



**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

**ORDER  
5280.5C**

Effective Date:  
September 8, 2006

**SUBJ:** Airport Certification Program Handbook

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**1. Purpose.** This Order provides FAA personnel with the policies, standards, and procedures by which to conduct the Airport Certification Program. This Order helps ensure standardization and uniformity in the application of the program and in enforcing Title 14 Code of Federal Regulations (CFR), Part 139, Certification of Airports (Part 139).

**2. Distribution.** This Order is distributed to the division level of the Office of Airport Safety and Standards and the Office of Airport Planning and Programming; to the branch level of Regional Airports Divisions; to all Airport District Offices; and to the division level of Regional Flight Standards, Air Traffic, Airway Facilities, and Aviation Security offices.

**3. Cancellations.** This Order cancels Order 5280.5B, Airport Certification Program Handbook, dated October 7, 1994.

A handwritten signature in black ink, appearing to read "DLB", is positioned above the name and title of the signatory.

David L. Bennett  
Director, Office of Airport Safety and Standards

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# **Chapter 1. Administration**

## **SECTION 1. INTRODUCTION**

### **100. Responsibilities.**

a. The Airport Safety and Operations Division (AAS-300) and the Office of Airport Safety and Standards (AAS) are responsible for the publication, revision, and cancellation of material in this Order.

b. To execute the program properly, each Airport Certification Safety Inspector (ACSI) must be thoroughly knowledgeable about the program and conversant with the provisions of the regulation and this Order.

### **101. Objectives.**

This Order has been developed—

a. To meet the requirements of the Airport Certification Program, in accordance with the Federal Aviation Act of 1958, as amended, and Part 139;

b. To assist ACSIs as they direct airports to establish and maintain programs for enhancing and improving airport safety for the benefit of the community;

c. To provide accurate guidance to ACSIs administering the program; and

d. To ensure standardized application of program procedures and practices among the regional offices.

### **102. Procedures for Updating.**

Proposed additions, revisions, or deletions are beneficial to the currency, accuracy, and adequacy of the program. ACSIs should forward suggested revisions, along with justifications or rationales for the changes, to AAS-300 through the appropriate regional office.

### **103. Definitions.**

See Section 139.5 of the regulation for definitions.

## **SECTION 2. SYSTEMS FOR COMMUNICATING INFORMATION ABOUT THE AIRPORT CERTIFICATION PROGRAM**

### **104. Introduction.**

From time to time, communication of significant changes, clarification of the regulation, or technological information about the program affects airport safety. AAS-300 uses five systems, three of which are internal to AAS-300, to communicate this information to regional offices and the airport community. These systems are—

a. Policy Guidance.

- b. CertAlerts.
- c. Signs and Marking Supplements (SAMS).
- d. Aviation Safety Reporting System.
- e. Runway Safety Program System.

#### **105. Policy Guidance.**

a. AAS-300 occasionally must interpret Part 139 or clarify guidance in this Order to accommodate changes in technology, procedures, or equipment on airports. Policy Guidance documents provide interim information that remains in effect until the next edition of the Order is published. These are internal documents and are sequentially numbered, dated, and effective as soon as issued. Each revision of this Order incorporates the Policy Guidance that was issued since the last edition.

b. Policy Guidance is distributed in hardcopy to Headquarters, Regional Airports Divisions, and ACSIs and made available on the Airports intranet website.

c. AAS-300 is responsible for developing, updating, and canceling Policy Guidance. However, ACSIs can recommend new Policy Guidance. AAS-300 will review a written request for Policy Guidance and issue a written response within 60 days after the request is received.

#### **106. CertAlerts.**

a. These publications contain timely information, updates, notices of changes in the regulation, and helpful news to airport operators. Each calendar year begins a new series of CertAlerts. CertAlerts are advisory in nature, not regulatory.

b. CertAlerts are distributed to Lead ACSIs and published in the Airports section of the FAA website to afford accessibility to the airport community. When AAS-300 issues a CertAlert, it updates the CertAlert log for that year and distributes the new log to ACSIs. This log lists the CertAlerts issued to date within the calendar year; they are numbered consecutively and identify, if applicable, whether they supersede or cancel existing CertAlerts.

c. AAS-300 is responsible for issuing and canceling CertAlerts. ACSIs are encouraged to suggest topics for new CertAlerts to AAS-300.

#### **107. Signs and Marking Supplements (SAMS).**

a. Developed to promote consistency and uniformity in the application of sign and marking systems, SAMS address issues about the interpretation and application of the standards and specifications contained in Advisory Circulars (ACs) 150/5340-1, *Standards for Airport Markings*; 150/5340-18, *Standards for Airport Sign Systems*; and AC 150/5345-44, *Specifications for Taxiway and Runway Signs*. SAMS also promulgate changes in markings and signing. The clarifications provided by the SAMS have the same status as standards contained in the ACs.

**b.** Unless otherwise specified, Regional Division Managers and lead ASCIs receive copies of SAMS when they are published. They are also published in the Airports section of the FAA website.

**c.** AAS-300 is responsible for issuing the SAMS in coordination with the appropriate divisions in Headquarters and for canceling SAMS. Suggestions for SAMS should be sent to AAS-300.

#### **108. Aviation Safety Reporting System (ASRS).**

**a.** This system permits airport users to report events or conditions that affect aviation safety. A full explanation of the ASRS system can be found at <http://asrs.arc.nasa.gov> and in AC 00-46, *Aviation Safety Reporting System*, and the *Aeronautical Information Manual* (AIM). Funded by FAA and administered by the National Aeronautics and Space Administration (NASA), this program is intended to ensure the safest possible aviation system by identifying and correcting unsafe conditions before they cause accidents.

**b.** Under normal conditions, NASA will send ASRS reports directly to the airport operator. However, when AAS-300 receives a report, it will forward it to the regional office, which should review the report and follow up with the airport operator, if appropriate.

#### **109. Runway Safety Program System.**

**a.** The Runway Safety Program Office established a reporting and investigative system designed to address the increases in the numbers of runway incursions and surface incidents. The system is primarily used on towered airports; however, non-towered certificated airports also participate in this system.

**b.** The system makes use of two forms to document the details of these events and their subsequent investigation. Form 8020-24, Preliminary Vehicle or Pedestrian Deviation Report, contains the facts about an event. This form is filled out by Air Traffic Control at a towered airport and can be filled out by airport personnel at non-towered certificated airports. Form 8020-25, Investigation of Vehicle or Pedestrian Deviation Report, is completed next and includes an investigative report and, more importantly, the resolution of the circumstances surrounding the event. ACSIs use Form 8020-25 to document the investigation, develop recommended actions to resolve the causes, and close out the event.

#### **110. – 199. Reserved.**

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## Chapter 2. Certification Process

### 200. Purpose.

This Chapter establishes the policies and procedures for certifying airports subject to Part 139. The Chapter follows the sequence of the regulation.

### 201. Section 139.1, Applicability.

a. The certification requirement is applicable to all airports in every State of the United States, the District of Columbia, and any territory or possession of the United States at which passenger operations of the following types occur:

- (1). Scheduled operations by small aircraft designed for 10 to 30 seats (except for the State of Alaska).
- (2). Scheduled operations by large aircraft designed for 31 or more seats.
- (3). Unscheduled operations by large aircraft designed for 31 or more seats.

b. The certification requirement is not applicable to heliports and airports operated by the U.S. Government, unless specified by directive of Headquarters (see Appendix 1).

(1). The revision of Part 139, dated June 9, 2004, withdrew the Part 139 certificate of all Department of Defense airports and prescribed (in 14 CFR Part 121, Section 590, Use of Certificated Land Airports in the United States) that air carriers—and pilots used by air carriers in conducting a domestic-type operation or flag-type operation—may operate an airplane at an airport operated by the U.S. Government that is not certificated under Part 139 if the airport meets the equivalent safety standards for airports certificated under Part 139.

(2). The Flight Standards Service is responsible for granting this authority.

c. The certification requirement is applicable to the civilian portions of joint-use or shared-use airports.

d. The certification requirement is applicable to airports at which Part 380 (Public Charter) operations occur, pursuant to 49 U.S.C. 41104 (b), Additional Limitations and Requirements of Charter Air Carriers. **Note:** The Flight Standards Service has issued a directive to Part 380 operators to alert them of this requirement.

### 202. Airport Classifications.

Part 139 identifies four airport classifications based on the type of aircraft being served at the facility. See Paragraph 201 a above. (Previously, Part 139 specified only two classes: Full and Limited).

Table 2-1. Airport Classifications

<b>Type of Air Carrier Operation</b>	<b>Class I</b>	<b>Class II</b>	<b>Class III</b>	<b>Class IV</b>
Scheduled Large Air Carrier Aircraft	<b>X</b>			
Unscheduled Large Air Carrier Aircraft	<b>X</b>	<b>X</b>		<b>X</b>
Scheduled Small Air Carrier Aircraft	<b>X</b>	<b>X</b>	<b>X</b>	

**203. Section 139.3, Delegation of Authority.**

The authority of the Administrator to issue, deny, and revoke Airport Operating Certificates is delegated to the Associate Administrator for Airports, Director of Airport Safety and Standards, and the Regional Airports Division Managers.

**204. Section 139.5, Definitions.**

See Section 139.5 of the regulation.

**205. Section 139.7, Methods and Procedures for Compliance.**

Certificate holders are required to comply with the requirements of Part 139, Subparts C and D, in a manner authorized by the Administrator. FAA ACs contain acceptable methods and procedures for complying with Part 139.

**206. Section 139.101, General Requirements.**

The airport operator of an airport identified in Section 139.1 must—

- a. Obtain an Airport Operating Certificate (AOC) appropriate to the level of service provided at the airport and
- b. Comply with the applicable requirements of Part 139, the AOC, and the Airport Certification Manual (ACM).

**207. Section 139.103, Application for the Airport Operating Certificate.**

a. **Assigning an AOC Class.** The application for an AOC includes a designation of the class of the certificate. The purpose of establishing the separate classes is to allow the appropriate level of safety regulation to be applied for the type of aircraft operation at the airport and to avoid imposing more stringent requirements than are actually required. FAA determines the class of AOC for each airport applying for certification.

b. **Surrendering an AOC or Modifying the Class Certificate.** Under Part 139, an airport operator can surrender the AOC or apply to FAA to modify the class

certificate. Both options, however, have implications that must be considered. Under Airport Improvement Program (AIP) grant assurances, an airport receiving Federal funds must provide reasonable, not unjustly discriminatory, access to the airport. The class of AOC held by an airport can affect access to an airport because air carrier operators can conduct operations only at airports with the appropriate level of AOC. For example, commuter operators cannot operate at an airport with a Class IV AOC even though they might have operated at the same airport before June 9, 2004, when the airport held a Limited AOC.

**c. Examples.** The following examples illustrate how FAA policy applies to certain circumstances:

**Example #1: Airport without an AOC previously offered scheduled service with small air carrier aircraft**

An airport that previously did not have an AOC is not required to apply for one under 49 U.S.C. 44706, Airport Operating Certificates—even if an air carrier conducted scheduled operations there before June 9, 2004.

For this scheduled service to continue under the new rule, the airport would need a Class III AOC. If the airport does not apply for a certificate, the commuter operator will be required to cease operations at the date specified in revised 14 CFR Part 121, Operating Requirements: Domestic, Flag, and Supplemental Operations.

**Example #2: Airport with an AOC and air carrier service wants to surrender its certificate**

A certificated airport (Full or Limited) may surrender its AOC at any time under Part 139. If the certificate holder/airport operator has accepted AIP grants, however, surrendering its AOC might conflict with its responsibility to ensure reasonable access per the grant assurance if current or planned air carrier service must be cancelled.

**Example #3: Airport with Limited AOC wants to continue service with unscheduled large aircraft and scheduled service with small air carrier aircraft**

A certificated airport with a Limited AOC has unscheduled large aircraft service and scheduled service with small air carrier aircraft. The certificate holder wants to know what class of AOC it needs for current operations to continue.

Under the current Part 139, the airport must have a Class II AOC to permit current operations to continue. The certificate holder is required to continue to meet the appropriate certification requirements for the kinds of operations at the airport and convert the AOC to meet those requirements. The certificate holder is not permitted to elect a class of certificate that would cause the existing service to cease.

Limited AOCs under the previous regulation will be designated Class II or Class IV under the new regulation. FAA makes the determination.

**Example #4: Airport with a Limited AOC and unscheduled large aircraft operations plans to offer scheduled small air carrier service**

A certificated airport with a Limited AOC has had unscheduled large aircraft operations during the last 5 years and now plans to offer scheduled service with commuter aircraft, which has not yet started. The air carrier notified the airport of its intent to begin scheduled service with 10- to 30-seating capacity aircraft within the next 4 months. Because the scheduled small air carrier service has not yet begun, the airport has applied for a Class IV certificate.

FAA treats planned service the same as existing service, so the airport is required to hold a Class II AOC. There are several reasons for this. First, planned operations are considered in airport planning efforts and in FAA grant decisions. Secondly, an air carrier operator “directly and substantially affected” by an airport access rule will have standing to file a formal complaint with FAA under 14 CFR Part 16, Rules of Practice for Federally-Assisted Airport Enforcement Proceedings. FAA considers an air carrier operator prevented from starting service to be “directly and substantially affected” by an airport’s actions.

FAA treats planned service the same as existing service if the air carrier operator is—

- Actually able to begin service (which means the air carrier will be using the necessary facilities and equipment and have the necessary Department of Transportation and FAA authority to operate scheduled air transportation) and
- Has filed formal notice with the airport operator of intent to begin service within a reasonable time (2 to 6 months, normally).

The regional office should advise the airport operator of grant obligations but review the application for a Class IV AOC. If the air carrier files a formal complaint under 14 CFR Part 16, FAA will determine the airport operator’s obligations in a Part 16 Director’s Determination, which could require, as part of a corrective action plan, the airport operator to apply for and meet the requirements of a Class II AOC.

**Example #5: Airport with a Limited AOC and no scheduled service want to apply for a Class I AOC**

A certificated airport with a Limited AOC and no scheduled service wants to apply for a Class I AOC.

This airport may apply for a Class I AOC under the current Part 139. The regional office will make a determination based on the facts of the application. These might include the reasonable prospect of scheduled service or other special circumstances, e.g., an airport is served by frequent and regular Part 380 scheduled charters.



**Example #6: Air carrier wants to offer scheduled large aircraft service at an airport with a Class III certificate**

An air carrier operator requests an airport designated as Class III to upgrade its AOC so the carrier can serve the airport with scheduled large aircraft. The airport is concerned about the requirements necessary for upgrading the AOC.

The request raises an issue of reasonable access. The airport would have to obtain a Class I certificate to allow the operation of the carrier, but operations by larger aircraft might require changes in airport facilities. These operations might also require Flight Standards approval and possibly be contingent on an FAA environmental review.

If an airport is concerned about upgrading an AOC to Class I to permit new scheduled service by aircraft with more than 30 passenger seats, the regional office should contact the Director of Airport Safety and Standards (AAS-1) for coordination with AAS-100, AAS-300, and AAS-400.

**208. Section 139.105, Inspection Authority.**

The applicant for an AOC or the holder of an AOC must allow the Administrator to make any inspection, including unannounced inspections and tests, to determine compliance with 49 U.S.C. 44706 and the requirements of Part 139. This includes testing personnel for competency and qualification for conducting assigned duties. See Subpart D of the regulation for detailed information about training requirements for airport personnel.

If a certificate holder or his/her representative refuses to allow an ACSI to conduct an inspection, interferes with the conduct of an inspection, or otherwise refuses to allow the inspector to conduct his/her official duties, the inspector will discontinue the inspection and notify the Regional 620 Branch Manager and AAS-300. Action on the part of an airport certificate holder or his/her representative will normally result in a violation of Part 139 and legal enforcement action (see Chapter 5).

**209. Section 139.107, Issuance of the Airport Operating Certificate.****a. The Applicant's Responsibilities.**

(1). As specified in Part 139.203, the operator of an airport that is required to be certificated or authorized under 14 CFR Part 139 must prepare and submit to the regional office a Form 5280-1, Application for Certificate (see Appendix 2), and two copies of the ACM, in compliance with the applicable provisions of Subpart C, far enough in advance of an intended operation so as to permit approval of the ACM, an inspection of the airport, and preparation of the AOC and associated correspondence.

(a). As of June 9, 2004, Class I airports were required to submit an ACM by December 9, 2004, to meet all requirements that do not have a deferred implementation date.

(b). As of June 9, 2004, Class II, III, and IV airports were required to submit an ACM by June 9, 2005, to meet all requirements that do not have a deferred implementation date.

(2). In addition, an applicant applying for an AOC for the first time must—

(a). Be properly and adequately equipped and able to provide a safe airport operating environment in accordance with any limitation the Administrator finds necessary to ensure safety in air transportation and

(b). Include in the ACM any additional provision that the Administrator finds necessary to ensure the safety of air transportation.

(3). The operator of an airport with a current AOC is required to comply with the provisions of the existing ACM until the revised ACM is approved.

(4). **Letter of Authorization.** The operator of a noncertificated airport must notify the Regional Airports Division Manager of an intended operation by an unscheduled carrier for unusual circumstances. For example,

(a). Air carrier operations of forest firefighters.

(b). Air carriers accompanying Air Force One.

(c). Public-use charters.

In coordination with the Regional Flight Standards Division Office, the Regional Airports Division Manager may authorize the operation(s) and will issue a Letter of Authorization (Appendix 3) for the flight(s). The authorization is predicated on a site visit conducted within the last 36 months.

(5). **Time-limited AOC.** The operator of an airport at which air carrier operations are planned may apply for an AOC by notifying the Regional Airports Division Manager and providing a copy of the Letter of Intent from the air carrier with the date of the start of service. The Regional Airports Division Manager will issue a Time-limited AOC, which may be extended, after consultation with AAS-300.

Time-limited AOCs are intended to prevent the certification of airports that are not required to be certificated. Since FAA makes the determination, the ACSI must ascertain the validity of the Letter of Intent and advise the potential certificate holder that FAA views the Letter of Intent as a legal document. Failure to follow through on the Letter of Intent is grounds for refusal to issue or to revoke immediately the Time-limited AOC (see Appendix 4).

(6). **Inactive Status.** An airport without air carrier service requiring certification under Part 139 but whose operator applies for certification can be certificated and placed in “inactive status.” An AOC will also be issued. See Paragraph 209 b (4).

**b. Processing the Application for Certificate and Completion of the AOC.**

(1). **Application for Certificate (Form 5280-1).** FAA processing of an application (see Appendix 2) begins with the completion of the “FAA USE ONLY” sections of the form, followed by approval of the ACM and an initial inspection that finds the airport to be in full compliance with Part 139 or in compliance with a Letter of Correction (LOC). The “Remarks” section on the form should note any previous certification, including dates and type of certificate. The contents of the ACM are discussed in Chapter 3 and in AC 150/5210-22, *Airport Certification Manual (ACM)*. The requirements of the initial inspection, including the provision for issuance of an AOC with an LOC, are contained in Chapter 4.

(a). **Changes in AOC Class.** The class of an existing AOC can be downgraded without an inspection. However, an upgrade in class requires an inspection, unless the contents of the ACM and the Region's knowledge of the airport demonstrate the airport has already been operating at the level of the class applied for while holding its present class certificate.

(2). **Completion of the AOC.**

(a). The AOC (see Appendix 4) is completed by ensuring the “Name” and “Associated City and State” are consistent with the information on the Airport Master Record (Form 5010-1).

The “Effective Date” is the date the airport operator was first granted certification. The “Reissue Date” is for airports previously certificated and is determined by the Regional Airports Division Manager. It indicates the date the airport was in compliance with the current Part 139 requirements.

The location from which the AOC is issued is the city in which the regional office is located. The Associate Administrator for Airports has delegated the authority for signing the AOC to the Regional Airports Division Manager. In the absence of the Regional Airports Division Manager, the Acting Manager may sign the AOC if the certificate must be issued immediately.

(b). A cover letter is prepared to transmit the AOC to the certificate holder (see Appendix 5).

(c). A copy of a marked-up Airport Master Record, noting the appropriate airport class and aircraft rescue and firefighting (ARFF) index, is then sent to AAS-330 to transmit to the National Flight Data Center (NFDC) for action.

(3). **Environmental Categorical Exclusions.** Chapter 6 of Order 5050.4, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects*, identifies items that may be classified as Categorical Exclusions. Part 139 certification is included in the list and, therefore, does not require a formal environmental assessment. However, if issuing an AOC is likely to be controversial on environmental grounds (i.e., social impacts) or cause substantial division or

disruption of an established community, an environmental assessment is required in accordance with the same Order (Paragraph 606, Extraordinary Circumstances).

**(4). Certificated Airports Without Air Carrier Service.**

(a). Airports certificated prior to June 9, 2004, but that do not have air carrier service may retain certification provided the certificate holders comply with the provisions and requirements of the current Part 139. These airports are placed in "inactive status" and are subject to surveillance inspections. FAA will determine the class AOC to be issued, but the class will be based generally on the last type of air carrier service served. The default certificate for an airport with an elapsed time of several years is a Class IV certificate. Such a classification ensures the airport maintains the minimum standards of the regulation. Should an airport that previously had the equivalent of a Class I certificate but currently does not have air carrier service apply for a Class I certificate under the new Part 139, the regional office will consult with AAS-300 on the advisability of issuing a Class I certificate.

(b). To return to active status, the airport must be scheduled to resume air carrier service and follow the procedures in Paragraph 210 d below.

(c). An airport certificated under Part 139 prior to June 9, 2004, which does not have air carrier service and is unable to comply with the provisions of the current Part 139, may surrender its certificate to the Administrator with no adverse condition affecting a future certification. If a certificate holder who retains an "inactive status" certificate cannot meet the requirements of the certificate and is subsequently found in noncompliance, it may have the certificate suspended or revoked, depending on the severity of the noncompliance.

**210. Section 139.109, Duration of Certificate.**

a. An AOC is valid and effective until the certificate holder surrenders it or the Administrator suspends or revokes it.

b. FAA has the authority to suspend or revoke an AOC if an airport does not meet the standards and/or requirements of Part 139. The regional office must coordinate any suspension or revocation of an AOC with Headquarters.

c. FAA has the authority to change the class AOC assigned to an airport if and when air carrier service changes at the airport. The regional office must coordinate any class change with Headquarters.

d. The AOC of an airport that does not have air carrier service can be placed in "inactive status."

(1). An airport operator whose certificate has been placed in "inactive status" must maintain the level of certificate class and comply with the applicable provisions of Part 139 and the airport's approved ACM. The airport remains subject to periodic and surveillance inspections at the discretion of the Regional Airports Division. The certificate holder remains subject to administrative action resulting from an inspection, i.e., Letter of Correction, Letter of Investigation, or suspension or

revocation of the certificate. The certificate holder also remains subject to legal enforcement action, i.e., civil penalty.

(2). The certificate holder of an airport in “inactive status” must notify the Administrator in writing of resumption of scheduled or unscheduled air carrier activity at least 90 days in advance of such activity because an inspection must be conducted to remove the airport from “inactive status” before air service may resume at that airport.

## **211. Section 139.111, Exemptions.**

**a.** 14 CFR Part 11, General Rulemaking Procedures, contains the procedures for processing exemptions. FAA publishes a document, entitled *Exemption Procedures Manual*, which must be consulted in issuing an exemption. Chapter 9 contains information and guidance for the processing of exemptions. Most exemptions issued by Airports personnel may be approved at the regional level. Others require approval by AAS-1. All require coordination with AAS-300.

**b.** Exemptions are time-limited (not to exceed 3 years) and must be reviewed periodically for extension and/or renewal. During the certification safety inspection, the exemption is reviewed for the criteria described below.

**c.** Petition for exemptions must meet the following criteria:

(1). Current and necessary. The need for an exemption must be conclusive, and it must be a present need.

(2). Current exemptions status. All conditions of the currently active exemptions must be fully met.

(3). Good faith efforts. If appropriate, the certificate holder will take steps to correct the deficiencies that make an exemption necessary or address a condition for which the exemption was issued.

**d.** The process for exemptions for Aircraft Rescue and Firefighting [Section 139.111 (b)] includes—

(1). Coordination with AAS-300,

(2). Submission of financial data, and

(3). Prearranged emergency response services, but

(4). Does not include a requirement for timed response, equipment, or personnel.

(5). The authorizing statute requires that, to be eligible to apply for this exemption, the airport must have less than 0.25 percent of the total number of annual passenger enplanements (approximately 1.6 million annual passenger boardings). Additionally, the Administrator can decide that the ARFF requirements are or would be unreasonably costly, burdensome, or impractical (see 49 U.S.C. 44706).

e. An exemption is not a “Modification of Standards.” Order 5300.1, *Approval Level for Modification of Agency Airport Design, Construction, and Equipment Standards*, contains information and guidance for issuing modifications to standards. Paragraph 5, Exemptions, reads “Exemptions from 14 CFR Part 139 . . . are not covered by this Order.” If a Modification of Standards is issued in the context of Order 5300.1 and it impacts Part 139, it must be addressed in the ACM.

For example, if an airport cannot meet the requirement for the standard distance between taxiway and runway, the regional office may issue a Modification of Standards (not an exemption) to allow operations by certain aircraft. The Modification of Standards will be included in the ACM.

f. The “Exemption Package” should contain all the documents identified in the *Exemption Procedures Manual*. All timelines are in calendar days. The package should be submitted to AAS-300 within 100 calendar days after the docket number has been assigned. A briefing paper, which is part of the package, must explain the regional office’s rationale for approving or, if appropriate, recommending AAS-1’s approval of the exemption. See Appendix 6 for more information about the Exemption Package.

## **212. Section 139.113, Deviations.**

a. Deviation from any requirement of Subpart D or the ACM, to the extent required to meet emergency conditions that threaten life or property, is permitted, provided that—

(1). The certificate holder notifies the Regional Airports Division Manager of the nature, extent, and duration of the deviation as soon as possible but at least within 14 days.

(2). The certificate holder provides the notification in writing when requested.

