

applicable to each affected airplane (including those ICA developed for supplemental type certificates installed on each airplane) and that have been approved by the FAA Oversight Office.

(1) For airplanes subject to §26.11 of this chapter, the EWIS ICA must comply with paragraphs H25.5(a)(1) and (b).

(2) For airplanes subject to §25.1729 of this chapter, the EWIS ICA must comply with paragraph H25.4 and all of paragraph H25.5.

(d) After March 10, 2011, before returning a U.S.-registered airplane to service after any alterations for which EWIS ICA are developed, the foreign person or foreign air carrier must include in the maintenance program for that airplane inspections and procedures for EWIS based on those ICA.

(e) The EWIS maintenance program changes identified in paragraphs (c) and (d) of this section and any later EWIS revisions must be submitted to the Principal Inspector or Flight Standards International Field Office responsible for review and approval.

(f) This section does not apply to the following airplane models:

- (1) Lockheed L-188
- (2) Bombardier CL-44
- (3) Mitsubishi YS-11
- (4) British Aerospace BAC 1-11
- (5) Concorde
- (6) deHavilland D.H. 106 Comet 4C
- (7) VFW-Vereinigte Flugtechnische Werk VFW-614
- (8) Ilyushin Aviation IL 96T
- (9) Bristol Aircraft Britannia 305
- (10) Handley Page Herald Type 300
- (11) Avions Marcel Dassault—Breguet Aviation Mercure 100C
- (12) Airbus Caravelle
- (13) Lockheed L-300

[Amdt. 129-43, 72 FR 63413, Nov. 8, 2007]

§ 129.113 Fuel tank system maintenance program.

(a) Except as provided in paragraph (g) 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 capacity of 30 or more, or
- (2) A maximum payload capacity of 7500 pounds or more.

(b) For each U.S.-registered airplane on which an auxiliary fuel tank is installed under a field approval, before June 16, 2008, the foreign person or foreign air carrier operating the airplane must submit to the FAA Oversight Office proposed maintenance instructions for the tank that meet the requirements of Special Federal Aviation Regulation No. 88 (SFAR 88) of this chapter.

(c) After December 16, 2008, no foreign person or foreign air carrier may operate a U.S.-registered airplane identified in paragraph (a) of this section unless the maintenance program for that airplane has been revised to include applicable inspections, procedures, and limitations for fuel tank systems.

(d) The proposed fuel tank system maintenance program revisions must be based on fuel tank system Instructions for Continued Airworthiness (ICA) that have been developed in accordance with the applicable provisions of SFAR 88 of this chapter or §25.1529 and part 25, Appendix H, of this chapter, in effect on June 6, 2001 (including those developed for auxiliary fuel tanks, if any, installed under supplemental type certificates or other design approval) and that have been approved by the FAA Oversight Office.

(e) After December 16, 2008, before returning a U.S.-registered airplane to service after any alteration for which fuel tank ICA are developed under SFAR 88, or under §25.1529 in effect on June 6, 2001, the foreign person or foreign air carrier must include in the maintenance program for the airplane inspections and procedures for the fuel tank system based on those ICA.

(f) The fuel tank system maintenance program changes identified in paragraphs (d) and (e) of this section and any later fuel tank system revisions must be submitted to the Principal Inspector or Flight Standards International Field Office responsible for review and approval.

(g) This section does not apply to the following airplane models:

- (1) Bombardier CL-44
- (2) Concorde
- (3) deHavilland D.H. 106 Comet 4C
- (4) VFW-Vereinigte Flugtechnische Werk VFW-614

- (5) Ilyushin Aviation IL 96T
- (6) Bristol Aircraft Britannia 305
- (7) Handley Page Herald Type 300
- (8) Avions Marcel Dassault—Breguet Aviation Mercure 100C
- (9) Airbus Caravelle
- (10) Lockheed L-300

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§ 129.117 Flammability reduction means.

(a) *Applicability.* Except as provided in paragraph (o) of this section, this section applies to U.S.-registered 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 capacity of 30 or more, or
- (2) A maximum payload capacity of 7,500 pounds or more.

(b) *New Production Airplanes.* Except in accordance with §129.14, no foreign air carrier or foreign person may operate an airplane identified in Table 1 of this section (including all-cargo airplanes) for which application is made for original certificate of airworthiness or export airworthiness approval after December 27, 2010 unless an Ignition Mitigation Means (IMM) or Flammability Reduction Means (FRM) meeting the requirements of §26.33 of this chapter is operational.

TABLE 1

Model—Boeing	Model—Airbus
747 Series 737 Series 777 Series 767 Series	A318, A319, A320, A321 Series A330, A340 Series

(c) *Auxiliary Fuel Tanks.* After the applicable date stated in paragraph (e) of this section, no foreign air carrier or foreign person may operate any airplane subject §26.33 of this chapter that has an Auxiliary Fuel Tank installed pursuant to a field approval, unless the following requirements are met:

- (1) The foreign air carrier or foreign person complies with 14 CFR 26.35 by the applicable date stated in that section.
- (2) The foreign air carrier or foreign person installs Flammability Impact Mitigation Means (FIMM), if applica-

ble, that are approved by the FAA Oversight Office.

(3) Except in accordance with §129.14, the FIMM, if applicable, are operational.

(d) *Retrofit.* After the dates specified in paragraph (e) of this section, no foreign air carrier or foreign person may operate an airplane to which this section applies unless the requirements of paragraphs (d)(1) and (d)(2) of this section are met.

(1) IMM, FRM or FIMM, if required by §§26.33, 26.35, or 26.37 of this chapter, that are approved by the FAA Oversight Office, are installed within the compliance times specified in paragraph (e) of this section.

(2) Except in accordance with §129.14, the IMM, FRM or FIMM, as applicable, are operational.

(e) *Compliance Times.* Except as provided in paragraphs (k) and (l) of this section, the installations required by paragraph (d) of this section must be accomplished no later than the applicable dates specified in paragraph (e)(1) or (e)(2) of this section.

(1) Fifty percent of each foreign air carrier or foreign person's fleet identified in paragraph (d)(1) of this section must be modified no later than December 26, 2014.

(2) One hundred percent of each foreign air carrier or foreign person's fleet of airplanes subject to paragraph (d)(1) or this section must be modified no later than December 26, 2017.

(3) For those foreign air carriers or foreign persons that have only one airplane for a model identified in Table 1, the airplane must be modified no later than December 26, 2017.

(f) *Compliance after Installation.* Except in accordance with §129.14, no person may—

(1) Operate an airplane on which IMM or FRM has been installed before the dates specified in paragraph (e) of this section unless the IMM or FRM is operational.

(2) Deactivate or remove an IMM or FRM once installed unless it is replaced by a means that complies with paragraph (d) of this section.

(g) *Maintenance Program Revisions.* No foreign air carrier or foreign person