

## CHAPTER 154. WITHDRAWAL, SUSPENSION, REVOCATION, DENIAL, OR AMENDMENT OF TRAINING CENTER CERTIFICATE AND TRAINING SPECIFICATIONS

### SECTION 1. BACKGROUND

**1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.** 1375, 1385, 1390, and 1397.

**2. OBJECTIVE.** The objective of this task is to determine if a training center should have their Training Center Certificate or training specifications denied, suspended, revoked, or amended, and if so, take actions to suspend, revoke, or amend them to properly reflect the authorized activities. Successful outcome of this task will result in the suspension, revocation, or amendment, as applicable of a training center's certificate and all or part of their training specifications.

### **3. GENERAL.**

*A. Amendment to a Training Center's Training Specifications.*

(1) *Certificate-Holding District Office (CHDO) Authority.* The CHDO may amend the training center certificate or training specifications at any time under the provisions of the U.S. Transportation Laws, Title 49 of the United States Code (49 USC.) section 44709(A). (PTRS codes: 1375, 1385, 1390, 1396, and 1397.)

(2) *Request by Certificate Holder.* The certificate holder may request an amendment by submitting a written request at least 60 calendar days before the proposed effective amendment date unless a different filing period is approved by the CHDO.

*B. Surrender of Certificate.* A certificate holder must surrender the training center certificate and training specifications to the CHDO under the following circumstances:

(1) Upon termination of operations under Title 14 of the Code of Federal Regulations (14 CFR) part 142.

(2) Upon suspension, revocation, or termination of the certificate by the Administrator.

*C. Denial, Suspension, or Revocation.*

(1) The Administrator may deny, suspend, revoke, or terminate a certificate or training specifications issued under 14 CFR part 142 if it is found that the following circumstances exist.

(a) An applicant for, or holder of, a training center certificate has had any certificate (issued by the Administrator) revoked, suspended, or terminated within the previous 5 years.

(b) An applicant for, or holder of, a training center certificate employs or proposes to employ a person who:

i. Was previously employed in a management or supervisory position or exercised control over any certificate holder whose certificate has been revoked, suspended, or terminated within the last 5 years.

ii. Contributed materially to the revocation, suspension, or termination of that certificate and be employed in a management or supervisory position, be in control of, or have a substantial ownership interest in the training center.

(c) The information provided by an applicant for, or holder of, a part 142 training center certificate is incomplete, inaccurate, fraudulent, or false.

(d) The annual re-certification process for a training center outside the U.S., including inspection results from the previous year, does not show compliance with original certification requirements.

(e) The issuance or continuance of such a certificate would not foster aviation safety.

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## SECTION 2. PROCEDURES

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. These tasks will require a general knowledge of the 5 phase certification process, 14 CFR part 142, and Federal Aviation Administration (FAA) Order 2150.3, Compliance and Enforcement Program.

B. These tasks may require coordination with regional or headquarters Office of General Counsel, AGC-1 and AFS-800.

### 2. REFERENCES, FORMS, AND JOB AIDS.

#### A. References.

- FAA Order 2150.3, Compliance and Enforcement Program (current edition)
- FAA Order 8400.10, Air Transportation Operations Inspector's Handbook
- FAA Order 1380.51, Program Tracking and Reporting Subsystem
- OPSS User's Manual and OPSS Web Site (www.opspecs.com)

#### B. Forms.

- FAA Form 2150-5, Enforcement Investigative Report
- FAA Form 8000-36, Program Tracking and Reporting Subsystem Data Sheet

#### C. Job Aids.

- Specific job aids may be issued in the future. At this time the automated OPSS establishes forms and formats to address this potential need.

### 3. PROCEDURES.

A. *Program Tracking and Reporting Subsystem (PTRS).* Open a PTRS record.

B. *Amendment to a Training Center Training Specifications.*

(1) *CHDO Authority.* Amend the training specifications at any time circumstances warrant such action under the provisions of U.S. Transportation Laws, 49 U.S.C. section 44709(A). (PTRS codes: 1396, and 1397.)

(2) Amend a certificate or training specifications upon request by the certificate holder.

(3) Events requiring amendment to training specifications.

(a) Addition or deletion of a curriculum.

(b) Addition or deletion of a satellite training center or remote site.

(c) Addition or deletion of flight training equipment.