**Example:** ARFF personnel respond to a vehicular accident on an airport access road, with the result that the airport is not able to maintain the ARFF index, and a NOTAM is not issued. This would be a deviation from the regulation and the airport's ACM and could require an explanation in writing, if, say, an air carrier complained to FAA about the reduced ARFF coverage.

## **213. Change of Ownership.**

When airport ownership is transferred from one organization to another, the AOC does not transfer. The new owner must submit a new application and an updated ACM. In most cases, the ACM will only require a change in the section showing the new owner of the airport. Once the ACM has been approved, a new AOC will be issued. If the airport has been physically inspected within the last 24 months, there is no need to conduct an additional inspection.

## **214. – 299. Reserved.**

## **Chapter 3. Airport Certification Manual**

### **300. Purpose.**

This Chapter provides guidance on approving and maintaining the Airport Certification Manual (ACM). This Chapter also identifies the ACM requirements that have been established for each of the airport classes. The ACM is an extension of Part 139, and its contents are legally enforceable under Federal law.

### **301. Section 139.201, General Requirements.**

Part 139 requires each certificated airport to be operated according to an ACM. The manual must be—

- a. In a form that is easy to revise, with a revision log to track changes, and organized in a manner that is helpful;
- b. Submitted in print and in duplicate—with one approved, complete copy retained at the airport and available for inspection and one approved, complete copy retained at the designated FAA office;
- c. Approved by the Regional Airports Division Manager, with the date of approval displayed on each page;
- d. Signed by the certificate holder to indicate the certificate holder's recognition that the ACM is a legal document and an extension of Part 139;
- e. Kept current at all times; and
- f. Distributed to those personnel who are responsible for its implementation.

### **302. Section 139.203, Contents of the Airport Certification Manual.**

a. Table 3-1 lists the minimum elements that must be addressed in the ACM for each certificate class.

(1). Certificate holders must not include items that do not directly address the requirements of Part 139.

(2). A contents page, a distribution list, charts, maps, and other pages that complement the required information must be included.

b. The ACM must—

(1). Contain a description of operating procedures, facilities and equipment, and responsibility assignments as well as any other information needed by the personnel who operate the airport.

(2). Contain the required elements specified in Table 3-1 for each certificate class, addressing the provisions of Part 139, Subpart D.

(3). Reflect the actual conditions, operations, and procedures in effect at the airport.

(4). Display the date of initial approval or the date of the latest revision on each page.

(5). Include a current revision log.

(6). Where nonstandard procedures and/or Modifications to Standards are in effect, include documentation that supports a level of safety equal to that described in FAA ACs.

**c. ACM Transmittal Letter (Appendix 7).** The initial ACM and revisions/amendments submitted for approval by the certificate holder must be returned to the certificate holder by transmittal letter. The transmittal letter must refer to the approved ACM revisions and amendments, or it must state why they were not approved and identify what further action is necessary to meet Part 139 requirements for approval.

### 303. Application of Requirements.

Table 3-1 contains the airport certification elements that must be addressed in the ACM. As the table illustrates, Part 139 requires Class I, II, and III airports to address all elements. Class IV airports are not required to address seven of the elements—unless the ACSI determines they are necessary in the interest of safety.

Table 3-1. Required Airport Certification Manual Elements

Manual elements	Airport certificate class			
	Class I	Class II	Class III	Class IV
1. Lines of succession of airport operational responsibility	X	X	X	X
2. Each current exemption issued to the airport from the requirements of this part	X	X	X	X
3. Any limitations imposed by the Administrator	X	X	X	X
4. A grid map or other means of identifying locations and terrain features on and around the airport that are significant to emergency operations	X	X	X	X
5. The location of each obstruction required to be lighted or marked within the airport's area of authority	X	X	X	X
6. A description of each movement area available for air carriers and its safety areas, and each road described in § 139.319(k) that serves it	X	X	X	X



Manual elements	Airport certificate class			
	Class I	Class II	Class III	Class IV
7. Procedures for avoidance of interruption or failure during construction work of utilities serving facilities or NAVAIDs that support air carrier operations	X	X	X	
8. A description of the system for maintaining records, as required under § 139.301	X	X	X	X
9. A description of personnel training, as required under § 139.303	X	X	X	X
10. Procedures for maintaining the paved areas, as required under § 139.305	X	X	X	X
11. Procedures for maintaining the unpaved areas, as required under § 139.307	X	X	X	X
12. Procedures for maintaining the safety areas, as required under § 139.309	X	X	X	X
13. A plan showing the runway and taxiway identification system, including the location and inscription of signs, runway markings, and holding position markings, as required under § 139.311	X	X	X	X
14. A description of, and procedures for maintaining, the marking, signs, and lighting systems, as required under § 139.311	X	X	X	X
15. A snow and ice control plan, as required under § 139.313	X	X	X	
16. A description of the facilities, equipment, personnel, and procedures for meeting the aircraft rescue and firefighting requirements, in accordance with §§ 139.315, 139.317, and 139.319	X	X	X	X
17. A description of any approved exemption to aircraft rescue and firefighting requirements, as authorized under § 139.111	X	X	X	X

Manual elements	Airport certificate class			
	Class I	Class II	Class III	Class IV
18. Procedures for protecting persons and property during the storing, dispensing, and handling of fuel and other hazardous substances and materials, as required under § 139.321	X	X	X	X
19. A description of, and procedures for maintaining, the traffic and wind direction indicators, as required under § 139.323	X	X	X	X
20. An emergency plan as required under § 139.325	X	X	X	X
21. Procedures for conducting the self-inspection program, as required under § 139.327	X	X	X	X
22. Procedures for controlling pedestrians and ground vehicles in movement areas and safety areas, as required under § 139.329	X	X	X	
23. Procedures for obstruction removal, marking, or lighting, as required under § 139.331	X	X	X	X
24. Procedures for protection of NAVAIDs, as required under § 139.333	X	X	X	
25. A description of public protection, as required under § 139.335	X	X	X	
26. Procedures for wildlife hazard management, as required under § 139.337	X	X	X	
27. Procedures for airport condition reporting, as required under § 139.339	X	X	X	X
28. Procedures for identifying, marking, and lighting construction and other unserviceable areas, as required under § 139.341	X	X	X	
29. Any other item that the Administrator finds is necessary to ensure safety in air transportation	X	X	X	X

**304. Section 139.205, Amendment of the Airport Certification Manual.**

**a. Authority to Amend the ACM.** Under Section 139.3, the authority of the Administrator to issue, deny, and revoke AOCs is delegated to the Associate Administrator for Airports, the Director of Airport Safety and Standards, and Regional Airports Division Managers. This authority permits Regional Airports Division Managers to amend any ACM upon application by the certificate holder or on their own initiative if safety in air transportation requires the amendment.

**b. Amendment Initiated by FAA.**

(1). When the Regional Airports Division Manager initiates an amendment to the ACM, the regional office informs the certificate holder in writing with a Notice to Amend. This notice specifies a reasonable period of not less than 7 business days within which the certificate holder may submit written information, arguments, and views on the proposed amendment.

(2). The Regional Airports Division Manager will consider all relevant material when making a decision about the amendment and notify the certificate holder within 30 days of the decision to amend or to rescind the Notice to Amend.

(3). If the Regional Airports Division Manager decides to implement the amendment, the amendment will go into effect not less than 30 days after the certificate holder is notified of the decision.

(a). A certificate holder who does not agree with the decision to amend can petition the Associate Administrator for Airports to reconsider the decision. If the decision is petitioned, implementation of the amendment is stayed pending a decision by the Associate Administrator.

(b). If FAA decides there is an emergency requiring immediate action with respect to safety, the amendment may be issued without stay along with a statement of the reasons for the finding in the Notice to Amend.

**c. Amendment Initiated by the Certificate Holder.**

(1). A certificate holder must submit a proposed ACM amendment in writing to the Regional Airports Division Manager at least 30 days before the proposed effective date of the amendment, unless the Regional Airports Division Manager permits a shorter filing period.

(2). If the Regional Division Manager denies an application for amendment of the ACM, a certificate holder may petition the Associate Administrator for airports to reconsider the denial.

**305. – 399. Reserved.**

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## Chapter 4. Inspection Process

### 400. Purpose.

This Chapter provides guidance on conducting inspections of airport operations.

### 401. Types of Inspections.

There are three types of inspections: initial, periodic, and surveillance. Initial inspections are conducted prior to the issuance of an Airport Operating Certificate. The periodic inspection is conducted according to a schedule. Surveillance inspections can be conducted at any time. The following describes each type:

**a. An initial inspection** is required for certification of all airports not previously inspected or certificated under Part 139, including all previous issuances of Part 139 since 1972.

**b. The periodic inspection** is intended to ensure the airport is safe and the certificate holder is operating the airport in compliance with Part 139 requirements and in accordance with procedures and practices described in the approved ACM. The periodic inspection schedule is designed to meet management objectives and conserve resources.

**c. Surveillance inspections** are announced or unannounced inspections that are conducted in addition to the periodic inspection. Reasons for conducting a surveillance inspection can range from following up on a periodic inspection finding to monitoring airfield safety during construction activity to testing continued compliance with the airport's ACM or Part 139. The surveillance inspection can be directed toward a specific requirement and is not necessarily all-inclusive.

### 402. Schedule of Inspections.

**a.** Regional Airports Divisions will schedule periodic inspections based on the following criteria:

(1). Inspect Class I airports on a 9- to 15-month cycle to ***maintain a regional average of 12 calendar months between inspections.*** Consideration may be given to any applicable factors when establishing the inspection frequency for a Class I airport. This cycle should allow enhanced flexibility in the formulation of a regional inspection schedule.

(2). Inspect Class II and Class III airports on an 18-month cycle. The Regional Airports Division must consider any applicable factors listed in e, when establishing the inspection frequency for a Class II or III airport in Table 4-1.

(3). Inspect Class IV airports on a 24-month cycle. The Regional Airports Division must consider any applicable factors listed in e, when establishing the inspection frequency for a Class IV airport in Table 4-1.

**b.** Airports having no air carrier service but retaining their operating certificate should be placed in "inactive status." These airports are subject to

surveillance inspections but not to periodic inspections. They must be inspected prior to any scheduled or unscheduled air carrier operation. The Regional Airports Division must consider any applicable factors listed in e, when establishing the inspection frequency for an “inactive status” airport in Table 4-1.

**c.** Deviations may be made from the cycles specified in subparagraphs a (1), (2), and (3) to shorten the time interval between inspections at a particular airport to accommodate—

(1). Geographic proximity, i.e., it is permissible to inspect airports in the same geographic area or travel routing during the same inspection interval, or

(2). An operational need that would make it prudent to conduct an inspection at an airport prior to its scheduled inspection.

**d.** Any deviation that would extend the inspection cycles beyond those outlined above must be coordinated with AAS-300 prior to implementation.

Table 4-1. Inspection Schedule

AIRPORT TYPE	9- to15-MONTH CYCLE	18-MONTH CYCLE	24-MONTH CYCLE	INITIAL	SURVEILLANCE
<b>Class I</b>	X			X	X
<b>Class II</b>		X		X	X
<b>Class III</b>		X		X	X
<b>Class IV</b>			X	X	X
<b>INACTIVE</b>				X	X

**e.** Factors triggering surveillance inspections include—

(1). Passenger boardings meeting or exceeding approximately 0.04 percent of national enplanements.

(2). Need to validate the airport index.

(3). Unsatisfactory enforcement history (administrative/legal).

(4). AOC issuance or upgrade within the previous 24 months.

- (5). Surface incidents or vehicle pedestrian deviations (V/PDs).
- (6). Recent management and/or ownership change.
- (7). Construction activity.
- (8). Wildlife activity.
- (9). "Inactive status" and other considerations that are identified by the ACSI.

#### **403. Preparation for Initial and Periodic Inspections.**

**a.** Initial and periodic inspections require preparation. Regional Airports Divisions may develop a tentative schedule for a periodic inspection that is convenient for both the ACSI and the airport operator. The ACSI should prepare for an initial and all periodic inspections according to the following guidelines:

- (1). Provide 2 weeks advance notice to the certificate holder (see Appendix 8).
- (2). Confirm the dates as soon as practicable.
- (3). Coordinate with other offices, as appropriate, including—
  - (a). Regional Airports Division offices and Airports District Office (ADO).
  - (b). Flight Standards District Office (FSDO).
  - (c). Technical Operations (formally Airway Facilities).
  - (d). Transportation Security Administration (TSA).
  - (e). Airport Traffic Control [usually the Airport Traffic Control Tower (ATCT) on the subject airport (see Appendix 10)].
- (4). Review airport information, including—
  - (a). ACM.
  - (b). Current exemptions.
  - (c). Previous inspection records and legal enforcement reports.
  - (d). Violation history (for previous 3 years).
  - (e). Previous investigation reports (including V/PD reports).
  - (f). Airport Master Record (5010-1) and Airport/Facility Directory (A/FD) entry.
  - (g). Obstruction chart/airport approach survey (if available).
  - (h). Accident/incident history.

- (i). Airport compliance and AIP status (verbal briefing sufficient).
  - (j). Airport Layout Plan (ALP).
  - (k). Standard Instrument Approach Procedures (SIAPs) for each instrument runway.
  - (l). Information about construction projects for safety and compliance with AC 150/5300-13, *Airport Design*; design standards; approach categories of runways; and other clearances to be maintained.
- (5). Ensure the availability of proper directives, charts, ACs, and appropriate information to conduct the inspection.
- (6). Review the certificate holder's responsiveness to corrective actions required for previously cited deficiencies/discrepancies.

#### **404. Inspection Protocol—General.**

**a.** The Airport Certification Program operates on the premise that the airport certificate holder acts responsibly to comply with Part 139 through the self-inspection program. The inspection itself is but a snapshot of how the airport's own self-inspection program ensures safety. Through best practices and procedures, diligent airport condition reporting, and timely corrective actions for deficiencies and discrepancies to Part 139, the certificate holder shows how the airport meets the regulatory requirements and those specific to the airport's ACM.

**b.** Because of conditions on some airports (high-density traffic), ACSIs should be flexible when conducting an inspection. The ACSI should consider inspecting the movement area during early morning, late evening, between hours of high numbers of aircraft operations, and other times when low numbers of aircraft operations occur.

**c.** Initial and periodic certification inspections must include a night inspection of lighting and marking if the airport has night air carrier operations or an instrument approach procedure. ACSIs must conduct night inspections during official darkness, i.e., after sunset and before sunrise.

(1). In Alaska, a night inspection is acceptable during the time that a prominent, unlighted object cannot be seen from a distance of 3 statute miles or the sun is more than 6 degrees below the horizon.

**d.** During the inspection, key airport personnel—including the operations director or supervisor, the maintenance supervisor, the ARFF chief, the wildlife hazard management supervisor or the airport wildlife biologist, and local FAA personnel (e.g., ATCT manager)—should be available. It might be advisable to interview these offices and personnel separately since there might be some reluctance to talk about problems in the presence of others.

**e.** The Airport Certification/Safety Inspection Checklist (Form 5280-4) (see Appendix 9) is used to document findings during the inspection process.



**405. Phases of the Inspection.**

The inspection protocol consists of eight phases:

**a. In-briefing.** The in-briefing is a meeting with airport management to discuss the inspection agenda, areas of mutual interest, problem areas, the airport's current status, recent Part 139 issues, runway incursion issues, and any other topics of concern to the airport. In addition, the ACSI should coordinate with the ATCT, as appropriate, for inspection access to the movement area (see Appendix 10) and with the ARFF response at this time.

**b. Administrative Inspection.** The ACSI should—

(1). Review the airport's official copy of the ACM, including the various plans (Emergency, Snow and Ice Control, Wildlife Hazard Management), as appropriate, to discuss any items about which there are questions from the pre-inspection preparation.

(2). Pay particular attention to those items that frequently change (e.g., personnel and telephone numbers, navigational aid (NAVAID) information, changes in pavement information after construction) in the ACM.

(3). Discuss the status of exemptions, if any, to suggest possible steps to remove the deficiency that necessitates the exemption.

(4). Since the ACM contains the processes and procedures the airport uses to comply with Part 139, ensure the official copy of the ACM is accurate, current, and implemented properly by those with responsibilities on the airport.

(5). Check the Notices to Airmen (NOTAMs) to verify congruity between the airport's condition reporting and the information disseminated to users through the Flight Service Stations (FSS). Examine NOTAM and/or other airport condition reporting logs.

(6). Review the Airport Master Record for changes and update the record, as appropriate, with the airport operator.

(7). Examine documentation required under Section 139.301 (see Paragraph 407).

**c. Movement Area Inspection.** Movement areas are runways, taxiways, and other areas of an airport that are used for taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas. The ACSI should—

(1). Inspect runways and taxiways used by air carrier aircraft to ascertain the condition of the pavement, marking, lights, signs, shoulders, and safety areas.

(2). Verify that marking and light configurations are consistent with the approach chart(s) and the Airport Master Record.

(3). At each runway approach, check the approach slope with an acceptable hand-held instrument and the runway alignment with a compass or

global positioning system (GPS). Compare the results with the current obstruction chart and the Airport Master Record and, if available, most recent approach survey.

- (4). If construction activity is in progress,
  - (a). Check for adherence to the safety plan.
  - (b). Identify any potentially hazardous condition to runway/taxiway safety posed by excavations, trenches, or stockpiled material.
  - (c). Verify there is adequate marking and lighting of the construction area.
  - (d). Verify correct marking and lighting of temporary thresholds.
  - (e). Verify the placement of construction equipment away from the movement area.
  - (f). Observe ground vehicle operations for the following:
    - (i). Limited access to movement and safety areas to only those vehicles necessary for airport operations.
    - (ii). Appropriate and correct procedures and communications, adherence to pilot/controller phraseology, and driver understanding of Air Traffic Control conventions.
    - (iii). Properly marked vehicles.
- (5). Inspect for public protection (inadvertent entry and jet/propeller blast protection).
- (6). Observe evidence for the presence of wildlife or attractants that present potential hazards. This includes disposal practices for dead or captured animals, how self-inspection procedures address the finding of dead birds or other wildlife on pavements, and how personnel are monitored during construction activity for disposal of wastes that might attract wildlife.
- (7). Verify that traffic and wind indicators can be seen by pilots in aircraft on approach, for condition, and, if for use at night, for adequate lighting.

**d. ARFF Inspection.**

- (1). Check index for the critical aircraft and schedule of operations.
- (2). Check for appropriate firefighting equipment to meet index and agents.
- (3). Check for sufficient personnel.
- (4). Conduct a refractometer or conductivity test if the airport operator has not conducted one in the past 6 months.

- (5). Check dry chemical testing records to verify testing has been conducted as required by the manufacturer.
- (6). Check for procedures to address reduction in capability.
- (7). Check vehicle and equipment readiness, including *North American Emergency Response Guidebook* accessibility.
- (8). Check for communications capability, including method of alert.
- (9). Check emergency access roads.
- (10). Conduct 3-minute response drill, as appropriate (see Paragraph 416 for detailed information on response drills).
- (11). Check ARFF personnel proximity suits and self-contained breathing apparatus.
- (12). Check ARFF personnel for knowledge of the 11 ARFF areas contained in Section 139.319 (i) (2).
- (13). Check ARFF personnel training records.
- (14). Check emergency medical technician (EMT) or medical response capability.
- (15). Check records of live-fire drills.

**e. Fuel Inspection.**

- (1). Check agents who handle hazardous materials on the airport.
- (2). Check areas designated for storage of hazardous materials.
- (3). Check certificate holder's standards for protecting against fire and explosions in storing, dispensing, and otherwise handling fuel on the airport. These must address facilities, procedures, and personnel training according to the seven items in Section 139.321 (b).
- (4). Check certificate holder's inspection records of fueling agents on the airport.
- (5). Check supervisory and other personnel training per Section 139.321 (e).

**f. Wildlife Hazard Management.**

- (1). Observe signs of wildlife during a physical inspection of the airport.
- (2). Observe habitats and activities conducive to attracting wildlife.
- (3). Check self-inspection records for data about wildlife observation by airport personnel.

(4). If a wildlife assessment has been conducted, determine if the airport is required to develop a Wildlife Hazard Management Plan. An assessment does not always result in the need for a plan, but if a plan is required, then determine if the plan has been implemented.

(5). Check for depredation and other wildlife control permits.

(6). If a Wildlife Hazard Management Plan has been written and implemented, check for adequacy.

(7). Check professional qualifications of wildlife management personnel.

(8). Check procedures for alerting users of wildlife activities.

**g. Night Inspection.**

(1). Check runway and taxiway lights on all carrier runways for alignment, spacing, and optical information.

(2). Check obstruction lighting.

(3). Check shielding of lighting on ramps and aprons.

(4). Check marking and sign visibility at night.

(5). Check visibility of wind and traffic indicators for night operations.

(6). Where appropriate, check lighting and marking of unusable portions of the airport and/or construction lighting of hazards to airport users.

**h. Post-inspection Out-briefing.**

(1). Consolidate notes from the ACM review, from elements a through g above, and from the Airport Certification/Safety Inspection Checklist.

(2). Present specific discrepancies and deficiencies during the out-briefing.

(3). Throughout the discussion, determine the level of compliance and compliance attitude.

(4). If a deficiency or discrepancy is found—

(a). Determine the enforcement action appropriate to the deficiency or discrepancy and issue a Letter of Correction identifying actions to be taken by the certificate holder (see Chapter 5).

(b). If a Letter of Correction is issued, establish a date by which the correction must be completed.

(c). In the case of an unsafe condition, take immediate action.

(d). Determine if FAA can be of assistance.

(5). If no discrepancies/deficiencies are observed—

(a). Issue an Inspection Closeout Letter (see Appendix 11), either onsite or upon return to the office.

#### **406. Inspection Protocol—Specific Guidance.**

The following sections provide more details about the conduct of an airport certification safety inspection. The ACSI should compare conditions on the airport to the contents of the ACM, especially when deficiencies or discrepancies are found.

#### **407. Section 139.301, Records.**

##### **a. Certificate Holder's Responsibilities.**

(1). A certificate holder must maintain the records required under Part 139 in a manner acceptable to the Administrator and in compliance with Part 139.

(2). A certificate holder must, upon request, provide the Administrator all records required under Part 139.

**b. ACSI's Responsibilities.** The ACSI must confirm the certificate holder is adequately maintaining all records required under Part 139, including—

(1). Records for airport personnel training, as required under Sections 139.303 and 139.327, and the records for emergency personnel training (ARFF and medical service), as required under Section 139.319. These records must be maintained for 24 consecutive calendar months.

(2). Records for airport fueling agent inspections and fueling personnel training, as required under Section 139.321. These records must be maintained for 12 consecutive calendar months.

(3). Records for self-inspection, as required under Section 139.327. These records must be maintained for 12 consecutive calendar months.

(4). Records for training vehicle operators and personnel with access to the movement area and safety areas, as required under Section 139.329. These records must be maintained for 24 consecutive calendar months.

(5). Records for an accident or incident occurring on the movement and/or safety areas involving an air carrier aircraft and/or a ground vehicle, as required under Section 139.329. These records must be maintained for 12 consecutive calendar months.

(6). Records of airport conditions, as required under Section 139.339. These records must be maintained for 12 consecutive calendar months.

(7). Other records determined by the Administrator to be in the interest of public safety.

**c.** Increasing numbers of airport operators are using computer databases to track employee training records. In most cases, the employees are not required to physically sign the training records as they were in the past. While the ACSI may

encourage the airport operator to use sign-in sheets, the lack of such sheets does not invalidate the training. If there is any doubt about the employee having taken the training, the ACSI may query the employee about whether he/she received the training and may also test the employee. These criteria apply to all recordkeeping requirements established under Part 139.

#### **408. Section 139.303, Personnel.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for providing sufficient and qualified personnel.

**b. ACSI's Responsibilities.** The ACSI determines whether the airport has sufficient number of and qualified personnel.

(1). The ACSI **cannot** specify the number of employees the certificate holder must have but can identify whether the number of employees is sufficient by observing how many are required to maintain and operate the airport at the minimum safety standards in Part 139. Determination of sufficiency and qualifications must be based on conditions found during the inspection, such as—

- (a). Repeated inspections with a high number of deficiencies.
- (b). Unusually high number of deficiencies in a single inspection.
- (c). Observation of personnel performing duties.
- (d). Staffing rosters.
- (e). Position descriptions.

(2). In addition, ACSIs can administer oral or written tests or request practical demonstrations of skills to help him/her determine whether there are sufficient and qualified personnel. Such methods, however, are only tools, not inclusive means of making a determination. Tests or demonstrations must be appropriate for the class, index, and conditions of the particular airport.

(a). It is necessary to distinguish between the personnel requirements because there might be a "sufficient" number of personnel but not enough "qualified" personnel because of deficiencies in training. If the work performed on the airport is completed but done improperly, this might indicate a need for better training. The certificate holder should be advised to develop an airfield operations and maintenance program that provides training for all the areas that are subject to Part 139.

#### **409. Section 139.305, Paved Areas.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for ensuring that all pavement available for air carrier use, including loading aprons and parking areas, is maintained properly and promptly repaired when deficiencies occur.

**b. ACSI's Responsibilities.** Where conditions are found involving possible pavement deterioration (evidence of cracking, ponding, spalling, settling, etc.), the ACSI should advise the certificate holder that corrective action must be taken and, in the case of severe deterioration, should advise the appropriate branch or ADO of the pavement condition immediately.

**c. Pavement Condition.**

(1). FAA uses AC 150/5320-17, *Airfield Pavement Surface Evaluation and Rating Manuals (Paser Manuals)*, to determine pavement conditions.

(a). When evaluating pavement condition, the ACSI should keep in mind that cracks and/or surface variations that create a marginal condition that produces loose aggregate or other contaminants, **which could impair directional control of air carrier aircraft**, are deficiencies.

(b). It is also important to note that holes and other surface aberrations in the pavement must be evaluated against the criteria in both Sections 139.305 (a) (2) and (3) since a condition that passes criteria in (2) might fail the criteria in (3).

