

§ 121.370a

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may add comments and then send it to the manager of the appropriate office.

[Doc. No. 29104, 65 FR 24125, Apr. 25, 2000; 65 FR 50744, Aug. 21, 2000, as amended by Amdt. 121–282, 66 FR 23130, May 7, 2001; ; Amdt. 121–305, 69 FR 45942, July 30, 2004]

**§ 121.370a Supplemental inspections.**

(a) *Applicability.* Except as specified in paragraph (b) of this section, this section applies to transport category, turbine powered airplanes with a type certificate issued after January 1, 1958, that as a result of original type certification or later increase in capacity have—

(1) A maximum type certificated passenger seating capacity of 30 or more; or

(2) A maximum payload capacity of 7,500 pounds or more.

(b) *Exception.* This section does not apply to an airplane operated by a certificate holder under this part between any point within the State of Alaska and any other point within the State of Alaska.

(c) *General requirements.* After December 20, 2010, a certificate holder may not operate an airplane under this part unless the following requirements have been met:

(1) The maintenance program for the airplane includes FAA-approved damage-tolerance-based inspections and procedures for airplane structure susceptible to fatigue cracking that could contribute to a catastrophic failure. These inspections and procedures must take into account the adverse affects repairs, alterations, and modifications may have on fatigue cracking and the inspection of this airplane structure.

(2) The damage-tolerance-based inspections and procedures identified in this section and any revisions to these inspections and procedures must be approved by the Aircraft Certification Office or office of the Transport Airplane Directorate with oversight responsibility for the relevant type certificate or supplemental type certificate, as determined by the Administrator. The certificate holder must include the damage-tolerance-based inspections and procedures in the certificate hold-

er's FAA-approved maintenance program.

[Doc. No. FAA–1999–5401, 70 FR 5532, Feb. 2, 2005]

**§ 121.371 Required inspection personnel.**

(a) No person may use any person to perform required inspections unless the person performing the inspection is appropriately certificated, properly trained, qualified, and authorized to do so.

(b) No person may allow any person to perform a required inspection unless, at that time, the person performing that inspection is under the supervision and control of an inspection unit.

(c) No person may perform a required inspection if he performed the item of work required to be inspected.

(d) Each certificate holder shall maintain, or shall determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections. The persons must be identified by name, occupational title, and the inspections that they are authorized to perform. The certificate holder (or person with whom it arranges to perform its required inspections) shall give written information to each person so authorized describing the extent of his responsibilities, authorities, and inspectional limitations. The list shall be made available for inspection by the Administrator upon request.

**§ 121.373 Continuing analysis and surveillance.**

(a) Each certificate holder shall establish and maintain a system for the continuing analysis and surveillance of the performance and effectiveness of its inspection program and the program covering other maintenance, preventive maintenance, and alterations and for the correction of any deficiency in those programs, regardless of whether those programs are carried out by the certificate holder or by another person.

(b) Whenever the Administrator finds that either or both of the programs described in paragraph (a) of this section