



Federal Aviation Administration Southern Region

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
ATLANTA, GEORGIA

INFORMATION REGARDING CIVIL PENALTIES
UNDER TITLE 49 U.S.C. SECTION 46301
(ATTACHMENT TO CIVIL PENALTY LETTER)

Under 49 U.S.C. §46301, any person who violates pertinent provisions of 49 U.S.C. §§40101, et seq., or any rule, regulation, or order issued thereunder, is subject to a civil penalty for each violation. The maximum civil penalty for each violation is also prescribed by law, as specified in the letter to which this is attached.

The statute authorizes the Administrator to compromise civil penalties. The attached letter states the sum that the FAA would accept in full settlement of the alleged violation(s) described therein. Your acceptance of the settlement proposed in the attached letter will not constitute an admission of the alleged violation(s).

You are not required to accept the offer of settlement in the attached letter or to make a counter-offer of settlement. If you do not wish to settle the case, the matter will be presented to a U.S. Attorney, who may bring a civil action for the full amount of the civil penalty prescribed by law. A U.S. District Court will decide all issues of fact and law, following a trial at which you will have the right to present evidence on your behalf and cross-examine the Administrator's witnesses.

WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THIS LETTER, you may proceed in one of the following ways by marking the appropriate box(es) on the attached election sheet and returning it by mail or personal-delivery to the address provided below. An explanation of each option is set forth below.

1. Submit the amount suggested in the attached letter, by certified check or money order payable to the Federal Aviation Administration.

2. Request to have the issues of fact and law in this matter be decided by the U.S. District Court. If so, please advise us immediately.

3. Submit, in writing, information and evidence demonstrating that a violation of the regulations was not committed or that, if it were, the facts and circumstances do not warrant the proposed civil penalty. The FAA will consider the information you provide in determining both whether to pursue a

civil penalty action by forwarding the matter to the Department of Justice for prosecution as well as the amount of any civil penalty sought. You may submit this information in conjunction with a request for an informal conference under paragraph 4.

4. Request to discuss the matter informally with an FAA attorney either telephonically or in person at any regional office of the FAA (see attachment for addresses of the Regional Offices), or the Flight Standards Office in Atlanta, Georgia. If you request a telephone informal conference, an FAA attorney will call you at the telephone designation of your choice at any place within the United States.

IMPORTANT - The informal conference is intended to provide you with an opportunity to present your reasons why the FAA should not proceed with the action as proposed. It also is intended to provide you with an opportunity to present any supporting documentation or information you wish the FAA to consider before the agency decides whether to proceed with the proposed action.

Please address all correspondence in this matter to the FAA attorney who signed the attached letter at the following address:

[Attorney's Name]
Office of the Regional Counsel
Federal Aviation Administration
Southern Region
P. O. Box 20636
Atlanta, Georgia 30320

Your response to this letter may be delivered personally to the Office of the Regional Counsel for the Southern Region at 1701 Columbia Drive, College Park, Georgia, during normal business hours.

Telephone: (404) 305-5200 (Collect calls cannot be accepted).

If you are an individual:

PRIVACY ACT NOTICE

This notice is provided in accordance with Section (e)(3) of the Privacy Act, 5 U.S.C. Section 552a(e)(3), and concerns the information requested in the letter or form to which this Notice is attached.

A. Authority. This information is solicited pursuant to 49 U.S.C. §§40101, et seq., and regulations issued thereunder, codified in Part 13 of Title 14 of the Code of Federal Regulations. Submission of the telephone number is voluntary. The request for information is intended to provide you with an opportunity to participate in the investigation.

B. Principal Purpose. The requested information is intended to assist us in contacting you regarding this enforcement case.

C. Routine Uses. Records from this system of records may

be disclosed in accordance with the routine uses as set forth in System of Records No. DOT/FAA 847, as published from time to time in the Federal Register.

D. Effect of Failure to Respond. If you do not provide the requested information, there may be a delay in contacting you regarding this enforcement case, and you may forfeit your right to a hearing on the merits of this case.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
ATLANTA, GEORGIA

RETURN WITHIN 30 DAYS TO:

Office of the Regional Counsel DATE _____
Federal Aviation Administration
P. O. Box 20636
Atlanta, GA 30320

Telephone: (404) 305-5200
Facsimile: (404) 305-5223

Subject: Civil Penalty Letter, Case No. _____

In reply to your letter proposing to settle this matter and the accompanying information sheet, I elect to proceed as indicated below:

1. I hereby submit the amount proposed in settlement of this matter.

2. I wish to have this matter decided by a U.S. District Court.

3. I hereby submit my response to your letter and request that my response, and any information attached to it, be considered in connection with the allegations set forth in your letter.

4. a. I hereby request to discuss this matter in person at an informal conference with an attorney from your office at the location checked below.

Check one:

- Georgia Office of the Regional Counsel in Atlanta,
Georgia Flight Standards District Office in Atlanta,
Georgia Office of the Regional Counsel in

(See Attached

List
of Regional Offices.)

OR

b. [] I hereby request a telephonic informal conference. Please call me at the number listed below to make arrangements for the conference.

_____ Telephone number to call for conference

Respondent:

Signature:

Name:

Address:

Telephone:

Attorney/representative:

Name:

Address:

Telephone:

ADDRESSES OF THE REGIONAL OFFICES

ALASKA	Alaskan Region Headquarters 222 West 7th Avenue, #14 Anchorage, AK 99513
CALIFORNIA	Western-Pacific Region Headquarters 15000 Aviation Boulevard Hawthorne, CA 90261
GEORGIA	Southern Region Headquarters 1701 Columbia Avenue College Park, GA 30337
ILLINOIS	Great Lakes Region Headquarters O'Hare Lake Office Center 2300 East Devon Avenue, Room 419 Des Plaines, IL 60018
MASSACHUSETTS	New England Region Headquarters 12 New England Executive Park Burlington, MA 01803
MISSOURI	Central Region Headquarters 601 East 12th Street, Room 1558 Federal Building Kansas City, MO 64106
NEW YORK	Eastern Region Headquarters JFK International Airport Fitzgerald Federal Building Jamaica, NY 11430
OKLAHOMA	Mike Monroney Aeronautical Center 6500 South MacArthur Oklahoma City, OK 73169
TEXAS	Southwest Region Headquarters 2601 Meacham Boulevard - 6E Fort Worth, TX 76193-0007
WASHINGTON	Northwest Mountain Region Headquarters 1601 Lind Avenue, SW Renton, WA 98055-4056