(2). **Section 139.305 (a) (2).** A hole larger than 5 inches in diameter that is less than 3 inches deep and has a sideslope of less than 45 degrees is not a discrepancy as a hole, but it might be considered a crack that affects directional control of air carrier aircraft. See also 139.305 (a) (3). If a hole is 3 inches or less in depth, it is not a deficiency per Section 139.305 (a) (2). If it exceeds 3 inches in depth, other tests need to be considered:

(a). If the entire surface area of the hole can be covered by a 5-inch-diameter circle, it is not a deficiency per Section 139.305 (a) (2).

(b). If the hole cannot be covered by a 5-inch circle and the sideslope at any point in the hole is 45 degrees or greater, it is a deficiency per Section 139.305 (a) (2).

(c). If the hole cannot be covered by a 5-inch circle but the sideslope at any point in the hole is less than 45 degrees, it is not a deficiency per Section 139.305 (a) (2). It might, however, be a deficiency per Section 139.305 (a) (3) if it is determined to be a surface variation that could impair directional control of air carrier aircraft.

(3). **Section 139.305 (a) (3).** Longitudinal cracks are more likely to affect directional control of air carrier aircraft than transverse cracks. The ACSI is responsible for evaluating each case.

(4). **Section 139.305 (a) (4).** Loose aggregate, foreign objects, rubber deposits, and other contaminants must be removed from paved areas as promptly and completely as possible.

(5). **Section 139.305 (a) (5).** Chemical solvents used on pavement must be removed as soon as possible.

**410. Section 139.307, Unpaved Areas.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for maintaining all unpaved areas available for air carrier use in a condition acceptable to the Administrator.

**b. ACSI's Responsibilities.**

(1). The ACSI must determine if all unpaved areas available for air carrier use, including loading aprons and parking areas, are maintained properly.

(2). The ACSI should advise the certificate holder of any deficiency and require corrective action.

**411. Section 139.309, Safety Areas.**

**a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for properly maintaining the condition of the safety areas. The dimensions of the safety areas must be entered in the ACM along with the design standards applicable to that runway. All surface variations, such as drainage ditches and culverts within safety areas, must be documented.

(2). Even if the full length/width of the design standard for a safety area cannot be achieved, it might be "practicable" to extend the safety area by a small incremental land acquisition. The safety area might also require minor earthwork or the relocation of a ditch or culvert. Gaining as much safety area as possible is important for providing the maximum achievable level of safety. The dimensions of safety areas, at a minimum, must be at least those that existed as of December 31, 1987.

(3). Major pavement "reconstruction" projects that are part of an overall plan to extend the useful life of the runway/taxiway and similar major pavement rehabilitation efforts should be considered reconstruction and trigger the safety area requirements of Section 139.309 (a). The addition of a porous friction course, grooving, and pavement overlay designed only to protect the structural integrity of the existing pavement as a means of achieving its originally anticipated useful life is not considered reconstruction under this provision. Significant "expansion" would include projects clearly designed to accept a different critical aircraft or to provide for increased payload or range for the existing critical aircraft using that pavement. As a guideline, extending a runway by 500 feet or more is considered "significant" for the purpose of this provision.

**b. ACSI's Responsibilities.**

(1). The ACSI should carry or have available a 50- or 100-foot tape or a measuring wheel to check safety area dimensions that do not appear to be correct. The ACSI should note any gross discrepancy in the measurements of the safety area and any deficiency in the maintenance of the safety area.



(2). The ACSI may have the vehicle operator drive in portions of the safety areas to evaluate surface conditions, provided conditions allow it. Unusual airport conditions caused by seasonal variations—such as snow, mud, and water—are evaluated on a case-by-case basis. Safety areas should support a vehicle or ARFF equipment during dry conditions and the inadvertent excursion of an aircraft without causing major damage. Safety areas must be graded and free of humps, ruts, and surface variations. They must be drained by grading or by storm sewers.

(3). **EMAS (Engineered Materials Arresting System).** Where sufficient land cannot be acquired to meet runway safety area (RSA) design standards, EMAS may be installed. The ACSI should ensure the certificate holder has adequate methods for inspecting EMAS to detect deterioration (by weather), inadvertent entry, and controlled entry. The certificate holder should also conduct training for airport personnel with access to the RSA to prevent vehicles and pedestrians from entering the EMAS and damaging it.

(4). **Protection of the RSA and the personnel who are in the RSA is the airport operator's responsibility, not that of ATC personnel.** Any event that occurs in the RSA lies within the certificate holder's purview, and for that reason, the airport operator must take the necessary steps to protect the RSA.

#### **c. Safety Area Conditions.**

(1). Unless fixed by function, no object is permitted within the safety area. Objects fixed by function and located in the safety area must be on a frangible mount, no higher than 3 inches above grade.

(2). If the ACSI determines that an FAA NAVAID is not properly mounted, the ACSI should identify the discrepancy on the inspection report and note that the Regional Technical Operations Office will be advised of the condition. However, the certificate holder should also be asked to work with the local Technical Operations Office to correct the deficiency. The ACSI may facilitate this situation as deemed necessary.

(3). Occasionally, FAA contract construction crews have compromised the integrity of the runway/taxiway safety areas by creating ruts or leaving construction equipment or material there. The ACSI should note any such discrepancy on the inspection report and notify the local Technical Operations Office to work with the certificate holder to repair the damage.

#### **d. Personnel and Equipment in Safety Areas.**

(1). Vehicles, mowing equipment, and other large equipment (not including hand tools or small equipment that will not cause damage to an aircraft in case of a collision) are not considered acceptable objects in the safety area during air carrier aircraft operations except for the areas described below under "Authorized RSA Activity."

(2). Section 139.309 (a) states that, "each certificate holder must provide and maintain, for each runway and taxiway that is available for air carrier use, a

safety area . . .” While there have been varying interpretations of this statement, AAS-300 now interprets this section pertaining to runways and the associated RSA as applicable only during air carrier aircraft operations. Simply designating the runway use as air carrier does not trigger this requirement.

(3). The ATCT personnel control movement of aircraft and vehicles ***only in movement areas***. Except for runway/taxiway movement areas, ***the RSA is considered a non-movement area***. When authorized personnel receive clearance from the ATCT to enter the portion of a RSA that is a non-movement area, they are receiving authorization for ***access to*** the RSA, not a ***clearance to be in and remain in*** the RSA.

(4). **Authorized RSA Activity—RSA Parallel to Runway Sides.**

(a). Access by vehicular, mowing, and other equipment is limited to areas ***more than 200 feet from the runway centerline or the current RSA***, as defined in AC 150/5300-1, unless the runway is closed or air carrier aircraft operations are restricted.

(b). During air carrier operations, only authorized airport personnel may enter this area. If it is necessary to drop off light or small equipment in the RSA, a vehicle may be brought into the area between air carrier operations, provided it is then removed from the RSA immediately.

(c). Vehicles, mowing equipment, and other large equipment may not penetrate the Obstacle Free Zone (OFZ), as defined in AC 150/5300-13.

(5). **Authorized RSA Activity—RSA Beyond the Runway Ends.**

(a). Access by vehicular, mowing, and other equipment is limited to areas ***more than 200 feet from the runway end*** unless the runway is closed or air carrier aircraft operations are restricted (see Appendix 12).

(b). During air carrier operations, only authorized airport personnel may enter this area. If it is necessary to drop off light or small equipment in the RSA, a vehicle may be brought into the area between air carrier operations, provided it is then removed from the RSA immediately.

(c). Personnel, material, and equipment in the RSA must be protected from jet blast.

(d). Various transitional surfaces outlined in AC 150/5300-13 and Terminal Instrument Procedures (TERPS) must be protected.

(6). **Waiver.** In a situation where a high-mass object currently penetrates any of the areas previously defined, a waiver may be requested by the airport operator provided there are proper safety considerations for vehicles and personnel to penetrate these areas during air carrier operations. High-mass objects include those that are substantial enough to cause considerable damage to aircraft. Examples include NAVAIDs that are mounted on large heavy structures and equipment shelters constructed of concrete.

(a). The Regional Airports 620 Branch will approve these waivers on a case-by-case basis. Appeal of a denial may be made to AAS-300.

(b). Waivers will be documented through the Runway Safety Area Operations Plan (a memorandum of understanding between the airport operator and any organization needing access to the runway safety area) and an amendment to the ACM. Such a plan requires any organization needing access to the RSA to specify when it must access this area and what procedures will be used to ensure compliance with the RSA restrictions.

(7). **Safety Area Procedures.** Information on the procedures the certificate holder will follow with respect to activity of personnel and equipment in the safety area is contained in the ACM.

(8). The ACSI should bring all objects located outside the airport's approved safety areas, but within current safety area design standards contained in AC 150/5300-13, to the attention of the airport operator for removal. These are recommendations and not discrepancies; their removal is intended to enhance safety.

#### **412. Section 139.311, Marking, Signs, and Lighting.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for the following:

(1). **Marking.** The certificate holder is responsible for providing and maintaining marking systems for air carrier operations, as defined in Section 139.311 (a).

(2). **Signs.** The certificate holder is responsible for providing and maintaining sign systems for air carrier operations, as defined in Section 139.311 (b). Airport certificate holders should be reminded that amendments to sign plans are required when signs are added or removed from the airfield. Any amendments or changes need FAA approval since the Airport Sign and Marking Plan is part of the ACM.

(3). **Lighting.** The certificate holder is responsible for providing and maintaining lighting systems for air carrier operations, as defined in Section 139.311 (c).

**b. ACSI's Responsibilities.** The ACSI is responsible for determining that—

(1). Runways are marked as appropriate for the approach with the lowest authorized minimums to meet the standards in the current version of AC 150/5340-1, *Standards for Airport Markings*. Runways are lighted for the approach with the lowest authorized minimums to meet the standards in the current version of AC 150/5340-30, *Design and Installation Details for Airport Visual Aids*.

(2). Proper alignment is established for the runway lights in both directions from each end and on the centerline. The ACSI should request that lights

be cycled through all intensity levels. Lights should appear to be of uniform brightness and alignment and be of appropriate colors.

(3). Instrument runways have the appropriate color lights. Airports having air carrier operations at night or during conditions below visual flight rules (VFR) minimums—instrument meteorological conditions (IMC) are required to provide yellow edge lights on the runway end opposite the landing threshold for instrument runways. AC 150/5340-30 specifies the runway lighting in Paragraph 2.1.2: “The runway edge lights emit white light, except in the caution zone, which is the last 2,000 feet (610 m) of runway or one-half the runway length, whichever is less. In the caution zone, yellow lights are substituted for white lights. In the caution zone, the runway edge lights emit yellow light in the direction facing the instrument approach threshold and white light in the opposite direction. Instrument approach runways are runway end specific, meaning one runway may have an instrument approach on one end and a non-instrument approach on the opposite end. However, when there is an instrument approach at each runway end, yellow/white lights are installed at each runway end in the directions described above. The yellow lights indicate caution on rollout after landing.” (From AC 150/5340-30B.)

(4). Semiflush edge light fixtures have been installed properly. The 200-foot spacing between high-intensity runway edge lights (HIRLs) was chosen to allow three lights to be seen in the 600-foot runway visual range (RVR). This RVR actually ranges from 700 to 501 feet.

(5). During initial and periodic inspections, when the absence of edge lights at runway/runway or runway/taxiway intersections is noted, safety is not compromised. This is especially important where two or more consecutive lights are missing. Generally, these situations should be corrected by the installation of additional fixture(s). In determining whether an individual semiflush fixture needs to be installed, the ACSI should consider the following:

- (a). Are other visual cues available at the intersection, such as guidance signs or centerline lighting?
- (b). Are the geometrics of the intersection complex?
- (c). Would the addition of a semiflush fixture possibly cause the pilot to be confused?

Based on the answers to these questions and the ACSI’s judgment that a semiflush fixture needs to be installed, the ACSI should do the following:

- (d). Ensure the airport will have a semiflush fixture installed.
- (e). Gauge the severity of the problem. Actions may range from immediate installation to installation in the next electrical project.
- (f). On the annual inspection report, document the missing fixture(s) and, where applicable, steps taken for installation.

(g). Document the issue in the Certification and Compliance Management Information System (CCMIS) section for inspection remarks.

(6). Taxiways are equipped with required marking and lights/reflectors. Taxiway edge markings are required where the full-strength pavement of the taxiway is not readily discernible or where a taxiway is outlined on a large paved area such as an apron. There are two types of taxiway edge markings:

(a). Continuous, to indicate that the aircraft must not cross, and

(b). Dashed, where there is a need for aircraft to cross a contiguous area. (Specifications are contained in the current version of AC 150/5340-1.) Additionally, if the airport is open at night or during IMC, the taxiways must have centerline lights, centerline reflector, edge lights, or edge reflectors.

(7). Guidance signs are installed in accordance with the approved Airport Sign and Marking Plan. Specifications for sign systems are contained in AC 150/5340-18, *Standards for Airport Sign Systems*.

(a). During the first inspection after the installation of the new signs, the ACSI must verify that each sign (location, message, color) has been installed in accordance with the Sign and Marking Plan, which is incorporated in the ACM.

(b). In preparation for subsequent periodic inspections, the ACSI should review the Airport Sign and Marking Plan as a part of inspection preparations. During the periodic inspection, the ACSI should look at the signs during the movement area drive-around, noting color, lighting, message, accurate directions, and any missing signs. Whenever necessary, noted discrepancies (e.g., missing signs, wrong color, illogical instruction/directions) should be compared to the Sign and Marking Plan.

(c). When a development project requires the addition of new signs or deletion of existing ones, the ACSI should verify these additions or deletions are in accordance with the Sign and Marking Plan.

(d). Signs must be lighted if the runway or taxiway on which they are installed is lighted. Section 139.311 (b) (ii) and (iii) apply to all airport classes. Section 139.311 (b) (i) applies to Class I, II, and IV airports. Holding position signs and any collocated location signs and runway exit signs must be lighted if the runway for which they are installed is lighted, even if the taxiway on which they are installed is unlighted.

(8). Plans requiring special marking and lighting are in compliance with standards.

(a). Airports where there is an **approved** Surface Movement Guidance and Control System (SMGCS) plan must have the required lighting systems and markings according to Part 139 requirements, e.g., stop bars, geographic position markings. Specifications are contained in AC 120-57, *Surface Movement Guidance and Control System*.

(b). See Paragraph 412 d for land and hold short operations.

(9). The Airport is equipped with an operable airport rotating beacon if it is open during hours of darkness or during IMC.

(10). Airport-owned approach lighting systems (ALSs) are properly maintained. Approach lighting owned by the airport operator [e.g., visual approach slope indicators (VASIs), runway end identifier lights (REILs), ALSs] is covered by this section. If the airport operator owns REILs/VASI systems, there are also required procedures for checking calibration. These procedures should be addressed in the ACM. For approach lighting systems not owned by the airport, the certificate holder is responsible for inspecting them to ensure they provide accurate reference to the users and for reporting any outages or deficiencies to the owner.

(11). Obstruction lights are operable. The ACM should contain a list of lighted obstructions.

(12). Marking and lighting systems on the airport are properly maintained. "Properly maintained" includes cleaning, replacing, or repairing any faded, missing, or nonfunctional item of the marking or lighting system; keeping each item unobscured and clearly visible; and ensuring that each item provides an accurate reference and is in alignment when viewed by the user.

(a). If the airport operator owns a standby generator for movement area lighting, the ACM should include a method for the periodic testing of the equipment. The ACSI should consider a test operation of the generator if periodic testing procedures do not appear to be adequate.

(b). The ACSI should recommend the use of a standby generator to airport certificate holders.

(13). Other airport lighting on the airport for aprons, roadways, buildings, etc. are adequately adjusted or shielded to prevent interference with ATCT and aircraft operations. AC 150/5340-30 provides additional guidance for the ACSI. Taxiways that are adjacent to large aprons may have lights on only one side of the taxiway. This should be discussed during the interview with local ATC management to determine if problems exist.

(14). The certificate holder has implemented the requirement for glass beads. See AC 150/5340-1 for the use of glass beads in 11 types of permanent pavement markings.

### **c. 300-foot-wide Runways.**

(1). At certificated airports, runways 300 feet in width that are being used for air carrier operations must be marked and lighted to comply with FAA standards, i.e., a maximum width of 200 feet as defined by runway side stripes, with edge lights located within 10 feet of the outside of the marked edge of the pavement. Pavement outside the runway side stripes does not have to be removed but is considered shoulder and not available for landing or takeoff.

(2). Until the location of runway edge lights meets FAA standards, the ACSI should check for a remark on the Airport Master Record that indicates the edge lighting is a nonstandard distance from the runway edge. For example, ***RWY 18-36 HIRL 50 FT FM RWY EDGE, NSTD DIST FM CL - PAVEMENT OUTSIDE RWY SIDE STRIPES MAY NOT BE FULL STRENGTH AND DEPTH PERCEPTION PROBLEMS MAY EXIST DURING PERIODS OF DARKNESS.***

(3). Nonstandard distances between runway edge lights can affect pilot depth perception. This should be noted in the Airport Master Record as a remark, with the distance(s) identified. See Paragraph 426 for further guidance on nonstandard distances between runway edge lights.

(4). No guidance signs, visual NAVAIDs, or other equipment should be located between the runway side stripe and runway edge lighting.

(5). AIP projects for extension or rehabilitation of the runway or lights will require relocation of the runway edge lights after analysis of alternative methods for meeting standards. Any modification of standards will be documented in accordance with Order 5300.1, *Modification of Standards*.

(6). **Impact of Air Force B-52 Exercises.** At airports where the Air Force conducts exercises with the B-52 Stratofortress Bomber, the runway should be marked in accordance with AC 150/5340-1. However, the edge lights may remain at 50 feet from the runway side stripes. Documentation from the Air Force that B-52 exercises and training are being routinely conducted at the airport is recommended. Airports at which these exercises are conducted should be encouraged to establish procedures for assuring the runway obstacle free area (OFA) remains clear during operation with B-52s. Note on the Airport Master Record that the edge lights are a nonstandard 50 feet from the runway edge. See the example above.

(7). **Restrictions to Instrument Approach Minimums.** On runways where nonstandard edge lighting separation exists, Flight Standards may restrict minimums for Standard Instrument Approach Procedures. This is most likely in the cases of precision instrument approaches and night minimums for nonprecision approaches. However, on a case-by-case basis, Flight Standards may give consideration to the presence of other runway lighting systems (e.g., centerline and touchdown zone lights) when making a decision to restrict approach minimums.

**d. Land and Hold Short Operations.** At airports where Land and Hold Short Operations (LAHSOs) are conducted, all LAHSO locations must have the required marking and signs, and the signs must be included in the Airport Sign and Marking Plan. Both marking and signs must be examined as part of the Part 139 inspection. Hold signs are located on both sides of the runway, and signs are required to be lighted if LAHSO-night or LAHSO-wet is authorized.

(1). Since Order 7110.118, *Land and Hold Short Operations*, addresses LAHSOs, ACSIs should refer airfield operators to ATC for information on their responsibilities for LAHSOs. No waivers will be issued to the procedures contained in Order 7110.118.

(2). LAHSOs are conducted according to a letter of agreement (LOA) between the airport operator and the ATC facility on the airport. The Part 139 involvement in LAHSOs consists primarily of the inspection of—

- (a). LOA and ACM.
- (b). Available landing distance (ALD).
- (c). Marking and signs.
- (d). Visual aids.
- (e). Lighting.

(3). The LOA between the airport operator and the ATC facility specifies the location at which LAHSOs can be conducted and the type of operation. If the airport has an approved LAHSO involving air carrier aircraft, a copy of this document must be incorporated into the ACM. The LOA must address, at a minimum, the following:

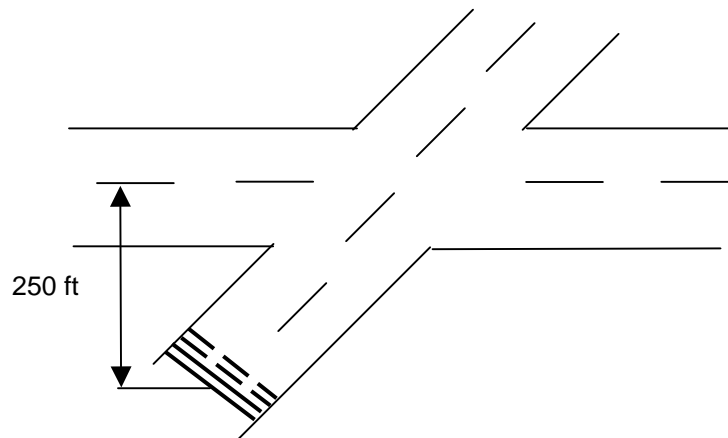
- (a). Procedures for use of LAHSOs at specific localities.
- (b). Installation and maintenance of required marking, signs, and lighting.
- (c). Determination of the measured length of the ALD.
- (d). Coordination procedures for prompt exchange of required information.

(4). A revision should also be made to the ACM section on airport lighting and marking to describe the air carrier LAHSO currently in effect. In addition, the signs associated with the LAHSO must be shown on the Airport Sign and Marking Plan. The airport operations personnel and airfield inspectors should become familiar with the sign, marking, and lighting requirements associated with the LAHSO and the LOA, so outages of required equipment are promptly reported in accordance with the ACM procedure, and the LAHSO can be terminated when necessary.

(5). While the airport operator is responsible for measuring the ALD and providing this measurement to ATC, the ACSI must be able to explain how the distance is measured. This distance should be measured from the landing runway threshold to the first solid bar on the landing side of the holding position marking. The holding position marking is located so the perpendicular distance from runway centerline to intersecting runway /taxiway centerline is in accordance with the standards found in the Runway Markings section of AC 150/5340-1. The holding position line then extends perpendicular across the landing runway.



Figure 4-1. Example



(6). **LAHSO Marking and Signs.** All LAHSO locations require marking and signs. Both marking and signs must be examined during the Part 139 inspection. Hold signs are located on both sides of the runway within 10 feet of the runway holding position markings. LAHSO signs are required to be lighted if LAHSO-night is authorized. If one of the two signs is not functional or is destroyed, the LAHSO may continue until the sign is repaired or replaced only if land and hold short lights are installed and operating. Standards for the runway/runway LAHSO signs can be found in AC 150/5340-18.

(7). Signs used for a land and hold short of a designated point and an approach/departure path should read HS-1 and should be numbered in consecutive order as procedures are developed. They should be designed in accordance with the mandatory instruction sign standards, Type L-858R, found in AC 150/5345-44, *Specification for Runway and Taxiway Signs*.

(8). **LAHSO Lights.** Land and hold short lights are required for all LAHSOs except non-air carrier to non-air carrier runway/runway daytime LAHSO. Land and hold short lights must be examined during the Part 139 inspection. The installation standards for LAHSO lights are found in AC 150/5340-30. A land and hold short lighting system consists of a row of six or seven in-pavement unidirectional pulsing white lights installed across the runway at the hold short point. The rate at which the land and hold short lights pulse is specified in AC 150/5345-54, *Specification for L-884 Power and Control Unit for Land and Hold Short Lighting Systems*.

(9). When two or more lights in a land and hold short light bar are not functioning, the entire bar is considered out of service, and operations requiring those lights must be terminated. If the lights are found to be out of service and LAHSOs that require lighting are continued, the airport might be in violation of Part 139 based on operational procedures outlined in their ACM and if ATCT was not notified of the outage.

(10). It is important to note there must be only one designated hold short point per operational direction on a runway. Also if the Automatic Terminal

Information Service (ATIS) broadcast contains a generic LAHSO announcement, then all sets of land and hold short lights must be on. If the ATIS broadcast contains specific hold short points, only those sets of land and hold short lights must be on.

(11). Air carrier and/or mixed LAHSOs are authorized only if the landing runway has an electronic or visual glide slope indicator. Examples of these visual aids include precision approach path indicator (PAPI) or existing VASI. The pulsed light approach slope indicator (PLASI) may not be used to provide visual glide slope information during LAHSOs.

#### **413. Section 139.313, Snow and Ice Control.**

**a. Certificate Holder's Responsibilities.** The certificate holder of an airport where snow and icing conditions occur is responsible for preparing, maintaining, and executing a Snow and Ice Control Plan that is approved by the Administrator. Compliance is contingent on the prompt execution of the approved plan in the ACM. Specific requirements for the plan are contained in Section 139.313 (b) (1) through (5); guidance is contained in AC 150/5200-30, *Airport Winter Safety and Operations*.

**b. ACSI's Responsibilities.** The ACSI should take advantage of any opportunity to conduct a surveillance inspection since the best way of evaluating a Snow and Ice Control Plan is by observing snow and ice removal operations. The condition of the movement area available for use, as well as a review of NOTAMs issued, should reflect the plan's contents. AC 150/5200-30 contains information to assist the ACSI in evaluating Snow and Ice Control Plans. The ACSI should periodically conduct a surveillance inspection of airports located in the snow belt, where extended snow conditions prevail.

#### **414. Section 139.315, Aircraft Rescue and Firefighting: Index Determination.**

**a. Index Determination.** The index is dependent on a combination of the length of air carrier aircraft expressed in groups and average scheduled daily departures of air carrier aircraft.

(1). The index will be determined by the longest air carrier providing scheduled aircraft serving the airport if there are five or more air carrier departures of that aircraft group.

(2). If there are fewer than five air carrier departures in the longest group serving the airport, the index will be one index below the longest group, but in no case below Index A.

**b.** Paragraph 139.315 (b) contains the air carrier groups as determined by length. For example,

(1). If an airport is served by five Boeing 727s (Index C) and two Boeing 737s (Index B), the index would be Index C. If the number of Boeing 727 operations dropped to three departures, the Index required would be Index B. If there is only one Boeing 727 departure and no other departures by other air carrier aircraft, then the index would remain Index B, one below the specified index for the aircraft.

(2). If an airport is served by four Index A aircraft, six Index B aircraft, no Index C aircraft, and four Index D aircraft, the ARFF index would be C.

