

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.301

National Policy

Effective Date:
5/19/15

Cancellation Date:
5/19/16

SUBJ: OpSpec C083 for Part 129

1. Purpose of This Notice. This notice provides revised guidance for Federal Aviation Administration (FAA) offices and inspectors with oversight responsibility for Operators conducting airplane operations, within the United States under Title 14 of the Code of Federal Regulations (14 CFR) part 129. This notice amends all Operations Specification (OpSpec) C083, IASA Category 2 Special Operational Restrictions, templates.

2. Audience. The primary audience for this notice is International Field Offices (IFO), principal operations inspectors (POI), principal maintenance inspectors (PMI), and principal avionics inspectors (PAI) with oversight responsibility for Operators issued OpSpecs under part 129. The secondary audience includes Flight Standards (AFS) branches and divisions in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Air carriers (Operators) can find this notice on the FAA's Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Explanation of Policy Changes. The International Programs and Policy Division (AFS-50) has amended OpSpec C083 and related inspector guidance for part 129 as follows:

a. OpSpec C083.

- (1) Clarified additional aircraft and special authorizations.
- (2) Updated help text.
- (3) Modified for plain language; simplified/reorganized and combined language to make it easier to understand the limitations.

(4) Added selectable text for nonscheduled for clarity of applicable limitations to the foreign air carrier.

(5) Deleted redundant text.

b. FAA Order 8900.1. Revised FAA Order 8900.1, Flight Standards Information Management System (FSIMS), Volume 12, Chapter 2, Section 5, OpSpec C083 as follows:

(1) Clarified frequency guidance.

(2) Clarified policy on aircraft swaps.

5. Action. This is a nonmandatory change affecting principal inspectors (PI) with responsibility for the issuance, amendment, and oversight of OpSpecs for part 129.

6. Disposition. We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Please direct any questions or comments concerning the information in this notice to the International Operations and Standardization Branch (AFS-52) at 202-267-0962.



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Appendix A. Sample OpSpec C083, IASA Category 2 Special Operational Restrictions: 14 CFR Part 129

- a. General. This paragraph must only be issued to foreign air carriers from countries that are IASA Category 2. The restrictions in this paragraph shall apply only to operations conducted by the carrier to which issued. These restrictions do not apply to operations conducted by another carrier from an IASA Category 1 country under the terms of a wet lease authorized in accordance with paragraph A028.
- b. Scheduled Operations. The foreign air carrier must only conduct scheduled operations to and from the United States as listed in Table 1 below:

Table 1 – Scheduled Operations—Routing and Frequency Authorized

Routing including cities and ICAO airport ID(s)	Frequency

- c. Nonscheduled Operations. The foreign air carrier’s nonscheduled operations to and from the United States as listed in Table 2 below:

Table 2 – Nonscheduled Operations

United States Geographic Areas	Number of Flight Segments
USA – The 48 contiguous United States and the District of Columbia	
USA – The Commonwealth of the Northern Mariana Islands	
USA – The Commonwealth of Puerto Rico	
USA – The State of Alaska	
USA – The State of Hawaii	
USA – The Territory of American Samoa	
USA – The Territory of Guam	
USA – The Territory of the U.S. Virgin Islands	
Not Authorized	

- d. Additional Aircraft and Special Authorizations. On or after the date that the State of the Operator for the foreign air carrier was determined to be Category 2 no additional aircraft (including substitution of aircraft) or special authorizations such as CAT II/III, ILS/PRM, land-and-hold-short operations (LAHSO), Reduced Vertical Separation Minimum (RVSM), etc. that require approval, acceptance, or authorization by the State of the Operator’s Civil Aviation Authority (CAA) may be added to these operations specifications, except as follows:

(1) Through the issuance of Operations Specification A028 that allows aircraft wet-leased from a duly authorized and properly supervised U.S. carrier or foreign air carrier from a Category 1 country that is authorized to serve the United States using its own aircraft; or

(2) With the written approval of the AFS-50 division manager. (Aircraft must be for the same make, model, and series (M/M/S) and configuration of aircraft, typically for inspection, maintenance, or alterations. The special authorization must be in the interest of safety).

e. Frequency/Flight Segment Considerations. The following limitations and provisions apply:

(1) Over flights of the United States are not counted against the frequency authorized.

(2) Scheduled stops for nontraffic purposes as defined in 14 CFR part 375, § 375.1 are not counted against the frequency authorized.

(3) Unplanned stops in the U.S. in case of emergency relating to the safety of the aircraft, passengers, cargo, or crew are not counted against the frequency authorized.

The following text is selectable for foreign air carriers authorized nonscheduled operations. Prior to template issuance, PIs must ensure that for all nonscheduled air carriers, the following text is selected to appear in the carrier's operations specification:

(4) For nonscheduled operations as authorized in paragraph c above:

(a) A flight segment is a single operation between a foreign city and a U.S. city or between two U.S. cities. A roundtrip operations between a U.S. and foreign city or an operation from a foreign city to a U.S. city and then to another foreign city counts as two flight segments.

(b) Ferry/positioning between a foreign airport and a U.S. airport where passengers, cargo, or mail are disembarked or embarked, or between a U.S. airport where passengers, cargo, or mail are disembarked or embarked and another U.S. airport where passengers, cargo, or mail are disembarked or embarked, must be counted towards the number of flight segments authorized.