



Federal Aviation Administration

Memorandum

Date: JUL 23 2008

To: All Manufacturing Inspection District /Satellite Offices
All Manufacturing Inspection Offices
All AIR Directorate Offices
All AIR Certificate Management Offices/Units
International Policy Office, AIR-40

Prepared by: AIR-220, J. Linsenmeyer

From: Manager, Production and Airworthiness Division, AIR-200

Subject: **INFORMATION:** Undue Burden Decision Papers for Issuance of FAA Form 8130-3, Authorized Release Certificate (ARC) at Non-US facilities by Production Approval Holders (PAHs) holding exemptions to 21.325(b)(3)

This memorandum is intended to clarify our existing policy for processing undue burden decision papers for PAHs holding exemptions to 21.325(b)(3).

We recently amended 14 CFR 21.325(b) to allow issuance of ARCs from non-U.S. facilities, as long as there is a determination of no undue burden for that program. Prior to this rulemaking, we had granted exemptions to many PAHs that wanted to issue ARCs from non-U.S. locations.

Some of those exemptions are still active. Accordingly, PAHs holding unexpired exemptions to 21.325(b)(3) do not require an undue burden decision paper for the duration of the exemption. If the PAH seeks to continue issuing ARCs after its exemption expires, the Manufacturing Inspection Office (MIO) will need to complete an undue burden decision paper, as required by 21.325(b)(4), using guidance from FAA Order 8100.11A, *Decision Paper Criteria for Undue Burden and No Undue Burden Determinations Under 14 CFR Part 21*.

This memo expires on December 31, 2010. You may contact John Linsenmeyer (AIR-220) at (202) 267-8361, if you have any questions about our regulations and guidance for this issue.