**c. Certificate Holder's Responsibilities.**

(1). The certificate holder of a Class I airport is responsible for providing ARFF capability for the aircraft that operate at the airport.

(2). The certificate holder of a Class III airport has an option to meet the Index A requirement or to provide a level of safety **comparable** to Index A. If the Class III airport operator elects the comparable level of safety, the specifics of what is provided will be approved by the Administrator. This alternate compliance must be described in the ACM and include—

(a). Prearranged firefighting and emergency medical response procedures, including agreements with the responding services;

(b). Means for alerting firefighting and emergency medical response personnel;

(c). Description of the type of rescue and firefighting equipment used; and

(d). Training for the above-named personnel on airport familiarization and airport communications.

(3). The holder of a Class III AOC that opts to meet the Index A requirements of Sections 139.315, 139.317, and 139.319 have until June 9, 2007, to meet those requirements.

(4). The holder of a Class III AOC that opts to meet the ARFF comparable level of safety in Section 139.315,

(a). Must address 139.315 (e) (1) through (4) with a change to its ACM.

(b). Must document a level of safety **comparable** to Index A, **not equivalent to Index A**.

(c). Is not subject to the delayed implementation dates of 139.317 (k) and 139.319 (m) if they choose to operate under 139.315 (e) alternate means of compliance. Once an airport operator decides to comply with 139.315 (e), it must submit a change to its ACM and have its plan and procedure in place immediately.

(5). Additionally, Class III airport operators are not subject to the 3-minute ARFF response drill.

**415. Section 139.317, ARFF: Equipment and Agents.****a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for providing at least the minimum firefighting equipment and agents for the index identified in Section 139.315. These requirements are contained in Section 139.317.

(a). Policy related to Section 139.317 (a) supplements the regulation by including the following: An Index A airport equipped with Index B-level equipment, operated by one ARFF person, can respond with a 1,500-gallon crash truck if it is equipped with two 120-BC rated extinguishers.

(b). Policy related to Section 139.317 (f), (g), and (h) supplements the regulation by including the following:

(i). If the vehicle that met requirements on December 31, 1987, is rehabilitated, the "grandfather" provisions do not apply. In this context, "rehabilitated" means the vehicle and its systems are reworked (rebuilt) to extend its useful life. Repairs for the purpose of restoring the vehicle's performance to achieve its originally anticipated useful life, even if costly and extensive, do not constitute rehabilitation.

(ii). A new vehicle that replaces a required ARFF vehicle means one that is new to the certificate holder; it may have had a previous owner or user.

(iii). If an airport experiences an increase in index, the grandfather provision for ARFF equipment in operation before December 31, 1987, is not applicable.

(iv). Systems on rehabilitated vehicles must meet current standards.

(v). Each vehicle required to carry non-premixed aqueous film-forming foam (AFFF) is required to carry an appropriate amount of AFFF to mix with twice the amount of water carried by the vehicle.

(vi). Section 139.317 (k) specifies that certificate holders of Class II, III, and IV airports must meet the requirements no later than June 8, 2007.

**b. ACSI's Responsibilities.**

(1). The ACSI is responsible for ascertaining that the firefighting equipment and agents are appropriate for the index, as specified in Section 139.315. The ACSI should also check the discharge capacities and agent capacities to ensure they meet requirements. This includes checking the amount of reserve AFFF available.

(2). The ACSI should check the performance of AFFF. All AFFF purchased after July 1, 2006, must conform to the military specification. AC 150/5210-6, *Aircraft Fire and Rescue Facilities and Extinguishing Agents*, refers to

the performance requirements for AFFF, which is the same as that used by the military [see MIL-F-23485F, *Fire Extinguishing Agent, Aqueous Film Forming Foam (AFFF) Liquid Concentrate, for Fresh and Seawater*, dated January 7, 1992]. While FAA does not recommend that airports discard their current inventory of Underwriters Laboratories (UL) 162 AFFF, all purchases after July 1, 2006, must conform to the MIL-F-24385F specification.

#### **416. Section 139.319, ARFF: Operational Requirements.**

##### **a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for providing the ARFF capability specified in Section 139.317, as determined by the airport's index.

(a). If index requirements increase, then the certificate holder must comply with the increased requirements.

(b). If an airport experiences a decrease in the number of departures of the critical aircraft or a decrease in the length of the aircraft serving the airport, the certificate holder may reduce the ARFF capability to a lower level that corresponds to the index group of the longest air carrier aircraft being operated.

(i). If there is a permanent reduction in the average daily departures, the airport can reduce the index as soon as the actual activity drops to the lower index level. This reduction must be included in the ACM.

(ii). An airport that temporarily loses a required ARFF vehicle can reduce its index (provided the remaining equipment is appropriate) and allow up to four aircraft departures of the original index without being in violation of Section 139.315 (c) (1).

(2). The certificate holder must report permanent changes in ARFF index and include remarks about index coverage at an airport on lines A-26 and A-110 of the Airport Master Record, which must be annotated "Additional Information" and signed. The marked-up form must be sent to AAS-330 for processing through the National Flight Data Center (NFDC). To expedite this process, the ACSI may send the marked-up Form 5010 to AAS-330 via fax or provide the information over the telephone, but the Form 5010 must follow by mail. This information may **not** be sent to the GCR 5010 website at this time.

(3). If an airport experiences a reduction in ARFF capability, procedures in Section 139.319 (d) (1), (2), and (3) must be implemented.

(4). Vehicle communications must comply with requirements of Section 139.319 (e).

(5). Vehicles must be marked and lighted per Section 139.319 (f), and vehicle readiness must be maintained per Section 139.319 (g). Each required vehicle must be operationally capable of performing the required functions and must be provided shelter adequate to protect it from freezing temperatures and the harmful effects of sun exposure.

(6). If a required vehicle becomes inoperative and cannot be repaired or replaced within 48 hours, Section 139.319 (g) (3) requires the airport operator to limit air carrier operations to those compatible with the index corresponding to the remaining operative ARFF equipment. **Example:** An airport with Index E ARFF capability temporarily loses an ARFF vehicle. The airport, after 48 hours, must reduce to Index D (provided the remaining equipment is appropriate) but can allow up to four Index E aircraft departures per day.

(7). All ARFF personnel must be equipped in a manner sufficient to perform their duties.

(8). At joint-use facilities, civilian airport operators must comply with Part 139 sections that are under their areas of responsibilities. ACSIs should review any Memorandums of Understanding (MOUs)/LOAs discussing ARFF coverage to ensure the documentation meets the statutory requirements of the regulation. If there is a civilian operation (of an air carrier aircraft with more than nine passenger seats) on a joint-use facility for which the military refuses to provide ARFF coverage, it is the civilian airport operator's responsibility to arrange for ARFF coverage; otherwise, that flight cannot operate. **Example:** A civilian air carrier flight is scheduled to arrive into a joint-use facility late at night. The military decides to close ARFF services before the flight's arrival. The civilian airport operator must arrange for ARFF coverage for the flight.

#### **b. ACSI's Responsibilities.**

(1). The ACSI is responsible for determining if the airport is equipped with ARFF vehicles meeting the airport index during air carrier operations. ARFF equipment required to meet the index must be listed in the ACM. The year of the vehicles must be included if discharge capacities are grandfathered. Backup equipment must be listed separately and shown to be "equal" to the required equipment in terms of response time, discharge rate, communications capability, and agent quantities.

(2). The ACSI must determine if changes to the ARFF index are substantiated by increases or decreases in daily departures of the critical aircraft. If as a result of an increase in the average daily departures, the longest aircraft group is four or less, the ARFF index will decrease to the next lower index to the longest aircraft group. If as a result of an increase in the average daily departures, the longest aircraft group is five or more, the ARFF index will increase accordingly. If an index change occurs, the airport has the following options:

(a). Arrange for the purchase or lease of ARFF equipment appropriate to the index.

(b). Modify existing structural fire equipment to satisfy the new ARFF index temporarily, until appropriate ARFF equipment is available.

(c). If equipment cannot be supplied before the proposed operation occurs, delay the new service until the appropriate equipment is in place or seek a temporary exemption from Section 139.317, with Flight Standards concurrence.

(3). The regional Airports certification staff must coordinate with both regional Communication Center and certificated airports to establish a notification procedure for inspectors. Technically, a required ARFF vehicle is inoperative during preventive maintenance if it cannot meet response requirements. At airports that do not have extra ARFF equipment, maintenance must be scheduled during periods when air carriers are not operating. The airport operator must notify FAA and air carriers when ARFF equipment required to meet index requirements breaks down and cannot be immediately repaired. During normal business hours, the airport operator should report the situation to FAA regional Airports certification staff. During non-business hours, the report should be made to the regional Communications Center, which should contact the ACSI if it appears a reduction in index will be required after 48 hours.

(4). The ACSI must determine whether all ARFF personnel are equipped in a manner sufficient for their duties. Such equipment must include a protective coat, protective trousers, a protective helmet, gloves, and positive pressure self-contained breathing apparatus (SCBA) that meets current National Fire Protection Association (NFPA) standards. This equipment may also include emergency medical equipment, such as spine boards, air splints, oxygen equipment, etc. if basic emergency medical care is provided by ARFF personnel.

(5). The ACSI should confirm that all ARFF personnel who engage in any rescue or firefighting operations are wearing the complete protective clothing ensemble, including SCBA, during responses, unless directed by the officer-in-charge to remove it. This requirement does not apply to ARFF vehicle driver/operators unless they are expected to operate handlines or effect rescue operations. However, the ARFF vehicle driver/operator must have protective equipment readily accessible. Initial responders to a crash site who will operate handlines to extinguish flammable liquid fuel fires or be involved in passenger rescue operations should wear proximity suits. However, structural bunker gear, which meets current NFPA standards, is acceptable.

(6). The ACSI must confirm that the ARFF training curriculum meets the requirements of Section 139.319 (j) (2) and that ARFF personnel can demonstrate their knowledge in required areas. The FAA Aircraft Rescue and Fire Fighting Computer-Based Training (on three CDs) may be used in conjunction with an instructor and airport-specific information for training.

(7). The ACSI must review training records for ARFF personnel (see Appendix 13 for the ARFF Training Checklist). Training records must indicate that all ARFF personnel have participated in at least one live-fire drill in the previous 12 months. A live-fire drill must include a pit fire or fire with an aircraft mockup, using enough fuel to provide realistic training, i.e., the intensity of the drill should be comparable to the air carrier aircraft operating at the airport. In the context of this section, "live-fire drill" has the same meaning as "simulated aircraft fire."

(a) This policy is not intended to limit the personnel to whom the regulation applies or to limit the annual fire training categories in which personnel perform. Rather, it clarifies what is acceptable for meeting the standards of the

regulation. The objectives of this training are to enhance firefighter confidence in his/her ability and equipment, to provide firefighting experience commensurate with the level of public protection indicated by the ARFF index of the airport, and to develop effective firefighter tactics, strategies, and procedures

(b) In addition, this policy guidance addresses the issue of applicability, i.e., to whom Section 139.319 (j) (3) does and does not apply. Part 139.319 (j) (5) states the certificate holder must ensure that sufficient rescue and firefighting personnel are available during all air carrier operations to operate the vehicles, meet the response times, and meet the minimum agent discharge rates required.

(i) ***For ARFF personnel who perform in a “required” capacity*** to meet the requirements of Section 139.319 (j) (5), the following guidance applies: An acceptable live-fire drill consists of fighting a fire from the position in which the firefighter would be expected to perform. For example, for the firefighter who normally performs on the handline, handline training would be part of the annual requirement. For the driver/operator who normally operates the turrets of the ARFF vehicle, it would be preferable that the firefighter who operates the turrets meet the annual requirement. However, many training programs have all participants working the handlines, and it would be acceptable for the driver/operator to meet the annual requirement by training on the handline. It would not be acceptable for a handline firefighter to use training on the turrets to meet the annual requirement.

(ii) ***Personnel for whom ARFF participation is not a normal or required responsibility*** would not be expected to complete the annual live-fire training. ARFF personnel who are not expected to fight fire are not considered “required” personnel, i.e., that group of ARFF personnel who are designated to meet the requirements of Section 139.319 (j) (5). Examples of this might include, but are not limited to, a firefighter dispatcher whose sole responsibilities involve communications, a fire chief or assistant fire chief, or a fire marshal or inspector.

Part 139 sets forth ***minimum*** requirements for compliance. While Section 139.319 (j) (3) sets forth minimum requirements for ARFF, as delineated above, FAA encourages training in multiple categories for ARFF personnel who perform in several positions.

(8). The ACSI must determine that, if the airport has an approved SMGCS Plan, the ARFF crews know their procedures and responsibilities under the plan.

(9). The ACSI must confirm that at least one of the personnel on duty is trained and current in basic emergency medical care. It is not necessary for the emergency medical person to be one of the regular ARFF personnel, nor is it required that this person meet the timed response requirements established in Section 139.319 (i) (2). However, “on duty” during air carrier operations does mean there must be some assured means of having the individual available. For example, an ambulance service located near the airport with personnel trained in the requirements of Section 139.319 (j) (4), which is willing to provide a person during



air carrier operations, might be used to satisfy this requirement. Of course, a reasonable response time would have to be assured. While the standard 3- to 4-minute response time of the ARFF unit is not required, the response should be rapid enough to be useful in providing the initial basic medical care envisioned by this provision. Similarly, if local police have this training and can assure an adequate response, they may be used to meet this requirement.

(a). The First Responder Course developed by the National Highway Traffic Safety Administration is the model for this requirement. This first responder training is the basic level of training of four levels that constitute the Federal Government standard for emergency medical standards.

(i). Course material can be obtained from the Government Printing Office. The Course Guide is Catalog No. 050-003-003603. The Student Study Guide is Catalog No. 050-003-003620. The Instructors Lesson Plan is Catalog No. 050-003-003610-1. The complete course takes 40 hours, which includes 2 hours for a final written examination and 2 hours for a final practical examination. While this course provides the context for the regulatory requirement, it is not the only training that can meet this requirement. Any legitimate training program obtained from the Red Cross, hospitals, doctors, nurses, or qualified EMTs, etc. is acceptable if it covers the nine areas identified in the regulation and consists of a minimum of 40 hours. While the regulation does not specifically require that the individual be tested, there should be evidence, such as a test result or receipt of some sort of certificate, of successful training completion.

(ii). Additionally, for the requirement that the person be current in training for basic emergency medical care, annual refresher courses are not required per se. However, if the organization that provided the initial training has added different or new material to the required subject areas that could significantly change the performance of an individual during an emergency situation, it would be reasonable to expect currency training in the revised area(s).

(10). The ACSI must ascertain that sufficient ARFF personnel are available to operate the required ARFF vehicles in accordance with Section 139.319

(j) (5). In the event that there are not sufficient trained ARFF personnel, see Appendix 14.

(11). The ACSI must conduct a response drill, and a successful response time must be recorded prior to the completion of the inspection. Failure of the airport ARFF to return a successful response time might indicate the need for substantive changes in some aspect of ARFF. A successful response time entails (1) at least one required ARFF vehicle responding to the required location and discharging agent within 3 minutes of alarm, and (2) all remaining required ARFF vehicles responding to the required location and beginning discharge of agent within 4 minutes of alarm. The testing of the response begins the moment the alarm is sounded, or the telephone is picked up, or whatever means is used to alert ARFF of an event begins.

(a). It is important to time the response accurately. The timing begins with the activation of the first alarm signal to the fire agency responsible for ARFF at the airport. Usually this will be when ATC picks up the phone or sounds the alarm, siren, or klaxon. A visual cue (e.g., strobe light activation or dormitory light illumination) may also be given. The fire agency is usually the firehouse where the vehicles and crews are stationed, but it could also be a fire service dispatch office that controls the movement of crews and vehicles at a different location. It is important that the timing include any message that must be given, crew assembly, coordination, or other process that occurs as part of the response. Problems meeting the response time might indicate the notification process needs to be modified to eliminate time-consuming communications or coordination.

(b). The ACSI must ensure the certificate holder demonstrates compliance with the provisions of this section. Additional time should not be added or subtracted to the timed response to accommodate or address conditions that exist **at a specific facility**. For example, if the doors of the fire station are open at the time of the alarm, the ACSI cannot add to the time it takes for the vehicles to respond.

(c). The ACSI should consider a retest if the certificate holder initially fails to demonstrate the ability to comply with the performance requirement of this section unless he/she is of the opinion that a retest would not be successful. The ACSI **must not conclude the physical inspection of the airport until the certificate holder exhibits the ability to conduct a successful ARFF response or an operational procedure is in place that demonstrates the ability to meet the performance requirement** of this section.

(i). These procedures might include, but are not limited to, the closure of a runway to air carrier operations or the repositioning of an ARFF vehicle during air carrier operations.

(ii). In some situations (e.g., an existing runway was lengthened or a new runway built), the construction of a supplemental ARFF station might be the long-term solution.

(iii). A test must be performed to ensure the newly implemented procedure is effective. Subsequent surveillance inspections might be required to ensure continued compliance.

(iii). The ACSI must document the inability of the certificate holder to comply with the operational requirement of this section in a Letter of Correction issued to the certificate holder. The Letter of Correction must indicate that a demonstrated procedure was implemented during the inspection that satisfies the operational performance requirement mandated by this section.

(12). At the option of the ACSI, a discharge of water may be used in lieu of other agents during the timed response drill. However, a demonstration of the discharge of the agents not used in the response drill (except for Halon 1211) must be conducted for at least one required response vehicle before the conclusion of the

inspection to ensure the adequate capability. The ACSI may forgo testing dry chemical if the airport can document maintenance and testing of the system within the last 6 months

(a). During the certification inspection, the ACSI should request ARFF personnel on at least one required response vehicle with a foam-proportioning system to conduct a refractometer or conductivity test. By observing the preparation for, and performance of, this test, the ACSI will be able to gauge the ARFF personnel's knowledge of the vehicle and its systems. In some cases, ARFF personnel might have a refractometer or conductivity tester but not know how to use it. In those cases, the ACSI should be prepared to conduct a refractometer test or a conductivity test and provide some basic training in the use of the tester. If the certificate holder has records that indicate that these tests have been conducted within the last 6 months, the ACSI may accept these as proof of the integrity of the system. If the ARFF department does not conduct periodic refractometer or conductivity tests, the ACSI should advise them to do so.

**Note:** Historically, the refractive index has been used to determine the proportioning of foam generating systems. NFPA requires the use of conductivity meters in NFPA 412, *Standard for Evaluating Aircraft Rescue and Firefighting Foam Equipment*, 1998, edition. The refractometer gives readings with an accuracy of +/-0.3 percent whereas conductivity meters can give accuracies greater than 0.05 percent.

The FAA William J Hughes Technical Center Airport and Aircraft Safety Research and Development Division conducted an evaluation for AAS-300 to compare the use of conductivity meters to the use of refractometers. The results of this evaluation determined the five conductivity meters used in the study were more accurate and easier to use for conducting field tests on foam-proportioning systems than the refractometer.

Based on *Evaluation of Conductivity Meters for Firefighting Foam* (DOT/FAA/AR-02/115) and NFPA 412, FAA finds both the use of refractometers and conductivity meters as acceptable methods of testing ARFF vehicle foam-proportioning systems. Because they are more precise and easier to use, however, FAA recommends using conductivity meters. Refractometer test methods can be found in Appendix 15.

(13). The ACSI may conduct ARFF response drills at night or during inclement weather. However discretion must be used to ensure that safety is not compromised. If there is a question as to whether a drill can be conducted safely, it should be postponed. When conducting the timed response, the ACSI should keep in mind that the times given in the regulation are based on a direct path on dry pavement under good weather conditions. If the drill is conducted at night or in other than dry conditions, the response times may be adjusted at the discretion of the ACSI to allow **for the adverse condition**. It is the ACSI's prerogative to select the location from which to conduct the response drill on the airport.

(14). The ACSI must confirm that all designated emergency access roads are maintained for all weather conditions. Emergency access roads are those required to meet ARFF requirements. Roads constructed specifically for use by

emergency vehicles must be considered as emergency access roads and must be designated in the ACM. Additionally, service roads that are located in the safety area that were funded under a Federal grant program (justified on the basis of ARFF access to the runway and RSA) must be designated by the airport operator as an emergency access road and maintained during all weather conditions.

(15). Technically, a required ARFF vehicle is inoperative if it cannot meet response requirements because it is undergoing preventive maintenance. At airports where there is no extra ARFF equipment, maintenance must be scheduled during periods when air carriers are not operating. See Paragraph 416 b (3).

(a). If there is no ARFF vehicle with Index A dry chemical or Halon capability available as a replacement within 48 hours [this applies to all vehicles required by Sections 139.317 and 139.319 (h) (1)], one of the following substitutions may be made:

(i). For an Index A airport, a vehicle must be provided that is capable of meeting the response time requirements of Section 139.319 (i) (2) and the communication requirements of Section 139.319 (e) and that carries two portable dry chemical fire extinguishers.

(ii). Each extinguisher must be UL rated at least 120 BC. The dry chemical may be either potassium or sodium based. The extinguisher may be either of the stored pressure or pressure cylinder activated type. **Note:** The substitution is not an option if an Index A-rated vehicle is available as a replacement.

(b). The substitution is not to be a long-term arrangement, and the airport operator must work actively to restore the inoperative Index A vehicle to full capability. As a matter of practice, the time limit for this substitution is 10 days. If at that time the Index A vehicle is not restored to service or replaced in-kind, there are two options open to the airport operator:

(i). Petition for an exemption to serve air carriers with less than the required ARFF capability, or

(ii). Close the airport to air carrier operations.

(16). The ACSI is responsible for confirming that the ACM includes procedures for repositioning ARFF vehicles to maintain required index response capabilities and/or conditions and procedures for reducing ARFF index when the required vehicles/personnel/agents are unavailable to respond to an emergency. This includes those situations in which equipment and personnel are on or off the airport responding to an emergency and are unavailable to provide the published index capabilities. Procedures must include notifying the carriers of a reduced index through normal air carrier notification procedures and use of NOTAMs. While airport operators should not be encouraged to respond to off-airport non-aircraft emergencies, they might have mutual aid agreements in place that call for this support in certain circumstances. Since the concept of mutual aid relies heavily on this sharing of support, it is recommended that mutual aid use of ARFF equipment be very limited. When used, however, such agreements should provide for

immediate return to the airport as soon as structural or other relief equipment arrives.

(a). If there is a reduction in ARFF capability and the certificate holder immediately issues the required airline notices and NOTAMs of reduced index capability, there is no deficiency or discrepancy with respect to the regulation.

(b). If ARFF vehicles respond to an emergency, on or off the airport, involving an air carrier accident/incident and the air carriers were not notified of a change to the index (including issuance of NOTAM), the certificate holder could file for a deviation in accordance with Section 139.113.

#### **417. Section 139.321, Handling and Storage of Hazardous Substances and Materials.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for—

(1). Establishing and maintaining procedures for the protection of persons and property on the airport during the handling and storing of any material regulated by 49 CFR 171 through 180, Hazardous Materials Regulations (HMR). These are included in Section 139.321 (a).

(2). Establishing acceptable fire safety standards and including them in the ACM. If the local fire code does not address fire safety for aviation fuels, the certificate holder should consult NFPA 407, *Standard for Aircraft Fuel Servicing*, for guidance in creating a minimum fire safety level.

(3). Conducting adequate inspections of the fueling facilities of fueling agents at least once every 3 months and maintaining records of these inspections for 12 consecutive months.

(4). Establishing and maintaining standards for protecting against fire and explosions in storing, dispensing, and otherwise handling fuel on the airport. These must include facilities, procedures, and personnel training and address the items in Section 139.321 (b).

(5). Complying with the above, requiring all other fueling agents operating on the airport to comply with these standards, and performing reasonable surveillance to ensure compliance.

(6). Requiring and ensuring compliance with the training identified in Section 139.321 (b) (6). The tenant fueling agents must maintain records documenting this training. The certificate holder must obtain written confirmation of this training once every 12 months and maintain these records for 12 consecutive calendar months.

(7). Requiring immediate corrective action by a tenant fueling agent whenever noncompliance with a standard established by Section 139.321 (b) has been identified. If immediate corrective action cannot be accomplished within a

reasonable amount of time, the certificate holder must notify the Regional Airports Division Manager.

**b. ACSI's Responsibilities.** The ACSI is responsible for—

(1). Ensuring the certificate holder is maintaining adequate oversight of fueling agent activities on the airport.

(a). A fueling agent is defined, for the purposes of this regulation, as “a person or company that sells fuel products on the airport.” This is intended to exclude the self-fueling activities of an airline or corporation that conducts self-fueling.

Further, 14 CFR Parts 121, *Operating Requirements: Domestic, Flag, and Supplemental Operations*, and 135, *Operating Requirements: Commuter and On Demand Operations and Rules Governing Persons on Board Such Aircraft*, require air carriers to include in the approved operations specifications “[p]rocedures for refueling aircraft, eliminating fuel contamination, protecting from fire (including electrostatic protection), and supervising and protecting passengers during refueling.”

Section 139.321 (c) through (g) address the responsibilities of, and requirements imposed on, “fueling agents” on the airport and therefore exclude those persons and companies that self-fuel. This includes the fuel farms operated by these persons or companies. However, the ACSI should remind certificate holders to include these facilities in their surveillance inspections in the interest of maintaining overall airport safety.

(b). Paragraph 139.321 (c) requires the certificate holder to exercise “reasonable surveillance on all fueling activities on the airport.” General aviation (GA) “self-fuelers” are included in the oversight requirement. These self-fuelers might be corporate or large aircraft operators who provide their own fueling service and private small aircraft owners who perform refueling operations on their own planes.

(c). Certificate holders should establish basically the same requirements for GA large aircraft operators as for fueling agents. To meet this requirement, certificate holders might arrange for the local fire marshal or firefighting training officer to review the procedures used by GA large aircraft operators and provide training on cover bonding, local fire safety regulations, use of fire extinguishers, and fuel spill procedures.

