

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.120

National Policy

Effective Date:
6/1/10

Cancellation Date:
6/1/11

SUBJ: Special Emphasis Inspection of Air Tour Operators

- 1. Purpose of This Notice.** This notice provides guidance to aviation safety inspectors (ASI) with oversight responsibility of Title 14 of the Code of Federal Regulations (14 CFR) part 135 air carriers conducting air tour operations in, and around, the vicinity of the United States national park units (i.e., national parks and national monuments).
- 2. Audience.** The primary audience for this notice is Flight Standards District Office (FSDO) ASIs with oversight responsibility of air carriers conducting air tour operations in, and around, the vicinity of U.S. national park units. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tool_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators may find this information on the Federal Aviation Administration's (FAA) Web site at <http://fsims.faa.gov>.
- 4. Background.** In 2002, the FAA published 14 CFR part 136, National Parks Air Tour Management. The rule became effective on January 23, 2003.
 - a. Interim Operating Authority (IOA).** On January 27, 2005, the FAA published a notice of opportunity for commercial air tour operators who were granted IOA under the National Parks Air Tour Management Act of 2000 to review and self correct annual authorizations (Federal Register (FR) reference: 70 FR 3972). The results were published in the FR, sorted by operator, on Thursday, June 23, 2005, (70 FR 36456). The IOAs were republished in the FR on Friday, October 7, 2005, and were sorted by park rather than by operator (70 FR 58778). These IOAs established a maximum number of flights a given operator could conduct over a specified national park unit on an annual basis. Each operator received the IOA via an operations specifications (OpSpec) authorization.
 - b. Documented Processes and Procedures.** Title 14 CFR part 119, § 119.5(l) states that no person may operate an aircraft under this part, part 121 of this chapter, or part 135 of this chapter, in violation of an operating certificate, an air carrier operating certificate, or an appropriate OpSpecs issued under this part. Therefore, an operator must have a documented process and procedure to ensure it does not exceed the maximum number of authorized IOA for a given

national park unit. If requested by the FAA, such procedures must be able to provide the required management personnel with immediate access to the remaining number of IOAs for a given U.S. national park unit.

5. Action. As part of the annual work program, principal operations inspectors (POI) with oversight responsibility of air carriers conducting air tour operations in and around the vicinity of a national park unit and abutting tribal lands, must verify that each air tour operator with IOA, for which it has oversight, has a process and procedure for ensuring the operator does not exceed its maximum OpSpecs-authorized IOA allocation.

a. Annual Inspections. The POI should conduct an annual inspection of the IOA balance in the fourth quarter of each calendar year to ensure compliance with the OpSpecs IOA limitations. Due to the timing of this notice, the first inspection should be accomplished during the second quarter of Fiscal Year 2010. All remaining inspections pertaining to this notice should be accomplished during the fourth quarter of each calendar year.

b. Letters of Investigation (LOI). If, after conducting the initial special emphasis inspection, an operator is found to not have sufficient controls for ensuring IOA compliance, the POI should issue an LOI, then work with the operator to develop a program sufficient to meet the intent of this notice.

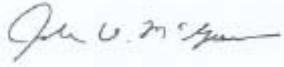
c. Letters of Correction. Provided the operator has not exceeded its authorized IOA allocation, and provided the operator comes into compliance within 90 days after issuance of the LOI, the POI should close the investigation with a letter of correction.

d. Consulting FAA Order 2150.3. If the POI finds that the operator has exceeded its authorized IOA, or if after further inspections the POI finds discrepancies with the operator's IOA tracking procedures, the POI should consult FAA Order 2150.3, FAA Compliance and Enforcement Program (current edition), for recommended action.

6. Tracking. Beginning in fiscal year 2010, during your normal course of surveillance and oversight, document each IOA validation inspection with the following:

- Use Program Tracking and Reporting Subsystem (PTRS) code 1040,
- Enter "IOAVAL" in the "National Use" field (without the quotes and without any spaces), and
- Once the above actions have been accomplished, as appropriate, close out the PTRS.

7. Disposition. We will incorporate the information in this notice into FSIMS. Direct any questions regarding this notice to the Part 135 Air Carrier Operations Branch, AFS-250, at (202) 267-8166.



for

John M. Allen
Director, Flight Standards Service