

certification required in § 101-37.605(c) is included in the transfer document.

(b) The GSA approving official must also ensure the following statement is included on the SF123, Transfer Order Surplus Personal Property:

“Due to the critical nature of aircraft parts failure and the resulting potential safety threat, recipients of aircraft parts must ensure that any parts installed on a civil aircraft meet applicable Federal Aviation Administration Regulations, and that required certifications are obtained. The General Services Administration makes no representation as to a part’s conformance with FAA requirements.”

§ 101-37.607 What are the State Agency’s responsibilities in the donation of surplus Government aircraft parts?

(a) The State Agency must review donation transfer documents for completeness and accuracy, and ensure that the certification provisions set forth in § 101-37.605(c) is included in the transfer documents.

(b) The State Agency must ensure that when a donated part is no longer needed, and the part is determined to be unsalvageable, the donee mutilates the part in accordance with § 101-37.609.

§ 101-37.608 What are the responsibilities of the Federal agency conducting the sale of Government aircraft parts?

(a) The Federal agency must sell Government aircraft parts in accordance with the provisions set forth in Part 101-45, Sale, Abandonment, or Destruction of Personal Property of this chapter.

(b) The Federal agency must ensure that the documentation required pursuant to § 101-37.603(a) accompanies the parts at the time of sale, and that sales offerings on aircraft parts contain the following statement:

“Purchasers are warned that the parts purchased herewith may not be in compliance with applicable Federal Aviation Administration requirements. Purchasers are not exempted from and must comply with applicable Federal Aviation Administration requirements. Purchasers are solely responsible for all FAA inspections and/or modifications necessary to bring the purchased items into compliance with 14 CFR (Code of Federal Regulations).”

(c) The Federal agency must ensure that the following certification is executed by the purchaser and received by the Government prior to releasing such parts to the purchaser:

“The purchaser agrees that the Government shall not be liable for personal injuries to, disabilities of, or death of the purchaser, the purchaser’s employees, or to any other persons arising from or incident to the purchase of this item, its use, or disposition. The purchaser shall hold the Government harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to purchase or resale of this item.”

§ 101-37.609 What are the procedures for mutilating unsalvageable aircraft parts?

(a) Identify unsalvageable aircraft parts which require mutilation.

(b) Mutilate unsalvageable aircraft parts so they can no longer be utilized for aviation purposes. Mutilation includes destruction of the data plate, removing the serial/lot/part number, and cutting, crushing, grinding, melting, burning, or other means which will prevent the parts from being misidentified or used as serviceable aircraft parts. Obtain additional guidance on the mutilation of unsalvageable aircraft parts in FAA AC No. 21-38, Disposition of Unsalvageable Aircraft Parts and Materials.

(c) Ensure an authorized agency official witnesses and documents the mutilation, retain a signed certification and statement of mutilation.

(d) If unable to perform the mutilation, turn in the parts to a Federal or Federally-approved facility for mutilation and proper disposition. Ensure that contractor performance is in accordance with the provisions of this part.

(e) Ensure that mutilated aircraft parts are sold only as scrap.

§ 101-37.610 Are there special procedures for the exchange/sale of Government aircraft parts?

Yes. Executive agencies may exchange or sell aircraft parts as part of a transaction to acquire similar replacement parts in accordance with FPMR part 101-46. In addition to the requirements of this subpart, agencies must ensure that the exchange/sale

transaction is accomplished in accordance with the methods and procedures contained in part 101-46 of this chapter, and comply with the restrictions and limitations under §101-46.202 of this chapter.

(a) Prior to the proposed exchange/sale, agencies should determine whether the parts identified for disposition are airworthy parts. For additional guidance refer to the applicable FAA Advisory Circular(s), or contact the local FAA FSDO.

(b) At the time of exchange or sale, agencies must ensure that applicable labels and tags, historical data and modification records accompany the aircraft parts prior to release. The records must contain the information and content as required by current DOD and FAA requirements for maintenance and inspections.

(c) Life limited parts that have reached or exceeded their life limits, or which have missing or incomplete documentation, must either be returned to the FAA production approval holder as part of an exchange transaction, or mutilated in accordance with §101-37.609.

(d) Unsalvageable aircraft parts, other than parts in paragraph (c) of this section, must not be used for exchange/sale purposes; they must be mutilated in accordance with §101-37.609.

**Subparts 101-37.7—101-37.10
[Reserved]**

Subpart 101-37.11—Aircraft Accident and Incident Reporting and Investigation

SOURCE: 63 FR 43638, Aug. 14, 1998, unless otherwise noted.

§101-37.1100 What are my general responsibilities for aircraft accident and incident reporting and investigation?

You must:

(a) Develop a Federal agency specific aircraft accident and incident response plan for your agency;

(b) Be prepared to participate in National Transportation Safety Board (NTSB) investigations of Federal agency aircraft accident or incidents involving your agency;

(c) Conduct a parallel investigation of an aviation accident/incident involving your agency aircraft as appropriate;

(d) Report any condition, act, maintenance problem, or circumstance which has potential to cause an aviation related mishap;

(e) Provide training to your agency personnel who may be asked to participate in an NTSB investigation;

(f) Assure that your reporting requirements are in compliance with the NTSB definitions contained in 49 CFR 830.2; and

(g) Refer to 49 CFR part 830 for further details when required to report an aircraft accident, incident, or overdue aircraft to the NTSB.

§101-37.1101 What aircraft accident and incident response planning must I do?

You must develop an agency specific aircraft accident and incident response plan which include the following:

(a) Reporting aircraft accidents, incidents, and overdue or missing aircraft,

(b) Wreckage site safety,

(c) Wreckage security,

(d) Evidence preservation, and

(e) A point of contact list with current telephone numbers for fire, crash rescue, medical, and law enforcement support personnel and trained agency accident investigators.

§101-37.1102 When must I give initial notification of an aircraft accident, incident, or overdue aircraft?

You must assure that the operator of any aircraft that is owned, leased, or under your exclusive use and operational control for more than 180 days immediately notifies the nearest NTSB field office when an accident or incident occurs.

§101-37.1103 What information must I give in an initial notification of an aircraft accident, incident, or overdue aircraft?

You must assure that the notification contains the following information, if available:

(a) Type and registration of the aircraft;

(b) Name of the owning agency;

(c) Name of the pilot-in-command;

(d) Date and time of the accident;