(d). For small self-fuelers, certificate holders should establish a permit system, confine these operations to a designated area, and require fire-extinguishing equipment. Users should be trained in operating fire extinguishers, have knowledge of bonding and local fire regulations, and be familiar with fuel spill procedures before they receive a permit.

(2). Inspecting a sample of fuel facilities, including fuel trucks, on the airport to ensure compliance. The size of the sample is at the ACSI's discretion.

(3). Ensuring that at least one supervisor with each fueling agent has completed an acceptable fire safety course. This course may be one that is conducted by the airport in conjunction with the local fire facility, or it may be one of the nationally acceptable training courses reviewed by AAS-300 and listed in the CertAlert. A locally developed course must be reviewed by the ACSI to determine its acceptability. Guidelines for reviewing a local course are available in the Airports section of the FAA website.

(4). Ensuring compliance with the HMR if a certificate holder is an agent for hazardous air cargo shipments. (ACSI's will have limited involvement in this area since there are only a few such certificate holders.)

(5). Ensuring compliance with fire safety training. Prior to assuming a supervisory position, an individual must have completed initial training or be enrolled in an authorized aviation fuel-training course that will be completed within 90 days. Also, recurrent training is now required at least every 24 months.

(6). Ensuring that all other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel have received at least initial on-the-job training in safe handling and, thereafter, have received recurrent training every 24 consecutive months from the supervisor named in the preceding section.

(7). Ensuring that if there is an electrical requirement for grounding during certain types of maintenance work on aircraft, this protection against electrical discharge has been addressed. NFPA 407 did not eliminate this type of grounding.

(8). Appendices 17 and 18 contain checklists for fueling activities.

#### **418. Section 139.323, Traffic and Wind Indicators.**

##### **a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for installing a wind cone that provides surface wind direction information to all runways. Where this is not possible, supplemental wind cones are required. They should be installed at the runway end or at least at a point visible to the pilot during takeoffs and landings. This equipment is installed outside the RSA. If the airport is open to air carrier operations during hours of darkness, the wind direction indicators must also be lighted.

(2). At airports with no operating ATCT and right traffic patterns, the certificate holder is responsible for surrounding the wind indicator with a segmented circle that includes identification of the landing strip and the right traffic pattern for each runway that has right traffic.

(a). The segmented circle must be maintained properly.

##### **b. ACSI's Responsibilities.**

(1). The ACSI is responsible for evaluating whether there is an adequate number of wind direction indicators.

(2). If the airport has a right traffic pattern, the ACSI must ensure the segmented circle provides the correct information and is properly maintained.

(3). Since wind tees can give inaccurate wind direction information, ACSIs should encourage certificate holders to remove them. The wind tee indicates the last wind direction encountered, and this indication might conflict with the use of the designated calm wind runway during calm conditions.

#### **419. Section 139.325, Airport Emergency Plan.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for providing a written document entitled the Airport Emergency Plan (AEP). The plan is intended to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. The plan must—

(1). Describe procedures for prompt response to the emergencies listed in Section 139.325 (b). This includes procedures for responding to utility failures, electrical failures, fuel spills, hazardous materials, natural gas, water, and sewage spills.

(2). Provide, in sufficient detail, guidance to all who must respond to an emergency on the airport.

(3). Be capable of responding to an emergency involving the largest air carrier aircraft in the index group required by Section 139.315, to the extent practicable.

(4). Contain procedures for notifying facilities, agencies, and personnel of the location of an emergency on the airport.

(5). Address Section 139.325 (b) (9) for water rescue, if applicable, by identifying any significant bodies of water or marsh lands adjacent to the airport that are under the approach/departure flight paths out to the "final approach fix" on runways with published approaches and out to 2 miles on runways with visual approaches. A river is a significant body of water if it is one-quarter-mile wide during wet seasons. A certificate holder who cannot obtain cooperation from other jurisdictions for water rescue operations "to the extent practicable" must provide documentation demonstrating that a reasonable attempt was made to obtain the cooperation. This statement must be included in the AEP.

(6). Ensure that all personnel having duties and responsibilities under the AEP are familiar with their assignments and properly trained.

(7). Provide for an annual review of the AEP. This might be a tabletop exercise or a review meeting with each of the agencies with which the plan is coordinated. Correspondence about planning and outcomes should be retained.

(8). For Class I airports, provide for the conduct of a full-scale exercise of the AEP at least once every 3 years. The reasons for conducting a triennial exercise are—



(a). To test the effectiveness of the AEP through a response of the airport and its mutual aid to a disaster on the airport

(b). To reinforce familiarization of the emergency mutual aid personnel with the location of staging areas and airport facilities. **Note:** The triennial may be conducted on property adjacent to the airport, such as for a water rescue, if the AEP can still be properly exercised.

(9). Provide for the triennial to be conducted within the calendar month it is due. For example, if a triennial was held on August 4, 2005, the next triennial is due by August 31, 2008. Special circumstances might necessitate adjustments to this schedule. The certificate holder is responsible for notifying the Regional Airports Division of any need to vary the schedule. To be approved, this need must be supported by an acceptable justification. For example, the triennial is due in August, but the county is planning a much larger exercise in October in which the airport will play an important part and gain the same benefit of the triennial exercise. Airport managers are also encouraged to participate in off-airport disaster exercises, provide expert advice, and gain experience in emergency preparedness.

(10). Provide for post-accident, interagency emergency response critiques. The airport should conduct individual critiques with each of all the agencies that responded to and/or was involved in an emergency. **Note:** In 2002, after an accident, the NTSB recommended that FAA amend Part 139 to require the airport certificate holder to complete within 60 days a written critique of their emergency response to an air carrier accident. FAA responded in May 2004 with a Certalert strongly encouraging airport operators to conduct said critique within 60 days and to produce a written report.

#### **b. ACSI's Responsibilities.**

(1). The ACSI is responsible for determining whether the AEP addresses those emergencies and associated actions outlined in Section 139.325. ACSIs should attend and observe a triennial exercise whenever possible. ACSIs are responsible for ensuring the airport certificate holder complies with the above requirements.

(2). If a post-accident critique is submitted to FAA and if, as a result of this critique, changes must be made to the ACM, the ACSI coordinates with the airport certificate holder to ensure the proposed changes are submitted to FAA for approval and incorporation into the ACM.

### **420. Section 139.327, Self-inspection Program.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for establishing, implementing, and maintaining an appropriate self-inspection system and schedule and including it in the ACM. The self-inspection program must include—

(1). A daily inspection or as otherwise authorized by the ACSI.

(2). A night inspection if there are air carrier operations at night.

(3). A provision for inspections during unusual conditions (such as construction, rapidly changing weather conditions, and after an accident or incident).

(4). Adequate procedures and qualified personnel to ensure the self-inspection program is effective. The requirements for training are found in Section 139.327 (b) (3) (i) through (v). Records for all training given after June 9, 2004, to airport personnel in compliance with this section must contain a description of the training received and the date it was received. The records must be retained for 24 consecutive calendar months after completion of training.

(5). At Class IV airports, an inspection on the day of and prior to an air carrier operation. This includes weekend and nighttime inspections if an air carrier operation is conducted at these times.

(6). At “inactive status” airports, an inspection must be conducted at least once per week and discussed in the ACM.

(7). Procedures, facilities, and equipment adequate for the rapid dissemination of information between airport personnel and the air carriers. The self-inspection program must be tied into the condition reporting system to notify air carriers of discrepancies that might affect the safety of air carrier operations and require the issuance of a NOTAM.

(8). A reporting system by which repairs and corrections to unsafe conditions are made promptly.

(9). A system for maintaining records, showing conditions found on the airport during the inspection and the corrective actions taken. The records must be retained for 12 months; corrective actions may be recorded on work order records.

**b. ACSI’s Responsibilities.** The ACSI is responsible for ascertaining whether the self-inspection program is effective in maintaining airport safety. Indications of problems with the self-inspection program might include—

(1). Reports/records with no discrepancies (“pencil-whipping”).

(2). Falsification of reports/records or incomplete inspection records.

(3). Numerous problems found during the self-inspection. This might indicate maintenance problems or more serious equipment problems on the airport. The ACSI might have to conduct a more detailed review of airport staff qualifications to determine the underlying and more critical causes of the deficiencies cited on the records.

#### **421. Section 139.329, Pedestrians and Ground Vehicles.**

**a. Certificate Holder’s Responsibilities.** The certificate holder is responsible for—

(1). Limiting access to movement areas and safety areas to only those pedestrians and ground vehicles necessary for airport operations. Unless required to support a specific operational requirement on the airport, vehicles and equipment

should use perimeter roads whenever possible. This includes fuel trucks, commissary equipment, and other equipment that support aeronautical activity but are not directly involved in the operation of the airport.

(2). Establishing and implementing procedures for the safe and orderly access to, and operation in, the movement and safety areas by pedestrians and ground vehicles.

(3). Establishing provisions for noncompliance with the procedures by an employee, tenant, or contractor.

(4). Ensuring that when a pedestrian or ground vehicle is in a movement or safety area, control is provided by—

(a). Two-way radio communication between each pedestrian and/or ground vehicle and ATCT, or

(b). An escort with two-way radio communications for a pedestrian or ground vehicle without a radio, or

(c). Measures authorized by the Administrator for controlling pedestrians and vehicles, such as signs, signals, or guards, when it is not operationally practical to have two-way radio communications between the pedestrian or vehicle and ATCT.

(5). Providing, when the ATCT is not operational or there is no ATCT, adequate measures to control pedestrians and ground vehicles in movement areas and safety areas through two-way radio communication or prearranged signs or signals.

(6). Controlling through an LOA with the ATCT, as applicable, the activities of uncontrolled vehicles on certain movement areas. (This is generally applicable to airports with part-time ATCT only.) The LOA will cite specifically who is allowed on these movement areas, how the individuals are qualified, the procedures that will be used, and the type of training required. The LOA must be included in the ACM.

(7). Ensuring each employee, tenant, or contractor is trained on procedures required under Section 139.329 (b) and the consequences of noncompliance prior to walking or operating a ground vehicle in a movement or safety area.

(8). Maintaining records for this training, which include a description of the training and the date completed, for 24 consecutive calendar months after the termination of an individual's access to movement and/or safety areas.

(9). Maintaining a record of any accident or incident that occurred in a movement area or safety area involving air carrier aircraft and a ground vehicle or pedestrian for 12 consecutive calendar months from the date of the accident or incident.

**b. ACSI's Responsibilities.**

(1). The ACSI is responsible for—

(a). Ascertaining the certificate holder has properly limited those persons and vehicles having access to the movement areas. During the course of the inspection, the ACSI should be mindful of pedestrians and vehicles walking or operating near movement areas and in safety areas.

(b). Observing ground vehicles necessary for airport operations include—

(i). Those directly in support of airport operations, such as rescue, maintenance, and inspection activities.

(ii). ARFF equipment, snow removal equipment, and mowers. These should be observed for being properly operated in or near movement and safety areas.

(iii). Fuel trucks, which might be necessary for airport operations because there is no other way to transport fuel from one side of the airport property to the other. However, the ACSI should work with the airport certificate holder to correct this situation, keeping in mind that AIP funding might be available and warranted for the construction of a service or perimeter road. The ACSI should verify that procedures have been established for fuel vehicles to cross movement areas, including two-way communications with the ATCT or with an escort, if no alternative routes are available. These procedures should be clearly addressed in the ACM, including training for these procedures.

(iv). Ambulances, police vehicles, FAA (Technical Operations) vehicles, and construction vehicles, as necessary for specific activities on the airport. The ACSI should observe the operation of these vehicles for compliance with the procedures in the ACM.

(c). Observing procedures at airports either without an ATCT or during the period when an ATCT is not operational. These might include notification over the Common Traffic Advisory Frequency (CTAF) of intent to enter a movement area or notification to an FSS on the airfield of position and intentions.

(d). Examining and evaluating a driver training program for comprehensiveness and effectiveness. This might include a permit system and testing and should include a schedule for violations of the rules and regulations for pedestrians or ground vehicle operators (tenants, employees, and contractors) established by the certificate holder.

(e). Examining records of accidents or incidents involving air carrier aircraft and/or ground vehicles or pedestrians.

(2). The ACSI is also responsible for certain aspects of the Runway Safety Program. Unauthorized entry by pedestrians or ground vehicles onto the movement area constitutes a runway incursion. However, the Runway Safety

Program office has adopted the Air Traffic Organization's definition of the parameters of unauthorized entry, which is "runway environment." Therefore, personnel and equipment in the RSA, when not authorized by the ATCT, are reported as incursions or surface incidents, depending on the circumstances.

It is important for the ACSI to recognize that not every incursion by a ground vehicle or pedestrian warrants a civil penalty action and that the Targeted Enforcement Program, as discussed in Chapter 5, must be followed. When an alleged incursion occurs, a Letter of Investigation (LOI) must be issued, and an investigation to gather facts must ensue. The investigation may be concluded with the certificate holder's statement, or the information presented to the ACSI may warrant action on the part of the ACSI, such as interviewing the person involved in the alleged incursion, taking statements from witnesses, and visually examining the location where the incursion occurred.

(3). The ACSI must also determine if—

- (a). The certificate holder failed in some demonstrable way either to adopt measures or procedures to protect the movement area or enforce them,
- (b). The certificate holder has an effective training program, or
- (c). Some circumstance normally beyond the certificate holder's control now needs to be addressed prior to concluding whether the incursion is a violation of Part 139 and warrants enforcement action.

(4). The ACSI must also be aware that FAA employees operating vehicles on an airport have, on occasion, entered an airport movement area without obtaining a proper clearance from the ATCT. When the ACSI becomes aware of this situation, the ACSI should notify the appropriate regional office of the employee involved. The office should be asked to discuss the incursion with the employee to determine the reason for the incursion and to ascertain whether additional airport driver training is required.

If the ACSI determines there are deficiencies in the airport's procedures or the airport was involved in the event, the ACSI should issue the LOI and state in concept the following:

FAA is aware that one of its employees might have caused an incursion into the airport movement area on (date, time, pertinent details). FAA is pursuing this directly with the appropriate office. However, please provide us with any information you have about this event to aid in the investigation by (date). FAA employees are considered tenants on the airport and are required to observe the airport's regulations for ground vehicle and pedestrian operations.

If the ACSI determines the airport's ground vehicle procedures are clearly inadequate, he/she should ask the certificate holder to correct the situation. In this case, administrative enforcement action is appropriate. The ACSI should consult with AAS-300 for any unusual situations.

**422. Section 139.331, Obstructions.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for ensuring that, whenever possible, objects that FAA has determined to be obstructions are removed. If this is not possible, then each object within each area within the airport's authority must be marked and/or lighted unless an FAA aeronautical study finds this to be unnecessary. AC 70/7460-1, *Obstruction Marking and Lighting*, contains guidance on proper marking and lighting of obstructions.

If obstructions have not been subjected to an airspace study, the certificate holder should request one. The results of the study will determine whether the obstructions must be marked and/or lighted, removed, or some other action taken that is acceptable to the Administrator.

Applicability of the airport authority must be determined on a case-by-case basis. The term "within the airport's authority" refers to other land owned by the certificate holder, such as a city golf course or park, if the city owns these parcels of land as well as the airport. Avigation easements are also considered "within the airport's authority." If cities or counties own an airport jointly, then this applicability extends to them.

**b. ACSI's Responsibilities.**

(1). The ACSI should advise the certificate holder to obtain an airspace study for any obstruction that has not been subjected to a study of this type. If the study determines an obstruction is not a hazard to air navigation and if marking and/or lighting is not required, there is no discrepancy to Part 139.

(2). The ACSI is also responsible for confirming that all obstructions, as defined by Part 77, Objects Affecting Navigable Airspace, within the certificate holder's authority are marked and/or lighted if they have not or cannot be removed, unless an FAA aeronautical study has determined that this is unnecessary.

(a). If the certificate holder does not have procedures for identifying obstructions to the Part 77 surfaces, the ACSI should recommend that they be established and implemented as soon as possible and included in the ACM.

(3). The ACSI should ensure the ACM describes maintenance procedures and responsibilities for lighted obstructions and specifies whom to contact in the case of an outage and how they are to be repaired. Additionally, the certificate holder should have procedures for inspecting for outages of any obstruction light that can be seen from any portion of the airport and for reporting such outages to the owners of the lights.

**423. Section 139.333, Protections of NAVAIDs.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for—

(1). Establishing procedures to prevent the construction of facilities on the airport that would derogate the operation of both electronic and visual NAVAIDs or the air traffic control facilities on the airport.

(2). Establishing and implementing effective procedures to prevent interruption of visual and electronic NAVAIDs within the airport's authority. Such procedures are intended to prevent activities associated with construction and/or maintenance from shutting down, interrupting, or altering NAVAID signals. These procedures should also make personnel involved in maintenance or construction activities mindful of where they park vehicles and equipment, store material, or otherwise conduct activities near NAVAIDs.

(3). Protecting NAVAIDs on other land owned by the airport or by the same governmental body that owns the airport. Even though not considered airport property, land owned by the same authority or entity (a county, city, state, or similar governmental body) that also owns the airport must protect the NAVAIDs on the airport.

(4). Implementing effective measures to prevent vandalism and theft.

**b. ACSI's Responsibilities.** The ACSI is responsible for—

(1). Ensuring the certificate holder has established procedures to prevent any construction that would interfere or derogate NAVAID signals and to guard against vandalism and theft.

(2). Ensuring the certificate holder has established procedures for construction and maintenance personnel to prevent interruption of or interference with NAVAIDs.

(3). Ascertaining that adjacent properties, if owned by the same entity that owns the airport, comply with requirements to prevent interruption of or interference with NAVAIDs.

(a). If, for example, a city has jurisdiction over a golf course or park next to the airport that it also owns and has decision-making authority over the location of an object FAA has determined will interfere with a NAVAID and if the city allows the construction of this object, there is the potential issue of applicability of this section. When such a case occurs, the ACSI should consult with the Regional Assistant Chief Counsel and alert AAS-300 prior to taking any action.

**424. Section 139.335, Public Protection.**

**a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for providing effective safeguards against inadvertent entry to the movement area by unauthorized persons or vehicles. The safeguards may consist of a combination of natural barriers, fencing, and warning signs that will suffice to deter persons and vehicles from inadvertently entering the movement area.

(2). The certificate holder is also required to provide reasonable protection of the public against aircraft blast. This requirement applies to persons who use air stairs and the public areas adjacent to air carrier ramps and movement areas.

**b. ACSI's Responsibilities.** The ACSI is responsible for determining whether the certificate holder has established effective and proper safeguards to prevent inadvertent entry onto the movement area and has provided reasonable protection against aircraft blast to both the public and to airport personnel who conduct activities in the movement area.

#### **425. Section 139.337, Wildlife Hazard Management.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for—

(1). Taking immediate measures to alleviate wildlife hazards whenever they are detected.

(2). Notifying the Regional Airports Division when a wildlife hazard exists on the airport.

(3). Undertaking an "assessment" if an event occurs, as defined in Section 139.337 (b) and identified, in terms of location, in AC 150/5200-33, *Hazardous Wildlife Attractants On or Near Airports*. See Paragraphs 1-2 and 1-3 (**combined here for brevity**):

An event includes that which occurs on or near the airport within 10,000 feet of any air carrier runway for jet aircraft use and 5,000 feet for reciprocating engine aircraft. A multiple bird strike applies to one incident, and an engine ingestion can apply to one bird.

**Note:** The assessment is used by FAA to determine if a Wildlife Hazard Management Plan is needed for the airport. An MOU between FAA and USDA Wildlife Services (No. 12-34-71-0003-MOU) establishes a cooperative relationship between these agencies for resolving wildlife hazards to aviation. FAA relies heavily on the assistance of Wildlife Services to conduct, review, or contribute to airport wildlife hazard assessments and airport Wildlife Hazard Management Plans.

(4). Developing, updating, and implementing a Wildlife Hazard Management Plan as part of the ACM, when so indicated by the ACSI.

**b. ACSI's Responsibilities.**

(1). The ACSI is responsible for confirming that a wildlife hazard exists on an airport based on evidence of the presence of wildlife, even though a multiple bird strike, engine ingestion, or damaging collision might have not occurred. Section 139.337 (a) authorizes the ACSI to require the assessment.

(2). When the ACSI determines that a wildlife hazard assessment is needed for a particular airport, the ACSI should—



(a). Contact the appropriate airport official to inform him/her of the need for the assessment (see Appendix 16 for sample correspondence).

(b). Allow the certificate holder sufficient time (normally no more than 30 days) to make the initial contact and set a date when the assessment will begin. The certificate holder may request USDA Wildlife Services or a private, qualified party to conduct the required wildlife hazard assessment. The certificate holder is responsible for consultant selection and initial contact. Because the wildlife hazard assessment is used by FAA to determine if a wildlife hazard management plan is needed for the airport, it should be conducted by persons having the education, training, and experience necessary, as discussed in AC 150/5200-36, *Qualifications for Wildlife Biologist Conducting Wildlife Hazard Assessments and Training Curriculum for Airport Personnel Involved in Controlling Wildlife Hazards on Airports*, to assess wildlife hazards adequately.

(c). Review the airport's ACM to determine if any procedures are already in place to meet Section 139.337 requirements and the current degree of compliance. Failure of the certificate holder to comply fully with all Part 139 requirements might be a deficiency subject to enforcement action.

(d). Follow up to ensure the certificate holder has completed the required actions on the assessment and submitted the results and recommendations.

(e). Review the assessment and recommendations to determine if an airport Wildlife Hazard Management Plan is needed. Upon completion of the review process, convey the determination to the certificate holder.

(3). When an airport is required to have a Wildlife Hazard Management Plan, the ACSI must consider the following when evaluating the plan and its implementation:

(a). Its effectiveness in dealing with the wildlife hazard.

(b). Indications the existence of the wildlife hazard, described in the assessment, should be reevaluated.

(c). Personnel with responsibilities in the Wildlife Hazard Management Plan are adequately trained.

(d). Procedures outlined in the plan, such as inspections prior to air carrier operations, are carried out.

(e). Status of habitat modification projects or changes in land use is identified in the plan.

(f). Existence of current depredation permits, if applicable.

**Note:** Approval of the Wildlife Hazard Management Plan is categorically excluded under Paragraph 308 e of Order 1050.1, *Environmental Impacts: Policies and Procedures*. A grant to fund the preparation of a plan normally qualifies for the categorical exclusion. However, Paragraph 209 of FAA Order 5050.4, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*,

addresses the applicability of NEPA to the Wildlife Hazard Management Plan contents. ALP approvals and/or approvals of grants for Federal funding to carry out measures in an FAA-approved Wildlife Hazard Management Plan include items that might be either categorically excluded or require preparation of an environmental assessment or an environmental impact statement. It is the certificate holder's responsibility to contact the appropriate Airports Regional or District Office to find out the appropriate NEPA process associated with the implementation of action in the approved plan. If the actions are under FAA's authority, the regional or district office's environmental specialist will determine if FAA may categorically exclude the actions or require the preparation of an environmental assessment or environmental impact statement. If the actions are not within FAA's purview, the specialist will assist the certificate holder in contacting the appropriate Federal resource agency.

The certificate holder's completion of the Wildlife Hazard Management Plan satisfies the Section 139.337 requirements. That compliance is in effect until the certificate holder takes action to implement provisions in the plan and FAA completes the NEPA process or the appropriate Federal agency or agencies complete their actions. The certificate holder must then carry out the approved measures to remain in compliance with the Part 139 certification requirements.

**c. Additional Responsibilities When Developing Wildlife Hazard Management Plans.**

(1). Section 7 (a) (2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), states, in part, that each Federal agency will, in consultation with and with the assistance of the Secretary of Interior, ensure any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any Federally listed or proposed endangered or threatened species or result in the destruction or adverse modification of designated or proposed critical habitat.

(2). FAA's action in requiring an airport operator to develop, submit for approval, and implement a Wildlife Hazard Management Plan is considered a Federal action, as defined in the Endangered Species Act, and, therefore, is subject to Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS).

(3). Under Section 139.337 (e), FAA may direct an airport operator to develop a Wildlife Hazard Management Plan or to update an existing plan. In these instances, the FAA regional coordinator (usually the ACSI responsible for wildlife hazards) will contact and request information from the local USFWS Ecological Services Field Office about the presence of Federally listed or proposed species or designated or proposed critical habitat occurring on or near the airport. Form Letter #1 (see Appendix 16) must be used to make this request.

(4). If the USFWS indicates there are no Federally listed or proposed species or designated or proposed critical habitat occurring on or near the airport, no further action is required for the Section 7 consultation.

(5). If the USFWS indicates that Federally listed or proposed species or designated or proposed critical habitat occur on or near the airport, the FAA regional coordinator must forward the information about the presence of Federally listed or proposed species or designated or proposed critical habitat to the airport operator so this information can be taken into consideration during the development of the Wildlife Hazard Management Plan.

(6). The airport certificate holder must prepare a biological assessment (50 CFR 402.13, Informal Consultation) assessing the effects of the Wildlife Hazard Management Plan on the Federally listed or proposed species or designated or proposed critical habitat. The biological assessment must be submitted to FAA along with the draft plan.

(7). The ACSI is responsible for ensuring the certificate holder has complied with the Wildlife Hazard Management Plan and should seek assistance, when necessary, from the staff wildlife biologist in AAS-300. This includes references for USDA Wildlife Services and USFWS.

#### **426. Section 139.339, Airport Condition Reporting.**

##### **a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for providing, in a manner authorized by the Administrator and as stated in the ACM, information about airport conditions and specifically for collecting and disseminating this information to air carriers. To comply with this requirement, the certificate holder must use the NOTAM system, as appropriate, and other systems and authorized procedures. There are nine airport conditions identified in Section 139.339 that must be reported as well as any other condition specified in the ACM or that might otherwise affect the safe operations of air carriers.

(2). The certificate holder must prepare and keep for at least 12 consecutive calendar months, a record of every disseminated airport condition report prescribed by this section.

##### **b. ACSI's Responsibilities.**

(1). The ACSI is responsible for determining that airport condition reporting is timely and accurate. While a check of current NOTAMs in the system is part of the inspection preparation, the ACSI should also check NOTAM logs and forms at the airport.

