

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.612

National Policy

Effective Date:
3/7/22

Cancellation Date:
3/7/23

SUBJ: OpSpec C077, Terminal Visual Flight Rules, Limitations, and Provisions

1. Purpose of This Notice. This notice announces a nonmandatory change to operations specification (OpSpec) C077 for foreign air carriers operating under Title 14 of the Code of Federal Regulations (14 CFR) part 129. It also announces revised Federal Aviation Administration (FAA) Order 8900.1 guidance associated with the change.

2. Audience. The primary audience for this notice is the 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 the Safety Standards and Foundational Business offices.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices, the Flight Standards Information Management System (FSIMS) at <https://fsims.avs.faa.gov>, and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>. Operators and the public can find this notice on the FAA's website at https://www.faa.gov/regulations_policies/orders_notices, FSIMS at <https://fsims.faa.gov>, and the DRS.

4. Explanation of Policy Changes. The International Program Division (AFS-50), together with the Flight Technologies and Procedures Division (AFS-400), has amended the part 129 OpSpec C077 and Order 8900.1, Volume 12, Chapter 4, Section 4, Part 129 Part C Operations Specifications—Airplane Terminal Instrument Procedures and Airport Authorizations and Limitations, inspector guidance, as follows.

a. OpSpec C077. See Appendix A, Sample OpSpec C077, Terminal Visual Flight Rules, Limitations, and Provisions: 14 CFR Part 129.

(1) Replaced “turbojet and large airplane” with “turbine-engine-powered airplane” in subparagraph a. This will be consistent with the 14 CFR parts 121 and 135 regulatory requirements.

(2) Added references to B056, because both B051 and B056 contain exceptions to C077.

(3) The A004 authorization statement for OpSpec C077 has been revised to replace “turbojet and large airplane” with “turbine-engine-powered airplane.”

b. Order 8900.1 Volume 12, Chapter 4, Section 4.

(1) The guidance has been corrected to identify OpSpec C077 as optional. C077 has always been optional, requiring authorization in A004 before being issued.

(2) In Subparagraph a), Applicability, of the OpSpec C077 guidance:

(a) Replaced “turbojet and large airplanes” with “turbine-engine-powered airplanes.”

(b) Added “or B056” after “OpSpec B051.”

5. Guidance. This notice contains the sample OpSpec C077 template in Appendix A, which applies to part 129.

6. Action. This change in guidance for OpSpec C077 affects principal inspectors (PI) with responsibility for the issuance, amendment, and oversight of OpSpecs for part 129 (note: C077 does not apply to the part 129, § 129.14 set of templates). All PIs will review the guidance in this notice and take appropriate action to ensure compliance with this notice. PIs will need to reissue A004 when reissuing C077 to reflect the updated authorization statement, consistent with the language in the revised C077. PIs with oversight of foreign air carriers that are not issued C077 are encouraged to reissue A004 at their earliest convenience.

7. Disposition. We will incorporate the information in this notice into Order 8900.1, Volume 12, Chapter 4, Section 4 before this notice expires. Direct questions or comments concerning the information in this notice to the International Operations Branch (AFS-52) at 202-267-0962.



/s/ Robert M. Ruiz

Acting Deputy Executive Director, Flight Standards Service

Appendix A. Sample OpSpec C077, Terminal Visual Flight Rules, Limitations, and Provisions: 14 CFR Part 129

a. Except as provided in this operations specification, 14 CFR Part 93, and operations specification B051 or B056, when issued, the foreign air carrier must operate all flights conducted under the provisions of 14 CFR Part 129 turbine-engine-powered airplane operations, within the areas listed in operations specification A001, in accordance with instrument flight rules (IFR). The foreign air carrier is authorized to conduct terminal area operations according to the following provisions and limitations.

b. Terminal Arrival IFR – Visual Approach or a Charted Visual Flight Procedure (CVFP). The flightcrew may accept a visual approach or a CVFP provided all of the following conditions exist. The flightcrew may not accept a visual approach or a CVFP unless the limitations and provisions of subparagraph f of this operations specification are met.

(1) The flight is operated and remains in Class B, C, or D Airspace, within 35 nautical miles (NM) of the destination airport in Class E Airspace, or the airspace beneath the designated transition area.

(2) The flight is under the control of an air traffic control (ATC) facility.

(3) The flightcrew must maintain the basic cloud clearance as specified in 14 CFR Part 91, § 91.155.

(4) For a visual approach without a CVFP, the flightcrew must be able to establish and maintain visual contact with the airport or maintain visual contact with the traffic to be followed as directed by ATC. In addition, the following provisions and weather conditions at the airport during the approach must be met:

(a) Reported visibility must be as specified in § 91.155, but not lower than a visibility of 3 miles, and reported ceiling must be 1,000 feet or greater; or

(b) When in the terminal area with the reported visibility not lower than 3 miles and ceiling not reported, the flightcrew may continue to a landing if the runway of intended landing is in sight and the flightcrew can maintain visual contact with the runway throughout the approach and landing; and

(c) Ceiling and cloud clearance must be as such to allow the flightcrew to maintain the minimum altitudes prescribed in § 91.129, § 91.130, or § 91.131, as applicable for the airspace class in which the flight is operated.

