



# Federal Aviation Administration

## National Part 139 Cert Alert

\*\*Advisory\*\*Cautionary\*\*Non-Directive\*\*Advisory\*\*Cautionary\*\*Non-Directive\*\*Advisory\*\*Cautionary\*\*Non-Directive\*\*

**Date:** 09/21/2021 **No. 21-04**

**To:** All Title 14 CFR Part 139 Airport Operators

**Subject:** Updated Guidance for Airport Emergency Plans (AEP)  
under 14 CFR Part 139.325(b)(7)

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**Purpose.** This CertAlert informs Part 139 airport operators that pursuant to § 139.325(b)(7), airport emergency plans (AEP) should include instructions for responding to unauthorized Unmanned Aircraft System (UAS) operations. It also supplements the guidance in Advisory Circular (AC) 150/5200-31, *Airport Emergency Plans*, dated June 19, 2009.

**Background.** In December 2018, sightings of unauthorized UAS operations close to the United Kingdom's Gatwick International Airport led the airport to cancel hundreds of flights. This incident called attention to the potential disruptive effect that unauthorized UAS could have on airport operations.

Section 139.325 requires certificate holders to develop and maintain an AEP designed to minimize the possibility and extent of personal injury or property damage on the airport in an emergency. According to § 139.325(b)(7), AEPs must provide instructions for responding to the unlawful interference with airport operations. The FAA considers unauthorized UAS operations in the vicinity of airports to be unlawful. Given their general physical and operating characteristics, UAS can be difficult to see as a function of their size and speed. Yet, impact with an aircraft can lead to catastrophic effects such as the loss of life and damage to property in the air and the ground. Just as happened at Gatwick Int'l Airport, an airport operator may (visually or electronically) detect a UAS and decide to close a runway, or the entire airport. Such operational decisions may be made to limit the risk to manned aircraft due to a UAS in the arrival path. Therefore, airports subject to § 139.325 AEP requirements should revise AEPs to provide instructions for responding to unauthorized UAS operations.

Section 139.325(i) further requires that each airport subject to applicable FAA and Transportation Security Administration (TSA) security regulations must ensure the instructions for response to unlawful interference with airport operations required under (b)(7) are consistent with its TSA-approved airport security program. Therefore, the FAA has coordinated with the TSA on the release of this document.

**Notification:**

- a. Section 139.325(b)(7) states that AEPs “must contain instructions for response to sabotage, hijack incidents, and other unlawful interference with operations.” Certain unauthorized UAS operations at and in the vicinity of an airport could interfere with arriving or departing aircraft, thus unlawfully interfering with airport operations. Therefore, AEPs should include instructions for responding to unauthorized UAS activities.
- b. Airports should plan for disruptions by unauthorized UAS in a similar manner to those described in AC 150/5200-31 for sabotage or hijacking incidents. As described in AC 150/5200-31, Section 7-6-4 “*OPERATIONS*,” the AEP should address at least these non-exhaustive topics:
  - Guidance to the airport operator/law enforcement personnel as to actions to be taken until the agency or organization of jurisdiction arrives (for example: the city, county, state, or tribal fire or police department, or others with federal jurisdiction).
  - The need for, and location of, an Emergency Operations or Command Center.
  - The need for additional or specialized resources, such as additional telephone lines or other means of communications.
  - Responsibilities regarding media communications.
  - Identify those responses/actions that do not contain Sensitive Security Information in the AEP.
  - As appropriate, capture procedures for addressing disruptions in a new or revised Letter of Agreement with impacted parties such as the Airport Traffic Control Tower.
- c. All Part 139 Certificated Airport Operators should train airport employees with AEP responsibilities on any update to the AEP as required in § 139.325(g)(3).
- d. All Part 139 Certificated Airport Operators should be familiar with Advisory Circular (AC 150/5200-31 series - *Airport Emergency Plan*). Airport operators should coordinate a response with the local air traffic control tower and/or controlling Air Traffic Facility, local TSA points of contact, and other appropriate entities when suspect, threatening, or unlawful interference with airport operations occur. Such coordination may include discussion points such as triggering events and the type of detection provided (visual or electronic).

As a reminder, in addition to updating its Airport Emergency Plan, public-use airports seeking to install UAS detection system/equipment must file notice with the FAA at least 45 days before the start date of the proposed installation pursuant to 14 CFR §§ 77.7 and 77.9. Airport operators should coordinate with the local Regional Office (RO) Airports District Office (ADO) prior to submitting the notice.

**Force and Effect:** The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. The document is intended only to provide information to the public regarding existing requirements under the law or agency policies.

**Resources:** FAA airport certification and safety inspectors are available to assist with amendments to an airport operator's AEP. Operators should submit amendments for FAA approval in accordance with the Airport Certification Manual amendment provisions identified in 14 CFR § 139.205. Additionally, an airport operator should coordinate with its assigned Transportation Security Administration representative regarding the applicability of Sensitive Security Information guidance and potential amendments to the Airport Security Program.

**Response Plans:** Part 139 Airports without current response plans for unauthorized UAS operations need to begin the coordination process with the FAA-assigned Airport Certification Safety Inspector in developing plans for responding to unlawful interference with operations in accordance with 139.325(b)(7) by no later than September 30, 2021.



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