(2). The ACSI should also be aware of conditions that are unreported but affect safety of operations. As identified in Paragraph 412, nonstandard separation of edge light fixtures might present inaccurate visual cues. Owners and operators of certificated and noncertificated airports should make all reasonable efforts, including Airport Master Record comments, to inform aircraft operators of possible depth perception problems that could occur as a result of nonstandard separation of edge light placement. The ACSI should also encourage airport owners and operators to relocate runway edge lights to meet FAA standards.

**427. Section 139.341, Identifying, Marking, and Reporting Construction and Other Unserviceable Areas.****a. Certificate Holder's Responsibilities.**

(1). The certificate holder is responsible for establishing procedures, such as the review of plans, to protect utilities, cables, wires, pipelines, and other underground facilities prior to construction activities. The airport certificate holder should brief contractors and, when a complex project is involved, develop and implement a safety plan. AC 150/5370-2, *Operational Safety on Airports During Construction*, provides guidance for construction activities.

(a). Measures that must be taken include marking and, if required, lighting that is acceptable to the Administrator. These include—

(i). Each construction area and unserviceable area that is on or adjacent to any movement area or any other area of the airport on which air carrier aircraft operate.

(ii). Each item of construction equipment and each construction roadway that might affect the safe movement of aircraft on the airport.

(iii). Any area adjacent to a NAVAID that, if traversed, could cause derogation of the signal or failure of the NAVAID.

(2). The certificate holder must have procedures in place to repair any damage that occurs to an existing utility.

**b. ACSI's Responsibilities.**

(1). The ACSI is responsible for ascertaining that, when necessary, a safety plan has been developed and implemented, and, when any construction is planned on the airport, the certificate holder has taken the proper measures for avoiding damage to existing utilities. For non-Federal grant projects, these procedures must include coordination with all applicable parties and the filing of Form 7460-1, Notice of Proposed Construction, when required by Part 77.

(2). The ACSI also must ensure that temporary marking and lighting of areas servicing air carrier aircraft meet standards required by Section 139.311.

**428. Section 139.343, Noncomplying Conditions.**

**a. Certificate Holder's Responsibilities.** The certificate holder is responsible for limiting air carrier activities to areas that are safe. Whenever the requirements of Subpart D of Part 139 cannot be met for any areas on the airport, these areas are considered unsafe for air carrier use unless the ACSI determines otherwise.

**b. ACSI's Responsibilities.** The ACSI is responsible for determining that the airport certificate holder complies with this section.

**429. – 499. Reserved.**

## Chapter 5. Enforcement Policy

### 500. Purpose.

This Chapter establishes policy about enforcement action for the Airport Certification Program.

### 501. General Policies.

**a. Goals.** FAA has established comprehensive safety regulations that reach every aspect of aviation. The high degree of compliance with these regulations in the past has resulted in the safest aviation system in the world, and it is FAA's goal to continue to maintain the highest possible standards for safety. The ACSI's role is to promote safety through the compliance and enforcement process—as is true for all FAA regulatory programs. It is the responsibility of the aviation industry to strive to attain full compliance. Airport safety depends primarily on voluntary adherence to regulatory requirements by airport operators. Therefore, compliance is promoted primarily through education, training, and counseling—and only when those efforts have failed, through formal enforcement action. Enforcement action is taken when it is in the public interest to do so. The process should apply a measured and proportional sanction in each case, which takes into account compliance history and all other relevant factors.

**b. Application.** When a violation occurs, it is essential the ACSI take action consistent with Order 2150.3, *Compliance and Enforcement Program*. The action can be administrative or legal but should in each case be reasonably designed to promote future compliance by the airport in violation.

In cases that meet the applicable criteria, and in which a strong deterrent is not necessary or appropriate, ACSIs should consider using administrative action in the form of a Warning Letter or Letter of Correction that incorporates specific corrective action. When circumstances warrant, however, action should include legal enforcement in the form of an imposition of a civil penalty or suspension or revocation of the AOC. The specific and general deterrent effect of legal enforcement is an important component of a comprehensive compliance and enforcement program.

In each case, it is important that the sanction be appropriate to the violation and that the ACSI exercise sound judgment and discretion when proposing and applying the sanctions that will best promote future compliance. The Enforcement Sanction Guidance Table in Order 2150.3, Appendix 4, provides the normal range of legal enforcement sanctions for each type of violation. Now that the agency has developed and is using the Targeted Enforcement Program, ACSIs will use the Enforcement Decision Tool (EDT) to determine the appropriate use of administrative or legal enforcement action.

**c. Airport Compliance.** Airport certificate holders have a responsibility to perform their duties to the highest possible degree of compliance. According to Order 2150.3, airport operators are obligated to operate their airport in accordance

with the regulations. Achieving this goal requires a concerted effort between FAA and the certificate holder. Special efforts must be undertaken to keep all certificate holders informed of the methods by which FAA inspections are carried out, with special attention paid to recurring instances of noncompliance discovered in these inspections. Certificate holders are encouraged, in turn, to use all available information to evaluate their own systems, programs, and operations.

## **502. Violations.**

**a.** ACSIs must address violations consistently, fairly, and in a manner that reasonably serves the purpose of deterring future violations. To achieve these ends, ACSIs must adhere to the following policies:

(1). All reports of violations must be promptly and thoroughly investigated. The ACSI does not personally have to make the discovery. Even if the source of information alleging the violation appears unreliable or capricious, in the interest of safety, the ACSI must pursue the matter. ACSIs responsible for investigation or enforcement must, in their relations with other members of the aviation community, be fair, objective, and courteous and carry out their responsibilities in a professional manner.

(2). Investigations will be conducted in accordance with the timeframes outlined in the Order 2150.3.

(3). Enforcement investigative reports must contain complete accounts of known circumstances surrounding the alleged violation, including all known mitigating or aggravating factors.

(4). Enforcement sanctions, both administrative and legal, must be applied in a manner consistent with the provisions of Order 2150.3.

**b.** Because of the numerous specific criteria contained in Part 139, it is very possible to find a repeat violation that might lead to a “previous similar violation” interpretation, especially for routine maintenance items, such as pavement lips, faded markings, or missing or nonfunctional runway/taxiway lighting. However, Part 139 is designed and promoted as an airport self-inspection program. Therefore, if the same types of “similar violations” occur from one inspection to another, the ACSI must ask, “is the airport operator qualified and properly trained?” Airport operators are given prior notice of annual airport inspections—in some cases, months in advance. “Previous similar violations” might be a symptom of other more critical problems and violations. For example, if marking has been a violation during previous inspections and the specific violations were quickly corrected by the cooperative airport operator, the airport self-inspection staff might be the underlying and more critical cause of the “previous similar violation.” This cause must be recognized and dealt with so the real problem can be solved. ACSIs should always keep in mind, however, that administrative action is **not** appropriate if a violation results in a significant unsafe condition.

**503. Enforcement Action—General.**

Compliance with Part 139 is also promoted through both administrative action and formal legal action. Administrative action (e.g., Warning Letters or Letters of Correction) is used to check potentially unsafe practices in situations where formal actions are unnecessary or inappropriate.

**a. Enforcement Tools.** Statutory methods for enforcing the requirements of Title 49 of the U.S. Code include—

- (1). Amendment, suspension, and revocation of certificates (Section 44709);
- (2). Civil and criminal penalties (Section 46301);
- (3). Judicially enforceable orders (Section 46106); and
- (4). Investigations and other acts deemed necessary to carry out the provisions of the code (Sections 40113, 46104, and 47122) and Part 139.

**b. Selecting the Type of Enforcement Action.** Using the Enforcement Decision Tool of the Targeted Enforcement Program, the ACSI makes a preliminary assessment as to whether compliance will be best obtained through administrative action or through legal enforcement action. To make this assessment, the ACSI should use all information available to him/her at the time, including guidance provided in FAA orders.

**504. Administrative Action.**

The purpose for administrative enforcement action is to provide a means for disposing of violations that do not require the use of legal enforcement action. It is not to be used solely for convenience or where evidence to support a finding of violation is lacking. Administrative action is intended to bring the violation to the attention of the certificate holder, document corrective action, encourage future compliance with the regulation, and provide a source of information for agency use.

**a.** Administrative action may be taken in lieu of legal action only when all of the following elements are present (see Order 2150.3, Paragraph 205 (b)):

- (1). No significant unsafe condition existed.
- (2). Lack of competency or qualification was not involved.
- (3). The violation was not deliberate.
- (4). The alleged violator has a constructive attitude toward complying with the regulation and has not been involved in previous similar violations. If the certificate holder has not instituted procedures to overcome deficiencies previously identified or has displayed an attitude that does not reflect proper interest in achieving compliance, administrative action is not appropriate.

**b. Types of Administrative Action.** Two types of administrative action are authorized:

(1). **Warning Letter.** The Warning Letter (see Appendix 19) is addressed to the alleged violator and—

- (a). States the facts and circumstances of the incident involved;
- (b). Advises that on the basis of available information, such operations or practices are contrary to the regulations;
- (c). States the matter ***has been corrected*** and/or does not warrant legal enforcement action, and
- (d). Advises that FAA expects future compliance with the regulation.

(2). **Letter of Correction.** The Letter of Correction (see Appendix 20) serves the same purposes as the Warning Letter but is intended for use when there is agreement with the certificate holder that corrective action acceptable to FAA ***will be taken within a reasonable time.***

(a). The Letter of Correction usually confirms a discussion with the certificate holder in which a violation is acknowledged and appropriate corrective action initiated. It might also describe discrepancies and areas needed for improvement.

(b). The Letter of Correction must not be used to forward suggestions and recommendations by themselves. The Letter of Correction is used solely for the purpose of correcting a regulatory noncompliance item. The letter may reference an attachment containing recommendations and suggestions, provided each item is appropriately segregated and identified so any recommendation or suggestion cannot be misinterpreted as a noncompliance item or as an item requiring corrective action under the regulation.

(c). If the certificate holder has not completed corrective action when the Letter of Correction is issued, the ACSI must assure that timely follow-up action is completed. Any continuation of the undesirable condition/practice or failure of the certificate holder to fulfill its commitment following receipt of the letter could result in legal enforcement action. The Letter of Correction will specify a date of completion for the apparent violation. Airport operators who do not complete the items in the Letter of Correction by the agreed-upon dates are required to document the circumstance for not meeting the correction date prior to the ACSI granting an extension. ACSIs are required to evaluate the airport operator's response and determine whether an extension or more severe action is appropriate. According to Order 2150.3, noncompliance after the agreed-upon completion date is really continued noncompliance and should be addressed with a more critical examination and evaluation rather than an arbitrary decision to grant an additional extension.

(d). A Discrepancy Closeout Letter must be issued when deficiencies found during an inspection have been corrected (Appendix 21).

## **505. Legal Enforcement Action.**

- a. Formal legal action serves to—



(1). Prevent future actions that would violate the regulation (e.g., cease and desist orders, injunctions); and

(2). Impose punitive sanctions, after the act, to deter violations (e.g., certificate actions, civil penalties).

**b.** FAA must initiate appropriate legal action in cases that do not meet all of the criteria for administrative action. In determining the appropriate type and measure of sanction to be applied, FAA must take the following factors into account, as applicable:

(1). The nature of the violation and whether it was deliberate or inadvertent.

(2). The potential or actual hazard to the safety of others created by the violation.

(3). The certificate holder's level of experience and responsibility.

(4). The violator's history of previous violations.

(5). The violator's attitude regarding the violation, including whether the violator voluntarily disclosed the violation, and actions taken to correct it.

(6). The impact of a proposed sanction on the violator and its value as a deterrent to others similarly situated.

**c.** Determining the type of legal enforcement action and sanction to be taken to address a violation is the joint responsibility of the Regional Airports Division and Regional Assistant Chief Counsel. To this end, the agency has designed the Targeted Enforcement Program. The ACSI is responsible for completing the Enforcement Decision Tool process and worksheet as he/she prepares for legal enforcement action. An important objective in conducting the enforcement program is to achieve uniformity of action throughout FAA. ACSIs must adhere to the policy, procedures, and guidance set forth in Order 2150.3.

(1). It is important that AAS-300 be advised of the legal enforcement action planned and be kept informed of the current status of the enforcement proceeding in enforcement cases. Such advice is for information purposes only. Such cases include—

(a). Any case arising out of a major aircraft accident when there have been fatalities involving operations in air transportation.

(b). Any case that proposes certificate action.

(c). Any case in which a civil penalty in excess of \$10,000 is proposed.

(d). Any case involving a major aviation safety issue or other unusual or special circumstances that might create national interest.

**d. Types of Legal Enforcement Action.** The two types of legal enforcement action are—

(1). **Civil Penalty Action.** After determining that a civil penalty is the appropriate type of enforcement action, the ACSI prepares the Enforcement Investigative Report (EIR) (see Appendix 22) according to Order 2150.3, Chapter 9, and coordinates with the Regional Assistant Chief Counsel, who will use the guidelines in Order 2150.3, Chapter 12, Paragraph 1201, to process the case.

(2). **Certificate Action.** Order 2150.3, Chapter 2, defines the types of certificate action that can be considered. These actions are explained below.

(a). Certificate suspension can be considered when—

(i). Operational safety requires it, and all other means for timely correction of an unsafe condition, or assuring safe aircraft operations, cannot be achieved.

(ii). Technical proficiency or qualifications of the certificate holder to perform the duties required by Part 139 is inadequate.

(iii). The certificate holder resists or is unwilling to take action to correct or mitigate a noncomplying condition that directly affects the safe operation of air carrier aircraft, or

(iv). The certificate holder willfully fails to perform the corrective action agreed upon, and punitive action is the last alternative available to the ACSI to preclude unsafe operations on the airport's movement areas.

(b). Certificate revocation can be considered when—

(i). The certificate holder is incapable of corrective action and has demonstrated this by repeated offenses and unwillingness or inability to comply with vital safety provisions of Part 139, and continued possession of the certificate would be detrimental to the public interest.

(ii). The certificate holder has clearly demonstrated a lack of responsibility, such as deliberate and flagrant acts of noncompliance, or has falsified records.

(c). A certificate action can have significant impact on air commerce and generate a political tumult. However, the public interest and safety of air carrier operation on the movement areas must be the principal factors governing any proposed certificate action if all other means of resolving safety violations have failed to restore compliance.

(d). The ACSI must closely coordinate any proposed suspension or revocation action with AAS-300 and other FAA offices that might be impacted by the proposed action. The ACSI must also obtain authorization from the Regional Airports Division Manager before taking the action.

(e). In some cases, it might be appropriate to suspend the certificate for a reasonable time pending the correction of the violation(s). However, an airport operator should not be permitted to hold indefinitely an AOC in order to have additional opportunities to correct the violation. Generally, if the certificate holder has twice submitted to a re-inspection and twice failed, the AOC should be revoked.

(f). An airport operator whose AOC has been revoked and who wishes to have a new AOC must apply for a certificate in accordance with Section 139.103.

(g). **Emergency Suspension or Revocation of Certificate.** Emergency action is to be taken **only** when it is clearly needed in the public interest and must be taken as soon as the need for such action is recognized. Emergency action will not be used for punitive reasons. Evidence justifying such action must show a lack of qualification to retain the certificate. Situations that might warrant emergency action include the following:

(i). The certificate holder deliberately disregards its responsibility and allows an unsafe condition that jeopardizes the safe movement of air carrier aircraft on the airport.

(ii). The certificate holder loses all ARFF response capability due to a labor strike.

(iii). The certificate holder continues to operate the airport with a lower ARFF index than is required after being informed by FAA that such operations would be in violation of Part 139.

(iv). The certificate holder continues to provide unsafe air carrier airport facilities after being informed of such condition and fails to take corrective action and issue a NOTAM.

(v). The certificate holder returns an unsafe facility to use by air carriers after being informed that the condition is detrimental to air carrier operations.

(h). **Termination of an AOC Suspension.** If the airport operator satisfactorily corrects the violation(s) for which the suspension was issued, the Regional Airports Division Manager will issue a letter advising of that finding and provide a copy to the Regional Assistant Chief Counsel. The Regional Assistant Chief Counsel will then take appropriate steps to terminate the suspension order in accordance with Order 2150.3.

**e. Selection of Legal Enforcement Action.** The selection of the specific legal enforcement action instrument to be used (certificate or civil penalty action) must be made jointly by the Regional Airports Division and Regional Assistant Chief Counsel.

**f. Selection of Sanctions.** The ACSI is responsible for using the Enforcement Decision Tool to determine the appropriate sanction. Order 2150.3 contains a schedule of penalties. Based on the outcome of the investigation, the

penalties are chosen in accordance with the penalty matrix. Sanctions must be applied as uniformly as possible, but of paramount importance is the requirement that the sanction selected in each case be sufficient to serve as a deterrent. While agency directives provide guidance on sanctions, each enforcement case requires an individual determination of appropriate enforcement action. ACSIs should feel free to recommend action that, in their professional judgment, appropriately serves the purpose of the Compliance and Enforcement Program. However, the use of the Targeted Enforcement Program matrix will ensure the proposed sanction is based on a risk management model.

#### **506. Investigation of Alleged Violations.**

**a.** Upon receiving information indicating a possible violation, the ACSI should begin by evaluating as much factual data as is readily available to determine whether there appears to be any basis for conducting an investigation. It is the responsibility of the ACSI to conduct appropriate investigations of all alleged violations of Part 139, whether they are discovered during an inspection or reported by another source. When determining whether a violation might exist, the ACSI must address the following questions:

- (1). What section of the pertinent regulation is involved in this allegation?
- (2). What evidence is needed? What records are needed and at what stage of the investigation are such records checked? Which ones are needed to establish the violation? Are the records furnished voluntarily or is a subpoena necessary?
- (3). Where is the evidence and what are the problems that might be encountered in obtaining it?
- (4). Who needs to be interviewed and what written statements need to be obtained?
- (5). Will there be a need for imposing 49 U.S.C. 46104, Evidence, to subpoena witnesses and records?
- (6). Is there a need for immediate legal enforcement action, such as emergency suspension of the AOC, in situations where delay for routine handling might jeopardize public safety?
- (7). Is the ACSI continually reevaluating his/her activities to assure that the investigation will establish **who, what, where, when, why, and how**? It is imperative that the ACSI carefully consider the circumstances of the allegation and the nature of the violation and develop an appropriate investigative plan. (See Order 2150.3, Chapter 4, for guidance in planning and conducting investigations.)

**b. Enforcement Investigative Report (EIR) Number.** In all cases, the ACSI will assign an EIR number for future reference to all matters relating to the case. The ACSI must also ensure coordination with other FAA offices that might have an enforcement interest in the case or might contribute to the evidence

gathered during the investigation. Information about the issuance of an EIR number can be found in Order 2150.3, Chapter 14.

**c. Letter of Investigation.** If evidence suggests a violation might exist, the ACSI must prepare a Letter of Investigation (see Appendix 23) notifying the alleged violator that an FAA investigation is being conducted. The letter must also offer the violator an opportunity to present any pertinent information on the matter. A record of such notification must be included in the airport's certification file.

(1). In preparing the Letter of Investigation, the following guidelines must be observed:

(a). Facts and circumstances that necessitate the investigation must be described in sufficient detail to identify the alleged violation. However, the letter is not intended to be a statement of charges. Specific sections of the regulation should not be cited unless specific regulatory references are needed to identify the incident accurately. If facts and circumstances are adequately presented, the Letter of Investigation need only state that those facts and circumstances, if correct, indicate there might have been a violation of Part 139.

(b). An appropriate time limit for reply, normally not to exceed 10 days, must be specified. Any reply received after such a deadline will be forwarded and considered, as appropriate, with the case review.

(c). The letter may also request that specific documents be retained or made available.

(2). **Use of Certified Mail.** The Letter of Investigation must be sent by certified mail, so as to establish a record of notice to the certificate holder under investigation. A faxed letter with a hardcopy sent by mail might be appropriate in certain urgent circumstances.

(3). **Distribution of the Letter of Investigation.**

(a). The original letter is sent to the alleged violator.

(b). A copy is sent to AAS-300, if requested.

(c). The investigating office must also notify the alleged violator orally when it is determined that such notification would be in the best interest of aviation safety.

**d. Legal Enforcement Processing.** It is the responsibility of the Regional Assistant Chief Counsel to undertake all processing of legal enforcement actions.

**e. Regional Office Review.** The Regional Airports Division Manager, or his designee, will review all actions taken by the ACSIs to ensure fair and equal treatment and to provide assurance that action taken serves to promote safety and protect the public interest. Regional offices must advise the Associate and Deputy Associate Administrators for Airports, AAS-1 and AAS-300 of significant enforcement activities, as defined in Paragraph 505 d (2).

**f. Headquarters Review.** AAS-300 will monitor and evaluate regional enforcement procedures to ensure adherence to this Order and that procedures are applied consistently across the country. AAS-300 will advise the Regional Airports Division Manager of any deficiencies or discrepancies and undertake any special investigative or enforcement action.

**507. Closing the Investigation.**

If, subsequent to issuance of a Letter of Investigation, the ACSI determines that no violation occurred, he/she must notify the alleged violator with an Investigation Closeout Letter (see Appendix 24) stating the matter has been closed. Copies must also be sent to all recipients of the Letter of Investigation.

**508. Enforcement Consistency.**

Due to the fact that the Airport Certification Program is a nationwide program, it is important that all ACSIs treat alleged violations in the same manner for purposes of consistency and fairness. Appendix 25 contains the Enforcement Consistency Methodology that ACSIs must use in assessing the compliance or noncompliance of an airport operator with Part 139.

**509. – 599. Reserved.**

## **Chapter 6. Accident Investigation Responsibilities and Procedures**

### **SECTION 1. OVERVIEW**

#### **600. Purpose.**

This Chapter defines the ACSI's responsibilities during accident/incident investigations and the procedures the ACSI will follow when conducting these investigations.

#### **601. Background.**

Accident investigations conducted by the National Transportation Safety Board (NTSB) in which the ACSI participates or investigations delegated to FAA have important consequences. The overall purpose of these investigations is to ensure that all facts and circumstances leading to and following an accident/incident are recorded and evaluated so NTSB can determine probable cause. Equally important is the outcome of an investigation so action is taken to prevent similar events from occurring.

During an investigation, FAA has nine specific responsibilities, which can have an impact on determining the causal factors of an accident and to which the ACSI must pay serious attention. Order 8020.11, *Aircraft Accident and Incident Notification, Investigation, and Reporting*, defines these nine FAA responsibilities.

### **SECTION 2. RESPONSIBILITIES**

#### **602. Office of Airport Safety and Standards Participation in Investigations.**

The Office of Airport Safety and Standards (AAS) participates in aircraft accident/incident investigations when airport functions are involved.

**a. Operations Centers.** When a telephone notification of an accident or incident is received from any source, the Regional Operations Center (ROC) or Washington Operations Center (WOC) duty officer will contact the appropriate offices/representatives for conferences or briefings, as necessary.

**b. Airport Safety and Operations Division.** Upon notification from Headquarters or regional sources that an aircraft accident/incident has occurred on or near an airport, AAS-300 will determine whether AAS-300 personnel will participate in the investigation. AAS-300 will then contact the appropriate Regional Airports Division Manager or will designate and coordinate regional participation in the investigation.

**603. Office of Airport Safety and Standards Responsibilities.**

**a.** AAS-300 is the primary contact and focal point in the Office of Airport Safety and Standards for coordinating accident and incident investigations with the Accident Investigation Division (AAI-100).

**b.** AAS-300 will provide AAI-100 with a current listing of AAS-300 individuals from which one will be notified. AAI-100 will immediately notify the designated AAS-300 representative of any air carrier and commuter accident that occurs on or near an airport and provide available information about the accident to that individual.

(1). If AAS-300 participation is required, AAI-100 will make arrangements for a credentialed AAS-300 certification safety specialist to participate in the accident investigation.

(2). When AAS-300 personnel participate, arrangements will be made with AAI-100 for transportation on FAA aircraft (if available). If an FAA aircraft is not available, commercial air transportation will be used.

**c.** Upon receiving notification of an accident/incident from AAI-100, AAS-300 will make a determination as to whether AAS-300 personnel or regional ACSIs (or both) will participate in the accident investigation. AAS-300 will base his/her determination to send personnel on the following criteria:

(1). Major accident with fatalities and or significant fire (AAS-300 and regional participation),

(2). Accident or incident with no fatalities or significant fire (regional participation only), or

(3). Request of NTSB or AAI for the participation of AAS-300 specialists..

**d.** Upon receipt of accident or incident information from AAI-100 or any other source that might involve airport functions, AAS-300 will make a preliminary report to AAS-1 and other interested divisions and branches.

**e.** AAI-100 may ask AAS-300 to provide Airports specialists in areas other than airport certification. Upon receipt of such a request, AAS-300 will contact the appropriate Airports organization to identify and provide the specialty needed.

**f.** AAS-300 will advise AAS-1 and other appropriate divisions and branches of any involvement of Airports functions that may be discovered during the accident/incident investigation.

**g.** During the course of an investigation, participating AAS-300 personnel will give special emphasis to—

(1). Those items required and contained in the ACM at airports certificated under Part 139. Investigations should include an analysis of the self-inspection reports prepared by airport personnel to determine if an airport deficiency that might relate to the accident was previously reported and if action(s) were taken to correct the deficiency.



(2). At those airports subject to Federal agreements (airports that received Federal grants or surplus property), any contributing factors that are associated with or pertinent to provisions of such agreements.

h. If, during the course of the investigation, participating AAS-300 personnel find possible violations of Part 139, they will immediately notify regional Airports certification staff who are not participating in the investigation, so corrective and enforcement action will be initiated.

i. ***All Airports representatives will report to the FAA Investigator-in-Charge (IIC), who will make group assignments.*** FAA personnel may be assigned to an NTSB working group when their expertise is required. AAS-300 participation is for oversight only and does not include participation in the NTSB investigation group.

