



# Federal Aviation Administration

## National Part 139 CertAlert

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

**Date:** 10/15/2024 **24-09**

**To:** **Airport Operators, FAA Airport Certification Safety Inspectors**

**Subject:** Airport Emergency Plan, Sabotage, Hijack Incidents, and Other Unlawful Interference with Operations and Aircraft Rescue and Firefighting: operational requirements

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### 1. Purpose.

The purpose of this CertAlert is to remind certificated airport operators of their airport emergency requirements identified in 14 CFR:

- Section 139.319 – *Aircraft Rescue Firefighting Operational Requirements*
- Section 139.325(b)(1) – *Airport Emergency Plan – Response to Incidents / Accidents*
- Section 139.325(b)(7) – *Airport Emergency Plan – Response to Sabotage / Hijack / Unlawful Interference with Operations*
- Section 139.325(b)(9) – *Airport Emergency Plan – Response to Water Rescue*
- Section 139.325(i) – *Airport Emergency Plan – Consistent Instructions with Airport Security Program*

The FAA requests airport operators to review their Airport Emergency Plan (AEP) with all appropriate responding personnel. During the review, certificate holders should also work with their local TSA representatives regarding any emerging security threats.

### 2. Background.

Per 14 CFR § 139.319, airport operators are required to have rescue and firefighting equipment and capability commensurate with the aircraft operations scheduled for that airport. To assist operators with their emergency plan development, the FAA provides guidance to airport operators on how to develop and maintain an AEP that is designed to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. Section 139.325(b)(1) identifies the response procedures for aircraft emergencies related specifically to aircraft incidents or accidents.

The regulation also mandates that the AEP provide instructions for response to other airport emergencies as well. 14 CFR § 139.325(b)(7) states in part that the plan required by this section must contain instructions for response to – sabotage, hijack incidents, and other unlawful interference with operations. To complement this mandate, guidance in FAA Advisory Circular, 150/5200-31, *Airport Emergency Plan*, Chapter 7, Section 6, *Sabotage, Hijack, and Other Unlawful Interference with Operations* may be used to supplement the *Basic Plan* and *Functional Annexes* of the approved AEP. Paragraph 7-6-3 of that AC, *Situations and Assumptions*, further states in part that:

(1) Agencies and organizations other than the airport operator are tasked by laws, regulations, and other documents to respond to hijack and sabotage incidents.

(2) Because the response time of these other agencies and organizations may be significant, the airport operator should be prepared to take action in the interim.

b. Regulations. Airports regulated under 49 CFR part 1542, Airport Security, have established response procedures for sabotage, hijack and other criminal interference of Civil Aviation as specified in their Airport Security Program (ASP).

(Note: Under Section 139.325(i), certificate holders must ensure that instructions for response to Section 139.325(b)(2) and (b)(7) are consistent with its TSA-approved airport security program.)

c. Memorandum of Understanding - Federal Aviation Administration and the Federal Bureau of Investigation. Existing Memorandum of Understandings between the FAA and the Federal Bureau of Investigation, and between the Department of Transportation and the U.S. State department, have established specific lines of responsibility and jurisdiction involving hijack and sabotage incidents.

### 3. Recommendation.

Certificated airport operators should take steps to re-familiarize responding emergency personnel with the requirements of:

- Section 139.319 – *Aircraft Rescue Firefighting Operational Requirements*
- Section 139.325(b)(1) – *Airport Emergency Plan – Response to Incidents / Accidents*
- Section 139.325(b)(7) – *Airport Emergency Plan – Response to Sabotage / Hijack/ Unlawful Interference with Operations*
- Section 139.325(b)(9) – *Airport Emergency Plan – Response to Water Rescue*
- Section 139.325(i) – *Airport Emergency Plan – Consistent Instructions with Airport Security Program*

Finally, operators should conduct planning sessions with all relevant responding organizations, such as local law enforcement, the FBI, TSA, and any other agencies identified in their approved Airport Emergency Plan and 49 CFR Part 1542, Airport Security Plan, as applicable.

Certificated airport operators should ensure that their approved Airport Emergency Plan covers the general support, communication, and notification requirements specific to sabotage, hijack and other unlawful interference incidents. Because of the unique nature of these incidents, specialized resources, policies, and procedures may be appropriate.

  
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10/15/2024  
Date