

Federal Aviation Administration, DOT

§ 26.5

26.39 Newly produced airplanes: Fuel tank flammability.

Subpart E—Aging Airplane Safety—Damage Tolerance Data for Repairs and Alterations

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AUTHORITY: 49 U.S.C. 106(g), 40113, 44701, 44702 and 44704.

SOURCE: Docket No. FAA-2004-18379, 72 FR 63409, Nov. 8, 2007, unless otherwise noted.

Subpart A—General

§ 26.1 Purpose and scope.

(a) This part establishes requirements for support of the continued airworthiness of and safety improvements for transport category airplanes. These requirements may include performing assessments, developing design changes, developing revisions to Instructions for Continued Airworthiness (ICA), and making necessary documentation available to affected persons. Requirements of this part that establish standards for design changes and revisions to the ICA are considered airworthiness requirements.

(b) Except as provided in paragraph (c) of this section, this part applies to the following persons, as specified in each subpart of this part:

- (1) Holders of type certificates and supplemental type certificates.

(2) Applicants for type certificates and supplemental type certificates and changes to those certificates (including service bulletins describing design changes).

(3) Persons seeking design approval for airplane repairs, alterations, or modifications that may affect airworthiness.

(4) Holders of type certificates and their licensees producing new airplanes.

(c) An applicant for approval of a design change is not required to comply with any applicable airworthiness requirement of this part if the applicant elects or is required to comply with a corresponding amendment to part 25 of this chapter that is adopted concurrently or after that airworthiness requirement.

(d) For the purposes of this part, the word “type certificate” does not include supplemental type certificates.

§ 26.3 Definitions.

For the purposes of this part:

FAA Oversight Office is the aircraft certification office or office of the Transport Airplane Directorate with oversight responsibility for the relevant type certificate, supplemental type certificate, or manufacturer, as determined by the Administrator.

§ 26.5 Applicability table.

Table 1 of this section provides an overview of the applicability of this part. It provides guidance in identifying what sections apply to various types of entities. The specific applicability of each subpart and section is specified in the regulatory text.

TABLE 1—APPLICABILITY OF PART 26 RULES

	Applicable sections			
	Subpart B EAPAS/FTS	Subpart C widespread fatigue damage	Subpart D fuel tank flammability	Subpart E damage tolerance data
Effective date of rule	December 10, 2007	January 14, 2011	December 26, 2008	January 11, 2008
Existing ¹ TC Holders	26.11	26.21	26.33	26.43, 26.45, 26.49
Pending ¹ TC Applicants	26.11	26.21	26.37	26.43, 26.45
Future ² TC applicants	N/A	N/A	N/A	26.43
Existing ¹ STC Holders	N/A	26.21	26.35	26.47, 26.49
Pending ¹ STC/ATC applicants ..	26.11	26.21	26.35	26.45, 26.47, 26.49
Future ² STC/ATC applicants	26.11	26.21	26.35	26.45, 26.47, 26.49

TABLE 1—APPLICABILITY OF PART 26 RULES—Continued

	Applicable sections			
	Subpart B EAPAS/FTS	Subpart C widespread fatigue damage	Subpart D fuel tank flammability	Subpart E damage tolerance data
Manufacturers	N/A	N/A	26.39	N/A

¹ As of the effective date of the identified rule.
² Application made after the effective date of the identified rule.

[Doc. No. FAA–2006–24281, 75 FR 69782, Nov. 15, 2010]

Subpart B—Enhanced Airworthiness Program for Airplane Systems

§ 26.11 Electrical wiring interconnection systems (EWIS) 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 the original 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) Holders of, and applicants for, type certificates, as identified in paragraph (d) of this section must develop Instructions for Continued Airworthiness (ICA) for the representative airplane’s EWIS in accordance with part 25, Appendix H paragraphs H25.5(a)(1) and (b) of this subchapter in effect on December 10, 2007 for each affected type design, and submit those ICA for review and approval by the FAA Oversight Office. For purposes of this section, the “representative airplane” is the configuration of each model series airplane that incorporates all variations of EWIS used in production on that series airplane, and all TC-holder-designed modifications mandated by airworthiness directive as of the effective date of this rule. Each person specified in paragraph (d) of this section must also review any fuel tank system ICA developed by that person to comply with SFAR 88 to ensure compatibility with the EWIS ICA, including minimizing redundant requirements.

(c) Applicants for amendments to type certificates and supplemental

type certificates, as identified in paragraph (d) of this section, must:

(1) Evaluate whether the design change for which approval is sought necessitates a revision to the ICA required by paragraph (b) of this section to comply with the requirements of Appendix H, paragraphs H25.5(a)(1) and (b). If so, the applicant must develop and submit the necessary revisions for review and approval by the FAA Oversight Office.

(2) Ensure that any revised EWIS ICA remain compatible with any fuel tank system ICA previously developed to comply with SFAR 88 and any redundant requirements between them are minimized.

(d) The following persons must comply with the requirements of paragraph (b) or (c) of this section, as applicable, before the dates specified.

(1) Holders of type certificates (TC): December 10, 2009.

(2) Applicants for TCs, and amendments to TCs (including service bulletins describing design changes), if the date of application was before December 10, 2007 and the certificate was issued on or after December 10, 2007: December 10, 2009 or the date the certificate is issued, whichever occurs later.

(3) Unless compliance with § 25.1729 of this subchapter is required or elected, applicants for amendments to TCs, if the application was filed on or after December 10, 2007: December 10, 2009, or the date of approval of the certificate, whichever occurs later.

(4) Applicants for supplemental type certificates (STC), including changes to existing STCs, if the date of application was before December 10, 2007 and the certificate was issued on or after December 10, 2007: June 7, 2010, or the