

MANAGEMENT PLAN

Production Surveillance of EMBRAER S.A. facility MLB
Embraer Executive Aircraft, Inc. located in Melbourne Florida, USA

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1. INTRODUCTION

1.1 AUTHORIZATION

This Management Plan (MP) is developed in accordance with Section IV, “*Technical Assistance Between Authorities*,” of the Implementation Procedures for Airworthiness (IPA) Revision 1 signed September 8, 2006 between the Government of the United States of America and the Government of Brazil.

The Federal Aviation Administration (FAA) and The National Civil Aviation Agency – Brazil, Airworthiness Superintendent (ANAC/SAR), hereinafter are referred to as “the Authorities”.

Upon mutual consent, the Authorities, as described in Section 5, may amend the MP or the respective Addenda to the MP in writing. Each Authority understands that Amendments are effective by signature of their duly authorized representatives.

1.2 PURPOSE

This MP defines the process by which the FAA may provide technical assistance to ANAC for production surveillance at the EMBRAER S.A. facility MLB located at 1205 General Aviation Drive, Melbourne, Florida, USA, in order to determine if all regulatory requirements are met. ANAC has agreed to permit EMBRAER S.A. to produce aircraft in the United States through the extension of the Production Certificate (PC) COP n° E-7203-0 to include additional aircraft at Embraer Executive Aircraft facility located in Melbourne, Florida (MLB facility). The PC extension will be executed once it has been determined by ANAC that the facility is in compliance with EMBRAER S.A. quality and engineering requirements and the applicable Federal Regulations of Brazil.

The EMBRAER S.A. has applied to ANAC to amend their Production Certificate COP n° E-7203-0 in order to manufacture additional products at the MLB facility. The facility intends to produce EMB-550 and EMB-545 (both TC n° 2014T04 and for FAA, TC000621B). All products, parts, and articles will be shipped from EMBRAER S.A. approved facilities under COP n° E-7203-01 or approved suppliers to the EMBRAER S.A. MLB facility where aircraft will be completed, tested, and shipped under the COP n° E-7203-01 Production Certificate. Each part and appliance related to the EMB-545 and EMB-550 produced at MLB should have an ANAC authorized release certificate stating that a product, a part, or a component was manufactured in accordance with approved (or not approved) design data. EMBRAER S.A. may apply for ANAC designees to be located at the MLB facility to export EMB-550 and EMB-545 under the oversight of ANAC.

2. GENERAL ROLES

2.1 ANAC RESPONSIBILITIES

EMBRAER S.A. remains fully responsible for the EMBRAER S.A. MLB facility. This responsibility includes the accountability for part design, manufacture, test, suppliers and continuing airworthiness of their products.

- 2.1.1 ANAC will perform the certification audit (initial audit) of the MLB facility to determine if the facility is in compliance with EMBRAER S.A. quality and engineering requirements and the Federal Regulations of Brazil. ANAC will provide the FAA with advance notice to ensure the FAA can also support this activity.
- 2.1.2 ANAC is responsible for any surveillance necessary, including all certificate management activities, any compliance and enforcement investigations and any suspected unapproved parts investigations at the EMBRAER S.A. MLB facility. ANAC/SAR is responsible for any surveillance necessary to ensure that EMBRAER S.A. is in compliance with RBAC 21 §21.146. ANAC reserves the right to conduct designee management, service difficulty investigation, and any other activities necessary in order to fulfill its statutory responsibilities.
- 2.1.3 Each ANAC request to the FAA for technical assistance will be in writing to the FAA point of contact listed in Appendix 1 at least thirty (30) working days in advance of the date of requested assistance. The request will include sufficient details regarding the support needed, the process to be used, the specific data to be gathered for input into ANAC's certificate management system, and the timeframe for the activity so that the FAA is able to successfully carry out the request on ANAC's behalf. These requests may be communicated electronically.
- 2.1.4 ANAC will determine the need for routine audits, product audits, designee management, unscheduled quality control system evaluations, and any investigation activity necessary to ensure continued compliance with all applicable regulatory requirements, and may request that FAA assist with conducting these activities with advance notice as indicated in 2.1.3.
- 2.1.5 In a request for technical assistance, ANAC will notify the FAA of any required procedures and documentation associated with a specific task at least twenty (20) working days prior to the date of requested assistance. The ANAC will perform certificate management with assistance from the FAA in accordance with the latest issuance of ANAC procedure MPR/SAR-221.
- 2.1.6 ANAC will inform the FAA of any changes to EMBRAER S.A.'s COP (production certificate), or production activities at the MLB facility that

may affect any technical assistance activities being conducted by the FAA on behalf of ANAC on an annual basis.

