



U.S. Department
of Transportation

**Federal Aviation
Administration**

Aviation Safety

800 Independence Ave
Washington, DC 20591

August 2, 2022

Exemption No. 18619A
Regulatory Docket No. FAA-2020-0131

Mr. David Loffing
777X Chief Program Engineer
The Boeing Company
P.O Box 3707, MC 0E-301
Seattle, WA 98127-2207

Dear Mr. Loffing:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your petition to amend and extend Exemption No. 18619. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date the exemption ends.

The Basis for the FAA's Decision

By letter dated June 14, 2022, you petitioned the FAA on behalf of The Boeing Company (Boeing) for an amendment and extension of Exemption No. 18619. That exemption from § 91.527(a) of Title 14, Code of Federal Regulations (14 CFR) allows Boeing to take off an aircraft when frost, ice, or snow is adhering to the wing (folding wing tip is considered a part of the wing). The amendment request removes the B777-8 due to program cancellation.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA's Decision

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register*. The FAA has determined that good cause exists because the requested extension of the exemption would not set a precedent and any delay in acting on this petition would be detrimental to Boeing.

The FAA has determined that the justification for the issuance of Exemption No. 18619 remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. §§ 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I hereby grant The Boeing Company an exemption from 14 CFR § 91.527(a) to the extent necessary to allow Boeing to take off an aircraft when frost, ice, or snow is adhering to the wing

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(folding wing tip is considered a part of the wing), subject to the following conditions and limitations.

Conditions and Limitations

1. This exemption applies only to operations conducted by Boeing using B777-9 “777X” series airplanes.
2. Boeing must ensure all crewmembers follow the revised Boeing Airplane Flying Manual (AFM), Aircraft Maintenance Manual, and Flight Crew Operations Manual Supplementary Procedures Manual and checklist limitations for all operations concerning folding wingtip (FWT) deicing or anti-icing procedures prior to operations.
3. Boeing must ensure crewmembers follow procedures developed for operations requiring the use of deicing or anti-icing fluids dictating that fluids are to be applied to the FWT simultaneously with the wing surfaces.
4. The appropriate Boeing operations manual (AFM or Quick Reference Handbook) must contain the FAA approved guidelines for the application of deicing or anti-icing fluids.
5. Boeing must provide Boeing ground and operational training to all crewmembers (pilots and ground personnel) prior to operating the 777X series aircraft to ensure crewmembers fully understand the applicability of the FWT exemption requirements.
6. Prior to conducting any operation under this exemption, each pilot serving in an operation covered by this exemption must have satisfactorily completed Boeing’s operations training specific to FWT deicing or anti-icing, as described by Boeing in the documents Boeing submitted to the FAA. Boeing must record all training in each pilot’s training record and make it available to the FAA upon request.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

The Effect of the FAA's Decision

The FAA's decision amends Exemption No. 18619 to 18619A and extends the termination date to October 31, 2024, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2020-0131 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,

/s/

Caitlin E. Locke
Acting Deputy Executive Director, Flight Standards Service