



**DECISION BY THE CAA
FOLLOWING A REGULATORY REVIEW**

No: 33

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**DECISION OF THE CIVIL AVIATION AUTHORITY FOLLOWING A HEARING HELD
UNDER REGULATION 6 OF THE CIVIL AVIATION AUTHORITY REGULATIONS 1991
ON 3 MARCH 2009 AT CAA HOUSE, LONDON.**

Respondent: The Safety Regulation Group (SRG) of the Civil Aviation Authority

CAA Board members: Dr Catherine Bell (Chair)
Captain Roger Whitefield

Issue

- 1) The Regulation 6 appeal concerns a request by A, a Licensed Engineer, for a review of a proposal by the CAA's SRG to revoke both his UK issued BCAR Section L and Part 66 Licence on the grounds of lack of fitness and competence. This proposal followed the overhaul in around July 2008 of a Lycoming O-290-D engine by A under the privileges of his BCAR Section AMEL 242041D. The overhauled engine belonged to a Piper PA-L21B aircraft

Facts

- 1) This is a decision by Dr Catherine Bell and Mr Roger Whitfield, Non-Executive Board Members of the Civil Aviation Authority, sitting together as a Review Panel of the CAA under Regulation 6(4) of the Civil Aviation Authority Regulations 1991. It follows a hearing on 3 March 2009 at CAA House, London.
- 2) A's BCAR Section L Licence includes a D rating for the overhaul of piston engines not exceeding 500kw.
- 3) A carried out a complete overhaul of the Lycoming engine and issued a log book entry stating that the engine was overhauled in accordance with the Lycoming Overhaul Manual and would require an Engine Acceptance Test following installation of the aircraft. This test was carried out by another organisation, X, and the overhauled engine was found to be in an un-airworthy condition. This finding was reported to the CAA via the Mandatory Occurrence Reporting System and was subsequently investigated by the CAA.
- 4) SRG's assessment of A's work and documentation in relation to the overhauled engine is set out fully in SRG's Brief. SRG has also provided the notes of an interview of A by SRG in November 2008 which A has not challenged.

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- 5) SRG relied on the matters raised in its Brief but highlighted some key areas at the hearing as referred to below.
- 6) A admitted that he did not comply with the Lycoming service information and installed incompatible piston rings and cylinders.
- 7) The modified breather elbow which A installed in the engine did not have modification approval and A admitted he had not checked whether or not it was approved. He also admitted that he had signed a Certificate of Release to Service ("CRS") stating that a different breather elbow had been installed when in fact it had not.
- 8) SRG submitted that A failed to take proper responsibility for work undertaken by B, whom A sent to X on 3 September 2008 to undertake work on the engine on his own. B was not licensed to carry out that work. It was the SRG's case that A was responsible as Licensed Engineer to directly supervise the work being carried out by B, which meant in practice being present. In addition A signed a CRS for the work carried out by B even though the work was incomplete. A argued that B had the necessary expertise to carry out the work on his own but A admitted that he should not have issued the CRS.
- 9) SRG maintained that A failed in his responsibility as a Licensed Engineer to supervise the conduct of the engine test and results. SRG explained that the Licensed Engineer must be present to check that the parameters of the test are correct when carried out. A denied that it was necessary for him to be present at the test in order for him to sign off on the results.
- 10) A contended that X removed the oil filter in the overhauled engine which negated the conditions for the engine test. However, in SRG's view no oil filter would have prevented the metallic contamination that occurred.
- 11) SRG submitted that the full flow oil adaptor which A fitted to the engine did not have approval. A stated that his was untrue and the oil adaptor had been approved by the FAA. A offered to obtain evidence of the FAA approval but said he could only do so at a later date.
- 12) A maintained that his licences should not be revoked because his failings simply related to "paperwork" and had no impact on airworthiness.

Findings

- 1) The panel has reflected on A's claim that he could provide evidence that the oil adaptor which he fitted in the engine did have FAA approval, if he were to be given further time. However, in light of the seriousness of A's other failings, the Panel decided that establishing whether or not the oil adaptor has FAA approval would not impact on the Panel's decision in this appeal...

Decision

1. The decision of the Panel is to uphold SRG's decision to proceed with revocation of A's UK Issued BCAR Section L and Part 66 Licence for the following reasons:
 - a. The Panel agrees with SRG that the CRS is a vital part of determining that an aircraft can fly safely. The CRS is a safeguard for both the aircraft owner and engineer to ensure that the work has been performed to the required standard.

**Documents**

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