- 2.1.7 ANAC will provide information to the FAA on any significant EMBRAER S.A. MLB organizational changes, failures, or malfunctions that may affect any technical assistance activities being conducted by the FAA on behalf of ANAC on a quarterly basis or included in the request for technical assistance.
- 2.1.8 ANAC will inform the FAA of any changes in ANAC regulations, policy or guidance that may affect the continued surveillance activities at MLB facility on a quarterly basis or included in the request for technical assistance.
- 2.1.9 ANAC will investigate regulatory violations and implement compliance and enforcement action as necessary. ANAC will take appropriate compliance and enforcement action against EMBRAER S.A for any noncompliance detected at MLB facility, as necessary.
- 2.1.10 ANAC will schedule the initial certification audit and provide the FAA with advance notice to ensure the FAA can support these activities.
- 2.1.11 ANAC will provide practical training/familiarization to the FAA during the certification audit or at any other time deemed necessary by ANAC and the FAA.
- 2.1.12 ANAC will notify the FAA of all visits by ANAC personnel associated with this project.
- 2.1.13 ANAC will provide information to the FAA as necessary regarding the quality system processes at EMBRAER S.A. related to conducting audits or inspections at the MLB facility.
- 2.1.14 After approval of the MLB facility, ANAC will perform certificate management with requested assistance from the FAA in accordance with the most current release of ANAC/SAR procedures (MPR/SAR-221 Surveillance of Production Organizations).
- 2.1.15 All requests and/or correspondence may be made in writing or electronically via the Authorities' official email. All correspondence received by either Authority is expected to be acknowledged.
- 2.1.16 All documentation provided by ANAC to the FAA will be in the English language.

2.2 FAA RESPONSIBILITIES

- 2.2.1 The FAA will acknowledge each ANAC request, in writing, to ANAC point of contact listed in Appendix 1, confirming that the FAA can undertake the specific request on ANAC's behalf within ten (10) days working of receipt. The FAA will also acknowledge the receipt, in writing, of any other information sent by ANAC regarding the MLB facility. These acknowledgements may be made electronically.
- 2.2.2 The FAA will conduct at least one annual oversight audit to include a quality system audit, product audits, and inspections of the manufacturing activity at MLB facility on behalf of ANAC in accordance with FAA procedures as documented in FAA Order 8110.23 "*Certificate Management of Production Approval Holders*" or ANAC procedure MPR/SAR-221, when requested.
- 2.2.3 The FAA may use its own procedures for oversight assistance. The FAA will only use ANAC procedures for certificate management activities when requested.
- 2.2.4 As requested, the FAA will provide assistance with conducting investigations of service difficulties at the MLB facility, will verify the implementation of ANAC approved actions, and will verify the implementation of changes, as notified, to the ANAC-accepted quality control system.
- 2.2.5 The FAA will provide reports to the ANAC point of contact identified in Appendix 1 of this document within twenty (20) working days of completion of each requested task. The FAA will provide reports using FAA forms. The FAA will use ANAC forms specified in Appendix 3 only when requested.
- 2.2.6 For each request from ANAC, the FAA will place special emphasis during oversight on:
 - 2.2.6.1 EMBRAER S.A. MLB controls on design/configuration changes;
 - 2.2.6.2 EMBRAER S.A. MLB use of approved suppliers at the facility;
 - 2.2.6.3 Monitoring controls on special manufacturing processes.
 - 2.2.6.4 Conducting routine audits, product audits, and inspections of completed or in-process parts and assemblies, to include special process audits and witnessing re-inspections conducted by EMBRAER S.A. MLB personnel of completed assemblies;
 - 2.2.6.5 Performing a follow-up review of corrective actions to ensure that they have been completed;