(5) For a CVFP, the flightcrew must be able to establish and maintain visual contact with the airport or the charted visual landmark(s) for the CVFP throughout the approach and landing. In addition, the weather conditions at the airport at the time of the approach must be reported to be at or above the weather minima established for the CVFP, but never lower than the visual flight rules (VFR) landing weather minima stated in Part 91 in uncontrolled airspace.

c. Terminal Arrival VFR. If operating under the VFR en route provisions of operations specification B051 or B056 or if canceling an IFR flight plan, the flightcrew may operate under VFR in the terminal area under the following provisions. In addition, the flightcrew may not conduct VFR operations in the terminal area unless the limitations and provisions of subparagraph f of this operations specification are met.

(1) All of the following provisions and weather conditions at the airport at the time of approach must be met:

(a) Reported visibility must be as specified in § 91.155.

(b) Reported ceiling must be 1,000 feet or greater.

(c) The flightcrew must maintain the basic cloud clearance as specified in § 91.155.

(d) Ceiling and cloud clearance must be as such to allow the flightcrew to maintain the minimum altitudes prescribed in § 91.129, § 91.130, or § 91.131, as applicable for the airspace class in which the flight is operated.

(2) In addition, the conditions in one of the following subparagraphs must be met:

(a) Controlled Airports. The flight is operated within Class B, C, or D Airspace, or within 10 NM of the destination airport in Class E Airspace; and remains within controlled airspace. The flightcrew requests and uses radar-monitored traffic advisories provided by ATC when such advisories are available, and is in direct communication with the appropriate ATC facility.

(b) Uncontrolled Airports. The flightcrew is in direct communication with an air/ground communication facility or agent of the foreign air carrier that provides airport traffic advisories and information that is pertinent to conditions on and around the landing surface during the terminal phase of flight; and the flight is operated within 10 NM of the destination airport, or visual reference with the landing surface is established and can be maintained throughout the approach and landing.

(3) If there is a question that the weather conditions at the time of arrival may not allow the flightcrew sufficient visibility conditions, the flightcrew must have in its possession and use an authorized visual procedure which assures obstacle clearance or avoidance. The minimum altitudes under § 91.119, or those prescribed in the authorized visual procedure (whichever are higher) apply.

d. Terminal Departures VFR. At airports which do not have operating ATC facilities and where it also is not otherwise possible for the flightcrew to obtain an IFR clearance to depart on an IFR flight plan, or at an airport utilizing a charted visual departure procedure established by the FAA, the flight may takeoff and depart under VFR provided all the following conditions exist. In addition, the flightcrew may not conduct VFR operations in the terminal area unless the limitations and provisions of subparagraph f of this operations specification are met.

(1) The following provisions and weather conditions at the airport at the time of takeoff must be met:

(a) Reported weather visibility must be as specified in § 91.155.

(b) Reported ceiling must be 1,000 feet or greater.

(c) The flightcrew must maintain the basic cloud clearance as specified in § 91.155, and have visual reference with the ground or visual contact with a landmark when referenced in a published procedure to be followed for the airport.

(d) Ceiling and cloud clearance must be as such to allow the flightcrew to maintain the minimum altitudes prescribed in § 91.129, § 91.130, or § 91.131, as applicable for the airspace class in which the flight is operated.

(2) The flight remains in visual meteorological conditions (VMC) at all times while operating under VFR.

(3) Unless operating under certain en route provisions of Part 93 and operations specification B051 or B056, the flightcrew must obtain an IFR clearance as soon as practical after takeoff, or as directed by the charted visual departure procedure established for that airport by the FAA, but under no circumstances farther than 50 NM from the departure airport.

(4) If there is a question that the weather conditions at the time of takeoff may not allow the flightcrew sufficient visibility conditions, the flightcrew must have in its possession and use an authorized visual procedure which assures obstacle clearance or avoidance.

e. Terminal Departures IFR. The flightcrew must comply with the departure procedures established for a particular airport by the FAA if ATC does not specify any particular departure procedure in the takeoff clearance given for that airport. The flightcrew may accept an IFR clearance containing a clearance for a VMC takeoff and climb out to a specified point in the clearance, if the limitations and provisions of subparagraph f of this operations specification are met.

f. Special Limitations and Provisions for VFR. All VFR operations authorized by this operations specification must be conducted in accordance with the following limitations and provisions.

(1) The foreign air carrier must identify obstacles and use airport obstacle data which ensures that the performance requirements of the State of the Operator are met.

(2) The weather conditions must allow the flightcrew sufficient visibility conditions to identify and avoid obstacles, safely maneuver using external visual references, and maintain minimum altitudes.