#### **604. Regional Airports Division Participation in Investigations.**

Regional Airports Division personnel participate in an accident investigation to meet the nine FAA responsibilities. When a regional representative is designated, that individual will coordinate the division's responsibilities and provide assistance and required reports to the FAA IIC.

#### **605. Regional Airports Division Responsibilities and Procedures.**

a. Regional Airports Division Managers make arrangements for receiving immediate notification of accidents and incidents from the ROC and other sources, as may be deemed appropriate.

b. Upon receiving notification that an accident/incident has occurred that might involve Airports functions, including Part 139, the Regional Airports Division designates an ACSI to assist in the investigation. (AAS-300 recommends that the Lead ACSI be assigned to the investigation unless the accident occurs at an airport the Lead ACSI inspects. NTSB policy specifies that the designated individual not be the ACSI who performed the last Part 139 inspection at the affected airport.)

c. The Regional Airports Division must ensure ACSIs receive the resources, including protective clothing, necessary for conducting the investigation.

d. When the participating ACSI observes or is aware that an alleged Part 139 deficiency might have occurred before or after the accident, the ACSI must immediately request a second ACSI to investigate this matter.

e. If requested, the Regional Airports Division must provide a specialist other than an ACSI to participate in the accident investigation. If so, the specialist will be instructed in the proper procedures to be followed by the other participants in the investigation.

f. When requested by the FAA IIC, an investigation will be made into those items of an airport operator's responsibility that are pertinent to the accident or incident on the airport.

**606. Duties of FAA Participants.**

For NTSB-conducted investigations, participating ACSIs must—

- a. Report to the FAA IIC for group assignment.
- b. Participate in the investigation as a group member. Once the FAA IIC assigns the Airports representative to a group, the representative remains with that group and will be directed by the group chairman until released by the group chairman and the FAA IIC.
- c. Be alert at all times to FAA responsibilities set forth in this Chapter. Report any observed deficiencies to the FAA IIC as soon as possible.
- d. Report to the FAA IIC upon being released by the NTSB group chairman at the end of each day's activities and prior to departing the scene at the close of the investigation.
- e. Furnish to the FAA IIC a copy of each exhibit and/or item of information obtained while participating in the group investigation.

**SECTION 3. INVESTIGATION PROCEDURES****607. General Accident/Incident Investigation Guidelines.**

- a. **Access to the Wreckage Site.** The ACSI must have an ACSI's credentials on his/her person to gain access to the accident scene.
- b. **Investigator Safety.** Safe investigation practices and common sense safety precautions are of vital importance but are often overlooked or not considered during investigations. Participants in an aircraft accident investigation must do the following:
  - (1). Control emotions, which can be affected by a disaster;
  - (2). Use calm and competent behavior, which will help preclude frantic or ill-advised action;
  - (3). Arrive at the scene equipped with basic and suitable safety gear appropriate to the climate and terrain. This includes a biohazard suit and other equipment to safeguard the investigator's health. Regional Airports Divisions should provide each ACSI with the appropriate clothing and equipment for accident investigation, including—
    - (a). Footwear (heavy-duty, waterproof).
    - (b). Gloves (both heavy-duty leather and latex).
    - (c). Coveralls (serviceable and capable of withstanding rough use).
    - (d). Hardhat.

- (4). Wear gloves when handling wreckage;
- (5). Follow the advice of local experts such as forest rangers, mountain rescue teams, surveyors, and law enforcement personnel as to the type of protection needed in certain terrain.
- (6). Understand the effects of fatigue on performance safety.
- (7). Adjust workload to the circumstances; more can be accomplished in a well-organized 6-hour day than in an unorganized 12-hour day.
- (8). Understand that the quality of the investigation is best served by investigators who maintain physical and mental fitness until the job is done.
- (9). Be cognizant of the following list of potentially hazardous items that might be present at the accident scene:
  - (a). Fuel and oil;
  - (b). Pneumatic and hydraulic fluids;
  - (c). Electrical materials;
  - (d). Oxygen;
  - (e). Tires that might explode;
  - (f). Batteries that might explode;
  - (g). Controls that might move;
  - (h). Wreckage that might shift;
  - (i). On frozen water, ice that might give way under wreckage;
  - (j). Toxic agents that might be present with a fire; and
  - (k). Snakes, other insects, or animals.
- (10). Comply with Order 8020.14, *Bloodborne Pathogens*, and receive the Hepatitis "B" series of injections.

**c. Witness Statements.** Reliable and thorough witness testimony depends largely on the interviewer. The interviewer's words, actions, and attitude can determine to a large extent the tone and effectiveness of an interview. Most witnesses are willing to tell what they know when they are informed that the information will be used to prevent similar accidents in the future. The qualifications of witnesses should always be considered.

(1). **Written Guidance.** Use NTSB Form 6120.11, Statement of Witness, when practicable. It is good practice to have the witness give an oral account first. This gives the ACSI an opportunity to develop the significant features of the witness testimony.

(2). **Oral Guidance.** A witness might refuse to provide a written statement but agree to give oral testimony. Preface the written account of an oral statement with a brief explanation, e.g., “John Doe, age 42, a home builder, said he was working on a new house about 200 feet from the accident scene. He declines to give a written statement.” Relate a witness’ story accurately. A tape recorder may be used, provided the witness gives consent. Indication of the consent must be included with the introductory guidance at the beginning of the recording. Have a third person present for confirmation of the written account of the oral statement and have the third person sign the statement, certifying it to be what the witness stated.

#### **608. Investigation to Determine Status of Part 139 Compliance at the Time of the Accident.**

a. To determine Part 139 compliance at the time of the accident, the investigator must—

(1). Compare the certificate holder’s ACM to those actions and services provided in response to the event. The emergency response procedures and responsibilities implemented during the aftermath of an accident/incident should be compared to those described in the AEP section of the ACM (if applicable).

(2). Perform a systematic inspection of regulatory elements at the airport’s facilities after the event to address those ACM elements related to procedural matters activated in response to the event.

(3). Review tape recordings of the verbal communications between the ATCT, ARFF personnel, and operations vehicles, as well as emergency command post instructions. The chronology of actions and the voice communications that occurred during the event are vital ingredients of a well-documented investigation.

(4). Interview witnesses, response personnel, and uninjured victims of the event. Statements should include descriptions and verifications of the event sequence and response actions taken by the certificate holder.

(5). Compile an EIR file. The facts and physical evidence gathered during the investigation must provide sufficient proof of compliance or noncompliance with the terms of the certificate. The EIR file in conjunction with Orders 2150.3 and 8020.11 must be readily available to assist in developing and processing any enforcement action resulting from the inspection. ***The investigator must coordinate the content and items of proof contained in the EIR file with the FAA IIC before releasing them to the Office of Airports.***

b. ACSIs and FAA managers should always be alert for issues that warrant corrective action, whether found as a result of an accident/incident investigation or discovered during the conduct of other FAA duties. Any condition discovered during the investigation of an event must be brought to the attention of the FAA IIC.

**Recommendations for Corrective Action.** Accident prevention recommendations related to deficiencies that involve design, operations, or maintenance practices or to establish standards, procedures, or policies will be submitted by the ACSI to AAS-

300 according to Section 609. AAS-300 will evaluate and respond to NTSB recommendations.

**609. Development of Accident Prevention and Corrective Action Recommendations.**

a. The ACSI investigator prepares a memorandum that describes briefly the accident and the areas that are deficient. Sufficient details and/or substantiating information should be included to allow the development of meaningful corrective action. The narrative and analysis of deficiencies section is followed by the recommendations for accident prevention and corrective action. The memorandum must refer to this Order and be forwarded directly to the Regional Airports Division Manager and AAS-300.

(1). A separate recommendation must be written for each issue.

(2). If the ACSI or other person submitting the recommendation believes an emergency situation exists and continuing operation will jeopardize life or property, he/she should initiate immediate action by speaking to the Regional Airports Division Manager and AAS-300 to coordinate possible certificate action.

b. AAS-300 reviews the recommendations to ensure they have practical and realistic safety potential and then forwards them to the Recommendation and Quality Assurance Division (AAI-200) of the Office of Accident Investigation (AAI).

c. AAI assigns each recommendation to an action office. The action office has 90 calendar days to develop a response to the recommendation and forward it to AAI. AAI then forwards the response to AAS-300 for final review.

d. AAS-300 reviews the response and notifies AAI of the results of its evaluation within 30 calendar days after it is received. AAI then notifies the action office.

(1). The purpose of the final review by AAS-300 is to evaluate the response to each recommendation.

(2). The office that originated the response may reject the recommendation for valid reasons. If AAS-300 believes, however, the recommendation has merit and the action office was not responsive with the proposed corrective action, AAS-300 in conjunction with AAI will take additional measures to resolve the safety issue identified by the recommendation. The responsible FAA office will be asked to reevaluate proposed corrective action and its reasons for initially rejecting the recommendation.

**610. – 699. Reserved.**

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## **Chapter 7. Reserved.**

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## **Chapter 8. Inspector Training, Qualifications, and Credentials**

### **800. Purpose.**

This Chapter establishes the criteria, policies, and procedures for inspector training and the issuance of identification credentials to ACSIs.

### **801. Background.**

The ACSI's credentials will identify the bearer as an accredited representative of FAA, authorized to perform airport certification inspections and to discharge those duties provided for by Part 139. To obtain credentials, individuals must meet specific requirements. To retain credentials, the ACSI must maintain currency as prescribed in Paragraph 810.

### **802. Policy.**

a. Individuals meeting the eligibility criteria stated in Paragraph 805 will be issued ACSI's credentials.

b. The duties of the ACSI, as set forth in this Order, will be performed only by persons who have been issued ACSI's credentials or who temporarily hold inspection authorization, as described in Paragraph 811. This does not preclude the use of technical specialists to assist in the certification program, provided the overall responsibility for determining an airport's compliance with certification requirements remains with an ACSI qualified in accordance with this Order.

### **803. Approval Authority.**

The Director of the Office of Airport Safety and Standards (AAS-1) is the approving authority for issuance of ACSI's credentials.

### **804. Responsibilities.**

a. The AAS-300 Division Manager is responsible for establishing the criteria for eligibility, issuance, and accountability of ACSI's credentials. The Office of Civil Aviation Security (ACS-1) monitors and inspects the procedures for the issuance and control of credentials, as required by Order 1600.25, *FAA Identification Media*.

b. Managers who oversee regional certification programs must take appropriate measures to assure that qualified persons are available (and maintain eligibility) to conduct these programs. Considering the limited number of personnel for whom airport certification is a primary duty, it is appropriate to cross-train personnel assigned to other Airports functions. However, regional offices are encouraged to designate full-time ACSIs.

**805. Criteria for Eligibility.**

Credentials are issued to qualified persons who are assigned the duties of ACSI and meet the following criteria:

- a. Background/experience related to aviation or airport safety (see Paragraph 807 for the desirable background),
- b. Completion of the training requirements listed in Paragraph 806, and
- c. Recommendation from the Regional Airports Division Manager.

**806. Inspector Training.**

The training objective is to provide the ACSI with a basic knowledge of airport operations, which will enable him/her to administer the regulatory Airport Certification Program. The knowledge is acquired through a combination of formal training courses and on-the-job training.

a. The minimum training that must be completed prior to issuance of ACSI's credentials includes the following (unless stipulated, courses may be taken at either the FAA Academy or another recognized institution):

- (1). Airport Certification Course (FAA Academy only, #06041);
- (2). Compliance and Enforcement Procedures (#12020);
- (3). Aircraft Rescue and Firefighting Training School;
- (4). At least 3 months of on-the-job training, including administrative procedures; and
- (5). A minimum of six inspections under the supervision of a qualified ACSI.

**b. Additional FAA Academy Training.****(1). Mandatory Course.**

(a). Introduction to Aircraft Accident Investigation (#00035). This mandatory course must be taken within 2 years after an ACSI receives his/her credentials. Completion of this course will defer the recurrent training requirement discussed in Paragraph 810 by 1 year.

**(2). Recommended Courses.**

- (a). Introduction to Airport Lighting, Marking, and NAVAIDs (#06402). Correspondence course.
- (b). Airport Compliance Requirements (#06046).
- (c). Airport Planning and Design (#06045).

**807. Aviation Background/Experience.**

The following training and accomplishments provide sufficient background qualifications for an ACSI:

- a. Flight training (ground and flight experience),
- b. Experience or training in airport management or operations or airline management,
- c. Experience in other FAA Airports programs, and/or
- d. Experience in other FAA safety enforcement programs.

**808. On-the-Job Training (OJT).**

The ACSI candidate must observe and participate in the following OJT items during the inspection process. This includes preparation in performing an effective critique of the certificate holder's compliance with the regulation.

- a. **Pre-inspection File Review.** Chapters 3 and 4 contain the review.
- b. **Onsite Certification Inspection.**

(1). **Observation.** The ACSI candidate must observe at least three inspections conducted by a credentialed ACSI. The candidate should observe at least two experienced credentialed ACSIs preparing for and conducting periodic inspections. The inspections should cover a range of airport classes.

(2). **Supervised Inspections.** The ACSI candidate must conduct at least three independent inspections—including at least one of a Class II or III airport and one of an airport with an AOC of at least Index C—under the supervision and observation of an experienced, credentialed ACSI. The candidate's handling of the pre-inspection process and onsite inspection will be critiqued by the credentialed ACSI assigned to oversee the candidate's OJT. The candidate will be responsible for preparing all inspection documents for signature by the credentialed ACSI.

**809. Evaluation of OJT Assignments.**

Upon a candidate's completion of all OJT assignments, the credentialed ACSI will evaluate the candidate's OJT performance and prepare a brief appraisal indicating the ability of the ACSI candidate to perform the duties of an independent ACSI. If the appraisal is satisfactory, it will be forwarded to the Regional 620 Branch Manager, who will request that AAS-300 issue credentials.

**810. Currency Requirements.**

a. For a regional credential holder to perform the inspection duties prescribed in this Order, he/she must maintain currency by undertaking the following:

(1). A minimum of two airport certification inspections within the last 6-month period as the principal ACSI. No more than half these inspections should be

of Class IV airports. These inspections are to be reported in CCMIS and show the ACSI's name and credentials number.

(2). At least once every 3 years after receiving credentials, attendance of a recurrent training course. Completion of recurrent training will also be reported in CCMIS under the ACSI's name.

**b.** If a regional credentials holder fails to remain currently qualified, he/she must return his/her credentials to AAS-300 within 45 days after currency qualifications expire.

(1). The AAS-300 Division Manager will request that the Regional Airports Division Manager secure and return the credentials of any ACSI in his/her organization whose currency has lapsed by more than 60 days.

### **811. Temporary Inspection Authorization.**

**a.** When it is necessary to achieve program objectives, the Director of the Office of Airport Safety and Standards may temporarily issue credentials to individuals who have not met the minimum criteria for full credentials listed in Paragraph 806. Such individuals must have significant experience in airport safety and must be recommended by the Regional Airports Division Manager. The temporary issuance of credentials may be granted for a period to be determined by the AAS-300 Division Manager and will normally not exceed 180 days.

**b.** Requests for issuance of temporary ACSI's credentials are made to the AAS-300 Division Manager and must include—

(1). Name and background/experience information of the recommended individual;

(2). List of training accomplishments and intended schedule for completion of the requirements listed in Paragraph 806;

(3). Length of time the credentials will be needed; and

(4). Regional office's plan to obtain a fully qualified ACSI.

(5). The names of the six OJT airport inspections (minimum) accomplished under the supervision of a full-time ACSI. At least two of these inspections must be with a regional Lead ACSI.

### **812. Application for Credentials.**

**a.** Application for credentials must be made to the AAS-300 Division Manager on Form 1600-14, Identification Card/Credential Application. All blocks on the front side of the form must be completed. The applicant's office symbol is entered in the "DOT Comp" block. The Regional Airports Division Manager signs the form as the authorizing official. On the reverse side is entered "AAS Safety Inspector," and on the blank space below is entered "Special Agent."

**b.** The applicant must provide two 1-3/4-inch full-face color photographs printed on thin, lightweight photographic paper. Standard commercially available color passport photographs are acceptable as long as they can be cut down to 1-3/4-inch width without impairing the facial area. Photographs taken in self-operated photograph booths are not acceptable.

**c.** Upon receipt of the application, AAS-300 will forward the requested number of credentials to the Region for distribution to eligible applicants for signature.

**d.** The regional office encloses the signed credentials in an envelope and mails them to AAS-300 for further processing.

**e.** ***This process is being revised.***

**Note:** Do ***not use*** paper clips or staples, which may damage photographs, when submitting applications. If several applications are being mailed at the same time, enclose each application, along with photographs and signed credentials card, in a separate envelope inside a larger envelope for mailing. For both expeditious handling and security, overnight delivery is the preferred way of mailing application forms.

### **813. Issuance, Accountability, and Control.**

**a.** The AAS-300 Division Manager is responsible for the issuance and control of ACSI's credentials.

**b.** Once the credentials are processed, AAS-300 will return the credentials to the Regional Airports Division Manager for delivery to the applicant. A receipt must be obtained from each individual upon delivery of the credentials. Each regional office will maintain an up-to-date record of all current credentials holders within the Region. AAS-300 will maintain a file of all original applications (Form 1600-14). Accredited personnel who transfer from one Region to another and whose duties remain unchanged may retain their credentials, but AAS-300 must be notified in writing by the manager releasing the ACSI of the transfer of accountability.

**c.** The ACSI's credentials are a one-part identification consisting of Form 5280-5. It is printed in blue ink on white 3- by 5-inch paper, with the DOT seal centered in the middle of the card. It includes the photograph, title, and signature of the holder and is signed by the Director of the Office of Airport Safety and Standards, as the approving authority, or his/her designee.

### **814. Use of Credentials.**

**a.** The credentials must be used only in the conduct of official business.

**b.** Holders of credentials are responsible for their proper safekeeping at all times. Credentials must not be left unattended.

c. Misuse or improper possession of credentials can subject the offender to disciplinary actions or possible penalty under Title 18 of the U.S. Code, Crimes and Criminal Procedures.

#### **815. Lost, Stolen, or Damaged Credentials.**

a. The ACSI's credentials are Government property. If credentials are lost or stolen, the ACSI must notify the Regional Airports Division Manager immediately. This must be confirmed in writing by the ACSI to AAS-300, citing the circumstances surrounding the loss, within 48 hours of the loss.

b. Reasonable effort should be made to locate the missing credentials. If this cannot be done within a reasonable time or if the recovered credentials are damaged to the extent that they can no longer provide adequate identification, the ACSI may apply for a replacement through normal channels. Recovered credentials must be returned to AAS-300 via **Registered Mail** for final disposition.

c. Upon receipt of a properly executed application and written explanation of the loss of credentials, AAS-300 will begin processing a replacement.

d. AAS-300 must notify the Office of Civil Aviation Security (ACO-1) of the loss of credentials.

#### **816. Surrender of Credentials.**

When necessary, the ACSI's credentials must be surrendered to the holder's supervisor, who will forward the card to AAS-300 for proper disposition. The credentials must be surrendered under any of the following conditions:

- a. Termination of employment;
- b. Reassignment to a position that does not require ACSI's credentials;
- c. Issuance of revised credentials;
- d. Failure to complete recurrent training and maintain experience, as specified in Paragraph 810; or
- e. Order of the issuing authority.

#### **817. Destruction.**

Any credentials that become damaged during processing or invalid upon termination or transfer of an employee must be forwarded to AAS-300 for destruction.

#### **818. Inspector Exchange Program.**

a. It is strongly recommended that each credentialed ACSI participate in at least one **out-of-region inspection** biennially to observe the different techniques used by other ACSIs. AAS-300 will assist the regional offices with the coordination of this program.

b. ACSIs may be asked to conduct out-of-region inspections in Regions where there is a shortage of ACSIs.

**819. Recurrent Training (FAA Academy).**

Annual Recurrent Certification Training will be held as determined by AAS-300 and the FAA Academy. All credentialed and candidate ACSIs are encouraged to attend this training annually. However, attendance at recurrent training is required at least once every 3 years.

**820. Reissuance of ACSI's Credentials.**

For an ACSI who has been out of the program for more than 1 year to regain credentials, he/she must—

- a. Conduct three inspections accompanied by a Lead ACSI and
- b. Attend the first available recurrent ACSI training session.

**821. Regional Lead ACSI's Responsibilities.**

The Lead ACSI—

- a. Ensures that certification inspections performed by regional ACSIs are consistent with regional and Headquarters policy and
- b. Should act as the Regional Airports Division's representative at NTSB/FAA accident investigations on airports within his/her Region. If an accident occurs at one of the airports inspected by the Lead ACSI, it is recommended that an alternate full-time ACSI act as the regional Airports representative.

**822. – 899. Reserved.**

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## Chapter 9. Petitions for Exemptions

### 900. Purpose.

This Chapter establishes the process and procedures for petitions for exemptions from a regulation.

### 901. General.

A petition for exemption is a request from a member of the public to be exempted from the requirements of a rule or part of a rule. Petitions for exemption from a regulation usually originate from aircraft manufacturers for airworthiness rules, from airlines for aircraft operating or maintenance rules, from pilots for airman or medical rules, or from airport operators for airport certification rules. Subpart B of 14 CFR Part 11, General Rulemaking Procedures, covers the requirements for such petitioners.

### 902. Receipt of the Petition for Exemption.

Section 11.25 (b) specifies that in the case of any petition for exemption filed under Part 139, the petition must be submitted in duplicate to the appropriate Airports regional office in whose area the petitioner proposes to establish or has established its airport. Any petition for exemption from Part 139 should be forwarded to the regional certification staff for processing.

### 903. Processing the Petition.

**a. Docket.** When a petition is received, regional certification staff contacts the Chief Counsel's General and Administrative Litigation Branch (AGC-10) for a docket number, which is typed on the incoming petition if it meets the requirements set forth in b below. The certification staff then sends a copy of the petition, bearing the docket number, to the Regulations Division (AGC-200) of the Office of the Chief Counsel. Any correspondence to the petitioner must include the docket number.

**b. Initial Review for Compliance.** Regional certification staff review petitions for exemption to ensure the following items are included (see Section 11.25 for the complete requirements):

- (1). Explanation of the nature and extent of the relief sought;
- (2). Information, views, or arguments to support the action sought;
- (3). Reason why granting the request would be in the public interest; and
- (4). Reason why the exemption would not adversely affect safety or what action the petitioner would take to provide a level of safety equal to that provided by the rule from which the exemption is sought.

**c. Petition Does Not Meet Requirements.** If the petition does not include the information required by Section 11.25, regional certification staff will prepare a letter of rejection to be signed by the Regional Airports Division Manager. This letter

explains why the petition does not satisfy the requirements and must be sent to the petitioner within 30 days of the receipt of the petition.

**d. Petition Does Meet the Requirements.** If the petition meets the requirements of Section 11.25, the certification staff prepares a letter acknowledging receipt of the petition within 30 days. The Regional Airports Division Manager signs this letter. A summary of the petition for exemption ***does not need to be published in the Federal Register.***

**e. Time Requirements.** Section 11.25 (b) (1) states the petition must, unless good cause is shown, be submitted at least 120 days before the proposed effective date of the exemption. This means the petitioner normally cannot expect final agency action in less than 120 days from the time the petition is submitted to FAA. After receiving an initial letter acknowledging receipt, petitioners for exemption action will not be notified again until the grant or denial of the petition has been issued.

#### **904. Analysis of the Petition.**

A copy of the petition for exemption must be sent to AAS-300 for administrative analysis (namely, to see if similar exemptions have been granted in other Regions). In an exemption action, maintaining an equivalent or greater level of safety is of primary concern. The AAS-300 analysis will focus on the petitioner's justification that safety will not be adversely affected. AAS-300 will consider the following during its analysis:

**a.** Effect of an undue burden on the petitioner if the exemption is not granted, relative to the burden that others bear in complying with the rule; and

**b.** Effect of setting a precedent with respect to safety and public interest. A review of related previous exemption action might be in order. As with any petition, FAA may request additional information from the petitioner.

#### **905. Procedures for Granting or Denying the Petition for Exemption.**

**a. Decision to Grant.** After completing the analysis, FAA may conclude that the petitioner's arguments support a grant of exemption. In this case, the regional certification staff drafts a document granting the exemption.

**b. Decision to Deny.** After reviewing all of the issues involved, the agency might determine that the petitioner has not shown reasonable support for granting the exemption. A decision to deny the exemption is based on the determination that the exemption would not be in the public interest, would adversely affect safety, or, if applicable, would not provide a level of safety equal to Part 139. Under such circumstances, the regional certification staff prepares a denial of the exemption document. The denial document responds to the same questions cited in the grant of exemption and must include FAA's rebuttal to the petitioner's arguments.

**c. Partial Grant of Exemption.** If the agency determines that part of the petitioner's request meets the criteria for granting the petition, it may issue a partial

grant of exemption. The guidelines for both the grant of exemption and denial of exemption documents should be followed. The document must fully discuss those parts of the request that are being denied and those that are being granted.

**d. Grant of Exemption Contents.**

(1). The document granting the exemption should answer the following questions:

- (a). What was the petitioner's request?
- (b). What does the current rule require?
- (c). What arguments did the petitioner use to support the request?

(2). The document must address all issues presented by the petitioner. If the Regional Airports Division does not agree with all of the arguments presented by the petitioner to support the grant of exemption, these reasons must be discussed. The document must discuss how granting the request will not adversely affect safety and must explain how the action proposed by the petitioner will provide a level of safety equal to the rule. Any conditions, design modifications, operating limitations, expiration date, etc. must be made part of the granting clause. The format for this document is shown in Appendix 6.

**e. Coordination and Signature.** The regional certification staff will coordinate the appropriate grant or denial of the petition for exemption among the Regional Airports Division, Regional Assistant Chief Counsel, and AAS-300 certification specialist assigned to the Region. The Regional Airports Division Manager signs the document. The regional certification staff then obtains an exemption number from AGC-200, types this number along with the docket number on the upper right-hand corner of the first page, and mails the original denial or grant document to the petitioner. The docket number and the exemption number both appear on this document even if the document is a denial of the exemption. Copies are sent to the Office of Rulemaking (ARM), AGC-200, and AAS-300. An electronic copy (disk) of the document is sent along with the paper copy to ARM. This is entered into a database for agency distribution.