(d) Addition or deletion of a visual scene required for a particular level of flight simulator qualification.

(e) Change in the qualification level of a flight simulator or flight training device (FTD).

(f) Addition or deletion of a visual scene approved for training or testing a circling approach.

(g) Change in training center, satellite training center, remote site address, or phone number.

(h) Change in management personnel or agent for service.

(i) Addition or deletion of training agreements.

(4) See chapter 149, Figure 149-5 for an overview of the training specifications preparation process.

(5) Inform training center certificate holders and training center applicants that they may review and propose from possible training specifications paragraphs located on the web site listed under paragraph 2A, References.

C. *Surrender of Certificate.* Request surrender of a training center certificate and training specifications to the CHDO under the following circumstances:

(1) Upon termination of operations under part 142.

(2) Upon suspension, revocation, or termination of the certificate by the Administrator.

D. *Denial of Additional and Withdrawal of Existing Training Specifications.*

(1) Deny additional training specifications after evaluation shows that the item proposed for authorization in a new training specification does not meet the requirements for authorization in the training specifications. See chapter 150.

(2) Withdraw or suspend the applicable training specifications whenever surveillance indicates that any item required for initial certification (see chapters 149 and 150) does not meet the minimum certification requirements.

(3) Deny a renewed certificate or issue a new certificate with withdrawn training specifications, as appropriate. If a training center outside the U.S. fails to meet the annual re-qualification for that certificate and each authorized training specifications.

*E. Suspension or Revocation of Certificate or Training Specifications.*

(1) To suspend, revoke, or pursue civil penalty sanctions against a training center certificate, initiate legal enforcement action in accordance with FAA Order 2150.3A.

(2) Withhold a renewed training center certificate or training specifications (foreign training center only) based upon findings of failure to continue to meet minimum initial certification requirements.

(3) Initiate action to suspend, revoke, pursue civil penalty, or withhold (foreign training center) a certificate, or terminate or withhold training specifications, as applicable, upon a finding that any of the following circumstances exist:

(a) An applicant for, or holder of, a training center certificate has had any certificate (issued by the Administrator) revoked, suspended, or terminated within the last 5 years.

(b) An applicant for, or holder of, a training center certificate employs or proposes to employ a person who:

i. Was previously employed in a management or supervisory position or exercised control over any certificate holder whose certificate has been revoked, suspended, or terminated within the last 5 years; or

ii. Contributed materially to the revocation, suspension, or termination of that certificate and be employed in a management or supervisory position, or in control of or have a substantial ownership interest in the training center.

(c) An applicant for, or holder of, a training center certificate provided information required by

part 142 that was incomplete, inaccurate, fraudulent, or false.

(d) A training center certificate holder outside the U.S. does not show compliance with original certification requirements during the annual re-certification process for a training center outside the U.S., including inspection results from the previous year.

(e) The issuance or continuance of such certificate or training specifications would not foster aviation safety.

(f) The training center or training center applicant is conducting training in a course that has not been approved, but requires approval.

(g) The training center or training center applicant is conducting in FTD that has not been approved, but requires approval.

(h) The training center or training center applicant is training students who do not meet prerequisites for that training course.

(i) The training center or training center applicant is making or causing to be made false entries in any records required by 14 CFR.

(j) The training center or training center applicant deviates from approved programmed hours without meeting required preconditions.

(k) The training center or training center applicant is not adhering to regulatory advertising requirements.

(4) Include the items in subparagraph (3) above in surveillance plans.

*F. PTRS and Vital Information Subsystem (VIS).* Make final VIS entries and close PTRS records.

**4. TASK OUTCOMES.** Completion of the task results in one or more of the following actions:

A. Amendment of training specifications.

B. Denial of additional training specifications.

C. Suspension of a training center certificate or all or part of the training specifications.

D. Revocation of a training center certificate or all or part of the training specifications.

E. Civil penalty sanctions.

**5. FUTURE ACTIVITIES.**

A. Re-certify after the former training center certificate holder has satisfactorily completed corrective actions, met all minimum initial certification requirements, and any regulatory waiting period, if any, has been satisfied.

B. Re-certify after the training center certificate holder or former training center certificate holder (foreign training center only) has met all minimum initial certification requirements.

C. Conduct continued surveillance to preclude future noncompliance.

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