- 2.2.6.6 Evaluating the implementation of ANAC approved quality system changes;
- 2.2.6.7 Supporting investigations of service difficulties, as requested;
- 2.2.6.8 Monitoring technical data control to ensure that only the required revision level of ANAC approved design data is available to production inspection personnel.
- 2.2.6.9 Conducting investigations of service difficulties, as requested.
- 2.2.7 The FAA will notify ANAC of any nonconforming parts that have left the quality system produced at EMBRAER S.S. MLB using the most expeditious means of communication (e.g., electronic email, facsimile, telephone, etc.).
- 2.2.8 The FAA will, on an annual basis, provide ANAC with a summary report, in English, of all oversight activities conducted on behalf of ANAC. This report should include, at the minimum, the following information:
 - 2.2.6.5 The number of visits made to MLB facility by the FAA;
 - 2.2.6.6 The number of audits and inspections conducted, to include part numbers and serial numbers of items, as appropriate;
 - 2.2.6.7 All detected non-compliances to approved data (drawings, specifications, procedures, or certification-related items;
 - 2.2.6.8 Any supporting documentation or noted non-compliance with the approved data (Drawings, Specifications, Processes, Procedures, Standards, etc.) or certification related items; and
 - 2.2.6.9 Special Manufacturing processes reviewed, and the results of those reviews.
- 2.2.9 The FAA will notify the ANAC immediately if its oversight is ceased for any reason.
- 2.2.10 All documentation provided by the FAA to ANAC will be in the English language.

Note: FAA actions for U.S. State of Design and State of Manufacture aspects are out of the scope of this Management Plan.

3. CHANGES

3.1 CHANGES

- 3.1.1 The Authorities understand that this MP relies on the receiving Authority's surveillance activity to fulfill requesting Authority duties regarding surveillance.
- 3.1.2 This MP is intended to be flexible and to be revised as necessary when mutually decided upon by the Authorities.

Note: Changes to reference or appendices do not need signature for approval.

3.2 PROGRAM REVIEWS

The Authorities are expected to review the contents of the MP at a mutually decided upon annual FAA/ANAC meeting to determine program effectiveness.

4. REFERENCES

- (1) Revision 2 of the Implementation Procedures for Airworthiness (IPA), Under the Agreement between the Government of the United States of America and the Government of Brazil for Promotion of Aviation Safety dated September 18, 2018.
- (2) Title 14, Code of Federal Regulations, part 21, Certification Procedures for Products and Articles.
- (3) FAA Order 8120.22A, Production Approval Procedures
- (4) FAA Order 8120.23, Certificate Management of Production Approval Holders.
- (5) The EMBRAER S.A. corporate quality procedures including any revisions or changes made.
- (6) The EMBRAER S.A. quality procedures applied specific to MLB facility.
- (7) A list of pertinent assemblies, and drawings required to assemble and test the EMB-550 and EMB-545 aircraft.
- (8) ANAC production certification procedures:
 - a) MPR/SAR-121 Production Certification
 - b) MPR/SAR-221 Surveillance of Production Organizations

APPENDIX A. POINTS OF CONTACT

ANAC

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APPENDIX B. FORMS

B.1 ANAC forms are expected to be provided to the FAA by ANAC as necessary, and may be generated electronically and submitted by email.

B1.1. ANAC form F-300-32, Audit Plan

B1.2. ANAC form F-300-34, Opening and Closing Meeting Attendees

B1.3 ANAC form F-300-37, Contact List

B1.4 ANAC form F-300-38, Audit Report

B.2 FAA forms are expected to be provided to ANAC by the FAA as necessary, and may be generated electronically and submitted by email.

B2.1 FAA Form 8100-1, Conformity Inspection Record.

B2.2 FAA Form 8100-6, Noncompliance Record, including objective evidence.

Management Plan

The Federal Aviation Administration (FAA) and National Civil Aviation Agency – Brazil, Airworthiness Superintendent (ANAC/SAR), herein after referred to as “the Authorities”, have jointly decided upon a process for technical assistance for the production surveillance of EMBRAER S.A. facility MLB (Embraer Executive Aircraft, Inc.) located at 1205 General Aviation Drive, Melbourne, Florida, USA. The FAA will assist the ANAC/SAR in the production surveillance at the EMBRAER S.A. (MLB) production certificate extension.

Attached is the Management Plan detailing this technical assistance.

Any further clarifications or revisions to this document are expected to be made only after consultation and consent from both Authorities.

By



Earl Lawrence

Title

Executive Director,
Aircraft Certification Service

Date

September 9, 2019

By



Roberto Honorato

Title

Airworthiness Superintendent

Date

September 9, 2019