certificate holder MEL)

A: *My understanding is that the 135 MEL will be sufficient even when operating in EASA countries under part 91. 8900.1 for D095/D195 LOAs states, "Operators certificated under these parts (91K, 121, 125 (including Letter of Deviation Authority (LODA) holders), 129, and 135) are required to comply with their approved MEL(s) even when conducting part 91 operations.*

Q: Does a part 91 operator have to follow Cat A repair interval?

A: *Part 91, for A items you are required to comply with any provisos defining a repair interval (flights, flight legs, cycles, hours, etc).*

Q: Any specific guidance on dispatch with CAS message(s) that came on after engine start? Any specific guidance on dispatch with Maintenance Message(s)? CAS system relief?

A: *For CAS messages, refer to the CAS section found in many of the MMELs. There you will find how to address those messages.*

Q: Does an NEF need to be type specific, or can it apply to a fleet?

A: *For the most part, NEFs can be either aircraft specific, or a generic fleet type. I have seen both used and for the most part the FAA has had no problem with either type.*

Q: Could you give any suggestions on required items to include in company procedures in a D195 MEL ..Example flight crew carrying out (M) procedures?

A: *For flight crews to comply with M procedures I suggest you review the definition of what a M procedure is, as long as you can comply with the definition, you should be good. From PL 25, "(M). This symbol indicates a requirement for a specific maintenance procedure which must be accomplished prior to operation with the listed item inoperative. Normally, these procedures are accomplished by maintenance personnel; however, other personnel may be qualified and authorized to perform certain functions. Procedures requiring specialized knowledge or skill, or requiring the use of tools or test equipment, should be accomplished by maintenance personnel. The satisfactory accomplishment of all maintenance procedures, regardless of who performs them, is the responsibility of the aircraft operator. Appropriate procedures are required to be produced as part of the aircraft operator's manual or MEL."*

Q: Are you familiar with the additional requirements that IS-BAO registered operators have when using MMEL?

A: *Only requirement I am aware of is that you have to comply with all the requirements of your D095 LOA, not just have a copy of the MMEL on board.*

Q: Is there a methodology to extend the repair category due to part/facility/labor availability?

A: *This answer can be found in the definition of Continuing Authorization, "An aircraft operator who has the authorization to use an FAA approved MEL may also have the authority to use a continuing authorization to approve a single (one-time) extension to the repair interval for category B or C items in accordance with Operations Specification D095. Continuing Authorization – Single Extension is not authorized for repair category A and D items.*

Q: Can a 91 operated/maintained aircraft extend B or C items then? I have an OpSpec authorizing me to do so for our 135 acft...

A: *Remember Repair Categories, except for "A" items are not applicable for part 91 operations, so no need to extend those MEL items. From PL 36 Part 91 Preamble, "The MEL 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, replaced, removed, or inspected by qualified maintenance personnel at the next required inspection per § 91.405(c)."*

Q: How do you work with operators that are N registered but are operators outside US? The point is there are provisions that needs to comply with the state of registry but also depends on state of operations as well.

A: *Short answer on a complicated question, when a N registered aircraft is based in Europe for example, the operator must have an approved MEL that complies with the requirements of that countries MEL restrictions. For the most part the MEL is based on the US MMEL, but also written according to the CS-MMEL requirements as well.*

Q: Did you say that part 91 doesn't have to comply with B, C, or D items in the MMEL?

A: *Part 91 does not have to comply with the time limits of B, C, or D MEL items.*

Q: This statement is taken out of the Preamble: ' The MMEL does not include items such as wings, engines, and landing gears that are always required, nor is reference made to equipment such as passenger convenience and entertainment items which when inoperative do not affect airworthiness.' Can this statement in the Preamble of the MEL be used in lieu of an NEF?

A: *Quick answer, no, you still need an NEF program or list to defer NEF items.*

Q: Can you expound on when a D095 is required versus a D195? How do they differ?

A: *Currently, as far as the 91 operators, you have two different LOAs to use as a MEL, D095 and D195. D095, using the MMEL as a MEL along with the other documents required in the LOA, a procedures document that includes items like the Preamble, Definitions, all M and O procedures that might be required, are considered to be the FAA-approved MEL. D195 MELs have all the information in the MEL itself, this includes the Preamble, Definitions, all M and O procedures that might be required. The MEL is then approved by the FAA. When the new AC 91-67A comes out, the D095 LOA will be phased out over time and all 91 operators will have to have the new D195 LOA issued.*

Q: If you have a turbine aircraft under part 91 you said you cannot use the MMEL? You must have a MEL?

A: *No, you can use the MMEL if you have a D095 LOA and all the required parts found in that LOA.*

Q: What is the best course of action when the aircraft manufacturer no longer produces M&O procedures?

A: *Contact someone who writes MEL procedures, or write them yourself.*

Q: Would a single engine turbine need a MMEL example Air Tractor AT802?

A: *To my knowledge there is not a MMEL for this aircraft. You should take a look at the Single Engine Airplane MMEL R1 which can be found on the FSIMS site.*

Q: Can a list of resources for 91 operators to visit?

A: *Best place to start would be fsims.faa.gov.*

Q: If a company has a 135 MEL can we use that for like type 91 managed aircraft?

A: *Quick answer, yes, but the MEL would have to be written in a way to authorize this.*

Q: What is a KOEL?

A: *Kinds of Operation Equipment List (KOEL) is published by some manufactures, these are not regulatory in nature as they are not MELs.*

Q: Operating under part 91 What is the difference between using the flight manual KOEL or an approved MEL? Which would be a better option and why?

A: *If the aircraft has a MMEL, then you need to go the D095 or D195 LOA route. KOEL would be for those aircraft that do not have a MMEL and you would need to follow 91.213 for deactivating that system.*

Q: Additional KOEL information. Here's some background info from the Daher Kodiak 100 POH for those unfamiliar with the KOEL. Bottom line, MEL gives an operator increased flexibility. "The following Kinds of Operation Equipment List (KOEL) identifies the systems and equipment required to be operational in the kinds of operations listed, for airplane airworthiness, according to 14 CFR Part 23. These systems and equipment items must be installed and in proper condition for the particular type of operation desired. Deviations from this KOEL may be approved for the operation of a specific aircraft if a proper MEL (Minimum Equipment List) has been authorized by the appropriate regulatory agency."

A: *KOEL will clearly describe which equipment must be on board and operating for the specific operation. This is not an MEL as the MEL is for all intensive purposes an STC on the aircraft. With the KOEL you would still need to comply with the regulations for deactivating the inoperative equipment per 91.213.*

Q: The USAF has something called MESL, is the US Army using MEL or MESL? Can you explain MESL?

A: *Don't remember much about the way the Army handled MEL type items, but several years ago I was able to take a look at an USAF MESL and can say those documents were more like the KOEL list published by many manufactures, this was for the aircraft that did not have a FAA MMEL. For the aircraft models that did have a FAA MMEL, the document I saw was called a MEL. That MEL did follow many of the same restrictions that are found in the FAA MMEL, but per USAF standards not all were followed as some were considered "mission essential" and did not have to follow the MMEL.*

About ATP

ATP is the leading provider of aviation software and information services. ATP's innovative product lines, including Flightdocs, Aviation Hub, ChronicX, and SpotLight, reduces operating costs, improves aircraft reliability, and supports technical knowledge sharing and collaboration in all aviation and aerospace industry sectors. ATP's products and services support more than 75,000 aircraft maintenance professionals worldwide. As a global company, ATP has more than 7,500 customers in 137 countries and partnerships with over 90 OEMs. For more information, visit www.atp.com.