The long-awaited bilateral aviation safety agreement (BASA) between the United States and European Union entered into force.

- The “Agreement” signed June 30, 2008
  - Diplomatic Notes exchanged March 15, 2011
  - Entered into force May 1, 2011

- It will replace previous US agreements with EU Member States
  - 14 airworthiness agreements
  - 3 maintenance agreements

\[ \text{United States} + \text{European Union} = \text{BASA} \]
ACCEPTANCE OF REPAIR DATA

FAA and EASA will accept each other’s approved repair design data regardless of State of Design of the component/product.

Two processes established:

1. Streamlined Reciprocal Acceptance of repair data for non-critical components

2. Formal approval of critical component repair data

“Critical Component” means a part identified as critical by the design approval holder during the product type validation process, or otherwise by the exporting authority.
ACCEPTANCE OF REPAIR DATA

• FAA and EASA have agreed to accept each other’s systems for the classification and approval of repair data,
  - In the U.S., follow existing FAA policies for U.S. minor and major repair data that apply today to ACOs and FAA designees.
  - In Europe, use EASA classification (Part 21).

• The first step in reciprocal acceptance is that the data must have a local approval.
  - FAA approval/acceptance for repairs designed in the U.S. system;
  - EASA approval for repairs designed in the EU system

• FAA or EASA must approve/accept the repair design data under its own system before the other bilateral partner can accept it.
REPAIR APPROVAL according to EASA Part 21

EASA repair design data approval is substantiated

→ via an EASA repair design approval letter
  - for Major Repairs
  (also for Minor Repairs if designed by a non approved organisation.)

→ via a repair design approval issued under a EASA Design Organization Approval for Minor Repairs
  (also for Major Repairs if released by the TC/STC holder)

The repair approval is referenced by the Engineering Order.
MTU’s Repair Approval according to EASA Part 21

MTU Aero Engines’ Design Organization Approval (DOA) is granted with EASA Approval No. EASA.21J.248

MTU have the privileges to design and approve Minor Repairs and Minor Changes.

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MTU’s Repair Approval according to EASA Part 21

MTU Maintenance’ Design Organization Approval (DOA) is granted with EASA Approval No. EASA.21J.572

MTU have the privileges to design and approve Minor Repairs and Minor Changes.

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Bilateral Agreement - ARTICLE 2  Purpose and Scope

A. The purpose of the Agreement is to
1. enable the reciprocal acceptance of findings of compliance and approvals,
2. promote a high degree of safety in air transport and
3. ensure the continuation of the high level of regulatory cooperation and harmonization between the United States and the EU in the fields covered in paragraph B.

B. The scope of cooperation under the Agreement is:
1. airworthiness approvals and monitoring of civil aeronautical products;
2. environmental testing and approvals of civil aeronautical products; and
3. approvals and monitoring of maintenance facilities.

....
Bilateral Agreement - Annex 1: Airworthiness and Environmental Certification

3.2. Design Approvals

3.2.3. To benefit from reciprocal acceptance under this Agreement:

(a) EASA shall act as the certificating authority and accept certification applications only from applicants located within the territory of the European Community for the initial approval of their design, design changes and repair data, and

(b) FAA shall act as the certificating authority and accept certification applications only from applicants located within the United States for the initial approval of their designs, design changes and repair data.

Comment:
This paragraph requires EASA to only accept initial applications from within the EC and the FAA to only accept initial approvals from within the US.
Bilateral Agreement - TIP Section III: Post Design Approval Procedures

3.3.2 FAA and EASA Repair Design Data Approval Process.

(a) FAA shall approve design data in support of major repairs in accordance with FAA Order 8110.4 Type Certification, and FAA Order 8110.37, Designated Engineering Representative Guidance Handbook, and FAA Order 8300.10, Airworthiness Inspectors Handbook. Minor repairs are made in accordance with “acceptable” data, in accordance with 14 CFR Part 43.

(b) EASA shall approve design data in support of repairs in accordance with EASA Part 21 Subpart M-Repairs and EASA’s procedure Type Certificate Change and Repair Approval. A design approval shall be issued for all Union repair design data.

comment:
Approval processes for each authority are clearly defined and mandatory.
3.2.7. Because the Parties' regulatory systems for parts, repair design data, and design changes other than those covered by 3.2.4, are considered sufficiently comparable such that a separate approval by the importing Party's Technical Agent or Aviation Authority is not required, the importing Technical Agent shall accept a part, repair design data or design change when it has already been approved or otherwise accepted by the other Party's Technical Agent in carrying out the State of Design functions for the part, repair design data, or design change. The technical implementation procedures shall identify when a separate approval by the importing Technical Agent is necessary.

comment:
This paragraph mandates each authority (EASA and FAA) to accept each other’s approvals without requiring a second approval or validation of the initial approval.
references

FAA Homepage www.faa.gov

Bilateral Agreement
http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/baa_basa_listing/
(path: Aircraft → Aircraft Certification → International → Bilateral Agreement Listing → European Union)
http://www.faa.gov/aircraft/repair/
(path: Aircraft → Repair)

EASA Background
http://www.faa.gov/aircraft/air_cert/international/easa/
- European Aviation Safety Agency Frequently Asked Questions (PDF - dated 07/20/10)

2011 Europe / US International Aviation Safety Conference
http://easa.europa.eu/conf2011/ -> Background Documents