

March 22, 2013

Exemption No. 5318L
Regulatory Docket No. FAA-2

001-9348

Mr. Robert L. Ireland
Director, Technical Operations
Airlines for America
1301 Pennsylvania Avenue, NW., Suite 1100
Washington, DC 20004-1707

Dear Mr. Ireland:

This letter is to inform you that we have granted your petition to extend Exemption No. 5318, as amended. It explains the basis for our decision, describes its effect, and lists the conditions and limitations.

The Basis for Our Decision

By letter dated December 21, 2012, you petitioned the Federal Aviation Administration (FAA) on behalf of Airlines for America (A4A), formerly known as Air Transport Association of America, Inc. (ATA), for an extension of Exemption No. 5318, as amended. That exemption from §§ 47.49 and 91.203 of Title 14, Code of Federal Regulations (14 CFR) allows A4A-member airlines to operate certain U.S.-registered aircraft on a temporary basis following the incidental loss or mutilation of a certificate of airworthiness, aircraft registration certificate, or both.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to A4A.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 5318, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant your petition, subject to the conditions and limitations below.

Conditions and Limitations

1. Each A4A-member airline desiring to utilize this exemption must apply for and receive from the FAA district office responsible for its air carrier certificate an amendment to its operations specifications authorizing it to exercise the privileges of this exemption.
2. Each A4A-member airline utilizing the provisions of this exemption must develop a comprehensive program that:
 - a. Provides for continued operation of its aircraft through use of an appropriate entry in the aircraft logbook when the airworthiness certificate or registration certificate is lost, stolen, or mutilated;
 - b. Ensures that timely application is made to the FAA for a replacement certificate; and
 - c. Provides for the temporary operation of the aircraft during the interim required to receive a replacement certificate from the FAA and install it on the affected aircraft.
3. This program must be FAA-approved, and instructions for its use shall be included in the air carrier's manual as required by 14 CFR § 121.133.
4. The comprehensive program specified in paragraph 2 above must contain:
 - a. A requirement that the following statement be entered into the appropriate section of the aircraft logbook whenever this exemption is to be used:
"This aircraft is being operated without a certificate of registration (or airworthiness, as applicable) under the provisions of Exemption No. _____ for a period of 3 working days,

not including weekends or Federal holidays, following the start of the next business day, beginning: TIME:____ DATE:____ 20__"

The signature, title, and station location of the person(s) authorized by paragraph 4b shall be affixed to this statement;

b. An identification of the designated person(s) within the air carrier's maintenance organization authorized to enter the statement outlined in paragraph 4a and the method or methods wherein the documents required under paragraph 5 below will be transmitted to the affected aircraft;

c. An arrangement whereby those persons within the air carrier's organization responsible for certificates of airworthiness and registration maintain a current record of the data from the certificates of each aircraft within its fleet that may be affected by the exemption.

This data must be made readily available to that element within the air carrier's maintenance organization identified in paragraph 4b and must be kept current at all times;

d. Procedures to ensure that the FAA principal maintenance inspector with responsibility for that air carrier is immediately notified of a missing or mutilated certificate and that timely application is made to the FAA for a replacement certificate (in the case of an airworthiness certificate) or a duplicate certificate (in the case of a registration certificate); and

e. Procedures that would describe specific duties and responsibilities by job title.

5. The privileges of this exemption may only be exercised by an A4A-member airline for temporary replacement of a missing or mutilated certificate that is current and in effect and applies to U.S.-registered aircraft listed in each A4A-member airline's FAA-approved operations specifications.

6. A copy of the grant of exemption and a copy of the operations specifications authorizing its use must be carried on board the aircraft when exercising the privileges of the exemption.

7. The privileges of the exemption may only be exercised when the affected aircraft is operated totally within the contiguous 48 States of the United States and the District of Columbia.

The Effect of Our Decision

Our decision extends the termination date of Exemption No. 5318, as amended, to July 31, 2015, unless sooner superseded or rescinded.

Sincerely,

/s/

John M. Allen
Director, Flight Standards Service

AFS-13-139-E