were granted. At minimum, such information should include:

- (1) The purpose and duration of the aircraft operations for which exemption is sought.
- (2) The estimated initial and recurring costs of bringing the petitioner's aircraft operations into compliance with civil aircraft requirements.
- (3) The estimated costs associated with conducting comparable aircraft operations under the exemption.
- (4) The estimated cost of obtaining the same aircraft operations from a private operator.
- c. "Aviation Safety Program." The Administrator or the Administrator's delegate may not grant an exemption to a unit of government without certifying that the aviation safety program of the unit of government is "effective and appropriate to ensure safe operations of the type of aircraft operated by the unit of government." As a result, in the petition for an exemption, the petitioner must show to the Administrator's satisfaction that the petitioner's aviation safety program is effective and appropriate to ensure safe operations of the type of aircraft operated by the petitioner.
- (1) An aviation safety program submitted for approval must specify how the aircraft will be maintained and operated safely. The program must include:
- (i) procedures covering the maintenance and inspection of the aircraft, including the avionics equipment, emergency equipment, aircraft interior modifications;
- (ii) installation, removal, and inspection instructions for all special equipment on or modifications of specific aircraft;
- (iii) procedures for operating the aircraft, personnel training associated with the aircraft; and
- (iv) any other procedures determined to be necessary for the safe operation of the aircraft.
- (2) Example: A unit of government applies for an exemption on an aircraft whose wings were modified to carry external pods for various surveillance activities. In its proposed aviation safety program, the unit of government would need to identify how the continued airworthiness of the modification will be accomplished. At minimum, the following may be required: a special structural inspection at the wing attach points, additional training for pilots operating the aircraft during pod installations, and flight manual changes to reflect any new operating limitations that may be necessary due to the modifications.

- d. Aircraft Ineligible for Airworthiness Certificates. It will be extremely difficult for units of government to show that aircraft ineligible for airworthiness certificates—e.g., military surplus aircraft—have "an aviation safety program that is effective and appropriate to ensure safe operations of the type of aircraft operated by the unit of government." In order to meet the "aviation safety program" requirement, the public must be assured that the safety of the aircraft in question is at least roughly equivalent to that provided by the FAR. Aircraft that have no history of civil certification often present significant "unknowns" when it comes to such critical safety matters as life-limited parts and aircraft design. Thus, such aircraft do not usually have the needed base on which to build an aviation safety program that is effective and appropriate to ensure safe operations.
- (1) The FAA does not now expect to grant exemptions for aircraft that are ineligible for airworthiness certificates. Units of government may apply for an exemption, but they should be aware of the limited likelihood of obtaining and exemption for such aircraft, particularly when deciding whether to expend their resources in seeking an exemption. While the FAA will not rule out completely the possibility of granting exemptions for such aircraft, the burden on the petitioner of showing that safety will not be jeopardized will be very heavy indeed.
- (2) A successful petitioner for an exemption would need to show that its aviation safety program is at least roughly equivalent in terms of level of safety what is required by the operations, maintenance, and inspection requirements of the FAR.

(3)A unit of government developing a proposal for an aviation safety program may find the information below helpful:

- (i) Generally. Subpart E of FAR Part 91 prescribes the rules governing the maintenance, preventative maintenance, and alterations of U.S.-registered aircraft civil aircraft operating within and outside the United States. FAR Section 91.403 states that the owner or operator of an aircraft is primarily responsible for maintaining that aircraft in an airworthy condition, including compliance with FAR Part 39. FAR Part 39 describes the requirements for compliance to AD's issued by the FAA.
- (ii) *Inspection Programs*. Operators of large aircraft, turbojet multiengine airplanes, or turbopropeller powered multiengine airplanes, should select and use one of the four inspection program options outlined in FAR Sections 91.409(e) and (f).

- (A) For one of the four inspection program options, that identified in FAR Section 91.409(f)(4), the inspection program submitted should be compared with the manufacturer's recommended program. Where there is no manufacturer's program, a time-tested program should be utilized. The program developed must provide a level of safety equivalent to or greater than that provided by the other inspection options identified in FAR Section 91.409(f).
- (B) For the other three inspection options outlined in FAR Sections 91.409(e) and (f), the basis for the development of the inspection program or the instructions for continued airworthiness, including the detail of the parts and areas of the airplane to be inspected, is the manufacturer's recommendations. In the case of surplus military aircraft, the manufacturers provide this basic information to the specific military service that has contracted for the airplane. The military service then develops a reliabilitycentered maintenance program to meet its needs and environment which are often comparable to the continuous airworthiness maintenance programs developed by air carriers.
- (C) In many cases, manufacturers may be unwilling or unable to provide instructions for continued airworthiness for operation of the airplane in other than a military environment. Therefore, in keeping with existing policy as provided by the FAA, the only reasonable basis that for detailing the inspection criteria for the aircraft to be inspected, as required by FAR Section 91.409(g)(1), is the scope and detail developed by the applicable military service
- (D) In addition to the "field" level inspection requirements set forth in the military maintenance program, the "depot" level inspection requirements should also be included in any inspection program approved under FAR Section 91.409(f)(4). The military "field" level maintenance is roughly equivalent to the civil terminology that air carriers use to describe "A, B or C" checks. The military "depot" level maintenance is comparable to the "heavy C or D" checks used by air carriers. Some air carriers may use a numerical description verses the alphabetical identifier for inspection checks.
- (E) The inspection frequency and program structure established by the military may not be appropriate for use in a civilian environment. Therefore, inspection frequency and program structure may require adjustment to meet the government operator's