**f. Disposition Publication.** ARM prepares the notice of disposition for the *Federal Register*. This action closes the docket.

**906. Petition for Reconsideration.**

A petition for reconsideration is a petition to reconsider a previous denial or grant of an exemption.

**a.** Section 11.55 (a) requires a petition for reconsideration of a denial of exemption to be filed with the Administrator within 30 days after a petitioner is notified of a denial of exemption.

**b.** Section 11.55 (b) allows a party other than the initial petitioner to file a petition for reconsideration of a grant of exemption. This petition for reconsideration must be filed within 45 days after a grant of exemption is issued.

**907. Request to Extend the Termination Date of an Exemption.**

Upon receipt of a request from a petitioner to extend the termination date of an exemption, the regional certification staff prepares a letter of agreement or denial for the signature of the Regional Airports Division Manager. The following information must be included:

- a.** CFR section,
- b.** Date of incoming petition,
- c.** Docket number,
- d.** "Grant of extension" statement, and
- e.** Exemption number (after signed).

A copy of the extension or denial must be sent to AGC-200 and AAS-300 prior to the original exemption termination date.

See Appendix 6 for an example of the proper format and the required "boilerplate" language that must be included in the letter granting or denying the extension.

**908. – 999. Reserved.**

## **Chapter 10. Participation in Safety-Related Activities**

### **1000. Purpose.**

This Chapter defines the ACSI's recommended role in the following activities:

- a. Airport Emergency Plan exercises.
- b. Pre-design/pre-construction conferences.
- c. Final inspection of construction projects.
- d. Joint planning conferences.

### **1001. Airport Emergency Plan (AEP) Exercises.**

It is recommended that ACSIs attend at least one triennial full-scale emergency exercise per year. An exercise should not only be a learning experience for airport/emergency personnel, but also an opportunity for the ACSI to evaluate the AEP first-hand. Normally, an ACSI will be one of several people evaluating an exercise. Any problems or deficiencies brought out during the exercise that require a change to the AEP need to be attended to in a timely manner by airport management.

### **1002. Pre-design/Pre-construction Conferences.**

ACSIs should attend pre-design and pre-construction conferences when a construction project is complex or there is significant work that might impact compliance with Part 139. This will allow the inspector to provide input prior to the time of design/construction. ACSI recommendations and comments should be documented. The ACSI should ensure the airport certificate holder has addressed Section 139.341 in the ACM regarding airport construction safety plans and developed a safety plan, according to AC 150/5370-2. The ACSI should review the plan during the pre-construction phase.

### **1003. Final Inspection of Completed Projects.**

Upon completion of a construction project involving complex or significant work, the ACSI, if requested, should accompany the FAA project engineer/manager to assure compliance with Part 139 standards. If problem areas are noted, the ACSI should direct airport management to bring the project up to standards and identify the appropriate ACs.

### **1004. Joint Planning Conferences (JPCs).**

If JPCs are conducted within the ACSI's Region and Part 139 issues will be discussed, the ACSI should attend if his/her workload permits. If unable to attend a JPC, the ACSI should address any certification safety needs through the colleague responsible for airport planning.

### **1005. – 1099. Reserved.**

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## Chapter 11. Program Evaluations and Staff Visits

### 1100. Purpose.

a. This Chapter provides guidance to personnel conducting a formal program evaluation or staff visit.

b. Formal evaluations and staff visits are intended to determine the effectiveness of regional management of the Airport Certification Program. FAA Order 1800.38, *Office of Associate Administrator for Airports Evaluation Program*, and Order 1800.2, *Evaluation and Appraisal of Agency Programs*, are central to this function and provide national policy. The guidelines in this Chapter will assist personnel as they evaluate regional performance and compliance with policies, regulations, and procedures. The results of these evaluations should identify—

- (1). Effectiveness of regional program management,
- (2). Needed improvements,
- (3). Whether ACSI resources are being used properly,
- (4). Quality of service being provided to the users and the public, and
- (5). Adequacy of the present policies, programs, and regulations.

### 1101. Formal Evaluations.

Periodic formal evaluations assure that an in-depth progress review is provided, weaknesses and strengths noted, and recommendations for improvement are identified. Regional offices should act upon evaluation findings in a timely manner.

a. AAS-300 will—

- (1). Conduct a full-scale evaluation of the Airport Certification Program in each Region on a 3-year cycle.
- (2). Develop an evaluation schedule every year and provide it to the Regions that will be evaluated.
- (3). Provide Regions with evaluation guidelines to assure comprehensive and uniform evaluations among the Regions.
- (4). Notify the appropriate Region of a proposed evaluation at least 30 days in advance.
- (5). Include entrance and exit conferences with the Regional Airports Division Manager or the designated representative.
- (6). Report promptly the results of the evaluation to AAS-1. A draft report should normally be issued within 45 days after completion of a regional evaluation.

b. Formal evaluations—

- (1). Normally occur within a 1-week period.

(2). Generally are conducted by an evaluation team of one or two airport certification specialists and a regional Lead ACSI, which visits the regional office and reviews/evaluates the ACMS, inspection documentation and follow-up, and files (including correspondence, Airport Master Records, and V/PD documents). The evaluation team evaluates the overall state of the Airport Certification Program at the regional level and writes a report for AAS-300.

(3). Include scheduled periodic airport certification inspections, during which evaluation team members will accompany the regional ACSIs. These inspections will be coordinated well in advance to reduce disruption to the Region's program and to allow for maximum use of the evaluation team's time.

#### **1102. Staff Visits.**

These are informal visits with regional ACSIs and are generally intended to provide assistance, to clarify policy, and to conduct informal reviews of a regional office's management of the Airport Certification Program. They allow for informal discussion of problems, program accomplishments, improvements to Region/Headquarters dialogue, and consistency of policy interpretations.

##### **a. AAS-300 will—**

(1). Attempt to conduct a staff visit to each Region once a year, except during the year of the formal evaluation, provided resources are available. The staff visit is generally conducted by one AAS-300 airport certification specialist.

(2). Develop a staff visit schedule every year and provide it to the Regions.

(3). Notify the appropriate Region of a proposed staff visit at least 4 weeks prior to the proposed visit to arrange an acceptable date.

(4). Travel to the regional office for a 1- to 2-day period. In certain instances, the AAS-300 airport certification specialist might accompany a regional ACSI on a scheduled certification inspection.

(5). Conduct an informal conference with the Regional Airports Division Manager or the designated representative and informal discussions with the ACSIs.

**b.** The visit will concentrate on informal discussions of airport certification problems and other issues proposed by AAS-300 or the Region.

**c.** The visit will not result in a formal report of the proceedings so as to facilitate open discussions between regional staff and AAS-300 personnel. However, follow-up items requested by AAS-300 will be documented.

#### **1103. – 1199. Reserved.**



## Chapter 12. Reports, Correspondence, and Records

### 1200. Purpose.

This Chapter provides administrative guidance on standardized reports, correspondence, and records associated with the Airport Certification Program.

### 1201. Correspondence and Reports from ACSIs to Certificate Holders.

The following correspondence and reports are used by ACSIs when communicating with certificated airports. Changes may be made, as needed, to each of the documents listed below to meet the needs of the specific situation.

**a. ACM Transmittal Letter (Appendix 7).** The initial ACM and revisions/amendments submitted for approval by the certificate holder must be returned to the certificate holder by transmittal letter. The transmittal letter must refer to the approved ACM revisions and amendments, or it must state why they were not approved and identify what further action is necessary to meet Part 139 requirements for approval.

**b. Certificate Action Letter (Appendix 5).** A letter to the certificate holder must accompany the certificate when it is issued or the class of certificate is upgraded or downgraded. The letter must contain pertinent information (e.g., limitations or conditions) for the class certificate being issued.

**c. Letter of Authorization (Appendix 3).** This letter is issued to a noncertificated airport when unscheduled air carrier operation(s) will be conducted because of unusual or emergency circumstances. Only the Regional Airports Division Manager can issue this letter. It should include the time(s) of aircraft operation and a list of agreed upon ARFF equipment and necessary personnel that will be stationed at the airport. The Regional Flight Standards Division will also provide written authorization for the airline to perform the operation(s) at the airport and the planned time(s). A copy of the Letter of Authorization must be placed on the Q drive in the National/Safety/Letter of Authorization/ folder.

**d. Letter of Investigation (Appendix 23).** When an event or condition on an airport might constitute a violation of Part 139, the ACSI issues a Letter of Investigation to the certificate holder. The letter must include the known facts and/or circumstances associated with the event or condition, which are being used to ascertain whether a violation of the regulation occurred or existed and whether there is a basis for pursuing enforcement action. The Letter of Investigation is not a statement of charges; it should state only that a violation might have occurred.

**e. Letter of Correction and Warning Letter (Appendices 19 and 20).** The Letter of Correction and the Warning Letter are types of administrative enforcement actions. They provide the ACSI with means of disposing of minor types of violations, which do not require legal enforcement.

(1). A detailed office-generated Letter of Correction may be used in lieu of Form 5280-6, Letter of Correction.

(2). A Warning Letter must be used when a violation occurs, corrective action has been taken, and no legal enforcement action is warranted. The Warning Letter must state the event or condition involved, that such operations or practices are contrary to the regulations, that corrective action was taken without FAA involvement, and that no legal action is warranted. If a Letter of Investigation has not previously been issued, the Warning Letter must also invite a statement by the alleged violator.

(3). Criteria for use, format, and content and a sample Letter of Correction and Warning Letter are contained in Order 2150.3 and Appendices 19, 20, and 25 of this Order.

**f. Inspection Confirmation Letter (Appendix 8).** After informally scheduling an inspection with the airport manager by phone, the ACSI should send a formal letter, confirming date and time and requesting any other information the ACSI would like available at the time of the inspection. A copy of the inspection confirmation letter should be sent to FAA field offices, as outlined in Chapter 4.

**g. Follow-up Letters.** Follow-up letters must be used to ascertain status of corrective action items. Any open item or issue needing further action after an inspection can be addressed with a follow-up letter.

**h. Closeout Letters.** Three types of closeout letters are used for closing out either an inspection or an investigation.

(1). **Inspection Closeout Letter (Appendix 11).** A closeout letter must be sent to the airport certificate holder stating that as a result of the airport inspection, the airport was found to be in compliance with Part 139. (This letter officially closes the inspection cycle.) In lieu of this letter, the ACSI can issue a Letter of Correction (Form 5280-6) at the close of the inspection when there are no Part 139 discrepancies/deficiencies.

(2). **Discrepancy Closeout Letter (Appendix 21).** If the ACSI issued a Letter of Correction to the airport certificate holder and a response was made about the correction of discrepancies, then the ACSI must send a second letter back to the airport certificate holder, confirming receipt of notification for corrective action taken. (The airport might have sent either a completed Form 5280-6 or a letter.) The Discrepancy Closeout Letter indicates the ACSI accepts the certificate holder's statement that the airport is now in compliance with Part 139; it officially closes the inspection cycle.

(3). **Investigation Closeout Letter (Appendix 24).** The closeout letter for an investigation must be used after it has been determined no violation has occurred. The letter must include the original statement of facts contained in the Letter of Investigation, that the investigation did not establish a violation, and that the case is closed.

**i. Newsletters and Bulletins.** Occasionally, information involving safety issues and concerns, news items, and other guidance of which airport managers/operators need to be aware become available. This information should

be disseminated in the form of a newsletter or bulletin to all certificated airports. When issues relate to the interpretation of the regulation or standards, the ACSI must coordinate with AAS-300 prior to releasing the information.

**j. Miscellaneous Certification Correspondence.** Correspondence between airport managers/owners and the ACSI, other than the types previously mentioned, must be in the form of letters.

#### **1202. Correspondence and Reports from Regional Airports Divisions to Headquarters.**

Regional Airports Divisions must submit the following reports and correspondence to AAS-300:

**a. Periodic Inspection Schedule.** Proposed periodic inspection schedules must be forwarded to AAS-300 within the first 30 days of the inspection year. Schedules can be set up by month and by ACSI.

#### **1203. Correspondence and Reports from Headquarters to Regional Airports Divisions.**

AAS-300 must send the following reports and correspondence to the Regions:

**a. Safety-Related Material.** As they become available, videotapes, posters, informational placards, and safety bulletins are sent to the Regions for distribution to airports.

**b. Accident Investigation Reports Related to Part 139.** Any NTSB report that relates to a certificated airport is forwarded to the Region for information and for use in analyzing airport performance. AAS-300 distributes NTSB reports as they become available.

#### **1204. Airport Certification Records.**

**a.** Each Regional Airports Division must maintain the following records for each certificated airport:

(1). **ACM.** The ACM for each individual airport must be maintained in a designated centralized location for easy access. In Regions that have Airports District Offices (ADOs) involved in the certification program, the ADOs can maintain the ACMs within that particular jurisdiction. A copy of the Application for Certificate, a copy of the certificate issued, and current and past exemptions must also be maintained at the same location. These are permanent records and must not be sent to the Federal Records Center. ACMs should not be removed from the regional office.

(2). **Correspondence.** Any correspondence that relates to the Part 139 program must be maintained in the appropriate file.

(3). **Inspection Records.** The Airport Certification/Safety Inspection Checklist (Form 5280-4) (see Appendix 9) must be maintained for each airport.

(4). **Legal Enforcement Material.** A copy of all legal enforcement packages must be maintained until final disposition of the case. All documents and correspondence pertaining to the individual file must be filed within the Enforcement Investigative Report (EIR) package.

(5). **Suspense Files/System.** A suspense file/system for monitoring corrective action dates must be maintained by each Region.

b. Individual airport files should be kept for at least 3 years; they then should be transferred to a past correspondence file and retained until they are transferred to the Federal Records Center. Correspondence and individual files may be handled and maintained in accordance with regional policy.

#### **1205. General Instruction for Completing the Airport Master Record (Form 5010-1) and A-26 and A-110 Remarks.**

a. **Responsibility.** The ACSI is responsible for providing safety information to AAS-330 for dissemination to and use by the aviation community. It is important the ACSI provide this information in a consistent and concise manner to assure a common interpretation by the users. In many cases, the airport submits this information to FAA directly. Therefore, it is necessary for the ACSI to advise and educate airport management about their responsibility and the need for using appropriate forms and texts for submitting the information.

b. **Safety Information.** Information relating to the airport's status under Part 139 is published in the Airport/Facility Directory (A/FD). The information includes the class of certificate and appropriate text to describe the availability and levels of ARFF services. The class of certificate, ARFF index, and date are entries on the Airport Master Record (Form 5010-1), specifically in Item 26. Text relating to ARFF services is carried on the form as an A-26 remark.

c. **Process.** Information about the airport's status under Part 139 is obtained in two ways.

(1). The ACSIs may enter/change the appropriate entry(s) on the Airport Master Record. This usually occurs during the periodic inspection of the airport.

(2). Airport management can issue a NOTAM to the flight service station (FSS). These NOTAMs are forwarded to NFDC for review and verification before being published. NFDC review might include contact with the appropriate ACSI as well as airport management to assure there is no misinterpretation of the information received.

d. **Standardized A-110 Remarks for Common Airport Situations.** Several situations that can occur at certificated airports are described below. They reflect the most common situations ACSIs are likely to encounter. An acceptable standardized remark follows each situation. Abbreviations used in the remarks are currently contained in Order 7340.1, *Contractions*.

(1). A Class IV airport occasionally services charter operations. There is no full-time ARFF service, and advance notice of the aircraft's arrival and departure

is needed to assemble the required ARFF service. The airport manager needs the notification in advance of the air carrier's arrival.

REMARK: PPR FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (321) 555-1234.

(2). The situation is the same as described in (1) above, except the airport manager needs more time to arrange for the required ARFF service. In this case, 24-hour advance notice is needed.

REMARK: 24 HRS PRIOR TO ACR OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (123) 555-1234.

(3). The situation is the same as described in (1) above, except the airport manager requires notification of the aircraft's arrival in writing.

REMARK: PPR IN WRITING FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS TO AMGR P.O. BOX 213, ANYTOWN, PA 17080.

(4). The airport has an AOC, and a volunteer ARFF service meets the scheduled flights. The airport manager needs advance notice to arrange for the required ARFF service to meet unscheduled air carrier flights.

REMARK: PPR FOR UNSKED OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (123) 555-9898.

(5). The airport has an AOC. The ARFF service is unavailable during specific weekday hours for scheduled and unscheduled air carrier operations. The airport manager needs advance notice to arrange for ARFF service at other times. (**Note:** Times published in the A/FD are in local time.)

REMARK: PPR FOR OPNS WITH MORE THAN 30 PSGR SEATS WKENDS ALL HRS AND WKDAYS 1800-0700 LCL CALL AMGR (123) 555-1234.

(6). An airport has an AOC, with continuous Index A ARFF service during scheduled operations of air carriers. After the scheduled operations are completed, there is no ARFF service. The airport manager must secure after-hours ARFF service and can also arrange for Index B service, if enough advance notice is given.

(**Note:** This alternative is permissible under the regulation only if the airport, including the ARFF service, has been inspected and approved for the higher ARFF index service.)

REMARK: PPR FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS 1900 TO 0630 LCL; ARFF INDEX B ALSO AVBL ON 24 HRS NOTICE CALL AMGR (123) 555-1234.

#### **e. Criteria for Entries/Remarks.**

(1). Entries and remarks relating to certificated airports will be approved for publication if they describe—

(a). A modified availability of ARFF services at a certificated airport if the availability differs from what an aircraft operator would expect when reading the entry published in the A/FD (A-26 remark on Form 5010-1).

(b). A modified level of ARFF services for Part 139 airport response operations if the level (capability) of the response differs from what an aircraft operator would expect when reading the entry published in the A/FD (A-26 remark on Form 5010-1).

(2). However, safety information will not be approved for A-26 remark entries if the information applies to other than Part 139 airport operations and involves other than ARFF availability or capability. For example, the following entry by a non-certificated airport that wishes to inform the aviation community it offers ARFF services **would not** be approved:

REMARK: A110/01 - ARFF INDEX B AVAILABLE

#### **1206. General Instruction for Completing the Airport Certification/Safety Inspection Checklist (Form 5280-4) (Appendix 9).**

a. For airport operators holding or applying for an AOC, Form 5280-4 must be used for the initial inspection, periodic inspections, follow-up inspections, and surveillance inspections. For Class III and Class IV airports, additional comments can be added, as needed, for those sections of Part 139 that are not fully addressed in the ACM.

b. The following definitions apply when completing Form 5280-4:

(1). **Satisfactory (S).** A condition that, at the time of inspection, meets criteria contained in Part 139 and the requirements of the ACM. Chapter 4 of this Order provides guidance for making this determination.

(2). **Unsatisfactory (U).** A condition that, at the time of inspection, does not meet the criteria contained in Part 139 and/or the requirements of the ACM. Chapter 4 of this Order provides guidance for making this determination. An entry must be made under Remarks/Narrative explaining all unsatisfactory entries, unless a report is attached.

(3). **Not Applicable (N/A).** A condition that, at the time of inspection, does not need to meet the criteria contained in Part 139 or the requirements of the ACM or this Order or was not inspected during this particular inspection.

(4). **Remarks/Narrative.** An entry must be made in the Remarks/Narrative section explaining all unsatisfactory entries on the form, those cases where a satisfactory rating is either marginal or greatly exceeded, or where an entry might prove useful at a later date. A report may be attached in lieu of the entry.

(5). **Not Inspected.** For those items not inspected, an entry of "Not Inspected" is entered after the affected item. The ACSI may amplify this statement in the Remarks/Narrative section and say why the item was not inspected.

**1207. Inspection Reports.**

Initial and periodic certification inspections must be fully documented. Form 5280-4 must be completed and the certificate holder advised of the results of the inspection within 10 working days (see Appendix 9). Additional forms to be completed include the Airport Master Record (Form 5010-1), the Enforcement Investigative Report (Form 2150-3), and the Letter of Correction (Form 5280-6).

**1208. Certification and Compliance Management Information System (CCMIS).**

**a. CCMIS 2.** CCMIS 2 was used for recording the results of a Part 139 airport inspection under the previous version of Part 139. Since June 2005, all airports inspected for compliance with the revision of Part 139 are entered into CCMIS 3. CCMIS 2 is available for information purposes and for follow-on enforcement, as necessary.

**b. CCMIS 3.** CCMIS 3 is used to record the results of a Part 139 airport inspection under the revised Part 139, which went into effect in June 2005. All inspectors must obtain a password to access the CCMIS program.

**c.** CCMIS is a web-based program that contains information on certificated airports and the results of inspections. Within 72 hours of completing an inspection, the ACSI enters the appropriate data into CCMIS. Some of the information contained in the data fields of CCMIS are only entered or changed through the 5010 database. Those entries are highlighted in yellow in CCMIS.

**d.** The following tabs are used in CCMIS:

(1). **Airport.** This tab gives the user the ability to add or edit general information about a Part 139 airport.

(2). **Activity.** This tracks information about an ACSI's certification-related activity.

(3). **ARFF.** This tab tracks information about airport rescue and firefighting equipment at Part 139 airports. This tab is to be completed and updated after each inspection.

(a). In the Office/Department field, the organization providing the ARFF service is entered. **Example:** If the ARFF service belongs to the airport operator, the name of the airport operator is entered. If the ARFF service is provided by an Air National Guard unit or by an Air Force Reserve unit, then the entry will read "Air National Guard" or "Air Force Reserve."

(b). In the "# ARFF Personnel" field, the number of personnel assigned to that vehicle is entered. This information should be available from the ACM. If the vehicle is a reserve vehicle, then the window should show "0".

(c). In the "Remarks" field, the condition of the vehicle, especially if it is "Fair" or "Poor", should be expounded upon. This information is useful when establishing a need for grant funds.

(4). **Exemptions.** This tab tracks exemptions to Part 139 requirements that have been granted to the airport.

(5). **Reports.** This tab allows the user to run built-in standard reports using flexible selection criteria.

(6). **Letters.** This tab gives the user the ability to create standard letters for specific situations that extract data from the airport or activity tabs.

(7). **Training.** Part 139 and other associated training should be entered here.

(8). **Security.** This tab contains information on the security of the CCMIS program and on the security/access privileges.

(9). **Tools.** This tab contains a list of common tools and program setup preferences.

**1209. – 1299. Reserved.**



# **APPENDICES**

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## **Appendix 1. U.S. Government-Owned Airports Certificated Under 14 CFR Part 139**

(See Chap. 2, Par. 201)

As of June 9, 2004, only one U.S. Government-owned airport was certificated under 14 CFR Part 139: Midway Atoll, Henderson Airfield. This airport is owned by the Department of the Interior and managed and operated by the U.S. Fish and Wildlife Service. This airport is integral to extended range operations with two-engine airplanes (ETOPs) in the Pacific Ocean, with both domestic and foreign flag airline operations dependent on an emergency landing area that meets certain requirements. The U.S. Congress has directed FAA and the Department of the Interior to maintain this airport.

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## Appendix 2. Application for Certificate (FAA Form 5280-1)

(Chap. 2, Par. 209)

APPLICATION FOR CERTIFICATE				Form Approved OMB No. 2120-0675 03/31/2008			
<b>Department of Transportation</b> Federal Aviation Administration <div style="float: right; text-align: right;"> <input type="checkbox"/> Airport Operating Certificate  <input type="checkbox"/> Time-Limited Airport Operating Certificate           </div>				FAA USE ONLY			
				Site Number			
Complete all sections of the form as indicated. Submit original and three copies of the form and two copies of the Airport Certification Manual to the headquarters of the appropriate FAA Regional Office.							
<b>Type of Submission (Check One)</b>							
<input type="checkbox"/> Original <input type="checkbox"/> Amendment <input type="checkbox"/> Exemption							
<b>A. Location of Airport</b>							
1. Name of Airport			2. Address (Number, Street, P.O. Box)				
3. City			4. County	5. State	6. Zip Code		
6a. Latitude °   '   "	6b. Longitude °   '   "	Airport is: a. State Licensed <input type="checkbox"/> Yes <input type="checkbox"/> No b. State Inspected <input type="checkbox"/> Yes <input type="checkbox"/> No					
<b>B. Ownership</b>							
1. <input type="checkbox"/> Municipality <input type="checkbox"/> State <input type="checkbox"/> Military <input type="checkbox"/> Corporation <input type="checkbox"/> County <input type="checkbox"/> Other (Explain) <input type="checkbox"/> Port Authority <input type="checkbox"/> Airport Authority			2. Airport is <input type="checkbox"/> Civil <input type="checkbox"/> Mil/Civ Joint Use <input type="checkbox"/> Shared Use				
3. Name of Owner			4. Name of Manager/Operator				
Number/Street/P.O. Box			Number/Street/P.O. Box				
City	County	State	Zip	City	County	State	Zip
<b>C. Operative Data</b>							
1. Certificate Applied For: <input type="checkbox"/> Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV			2. Fire Fighting Equipment (Check Current Index and ensure equipment is listed in ACM) <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E				
3. Air Carriers to be served (UA, DL, CO, AA, etc.)			4. Air Carrier Aircraft to be served (737, DC-9, A-320, etc.)				
5. ARFF Exemption Applied For: <input type="checkbox"/> Yes <input type="checkbox"/> No			6. Other exemptions applied for:				
<b>D. Remarks</b> <input type="checkbox"/> Check here and use additional sheet of paper.							
<b>E. Certification</b>							
This application, including the Airport Certification Manual, is submitted in order to obtain an Airport Operating Certificate or Time-Limited Airport Operating Certificate. I certify, under penalty of 18 U.S. Code, Section 1001, and other applicable provisions of law that the statements and information in the application form and manual are complete and true to the best of my knowledge.							
Applicant Signature			Applicant Address/Number/Street/P.O. Box				
Applicant Name (typed)			City				
Applicant Title	Date Submitted	State	Zip	Telephone No. (     )			
<b>FAA Use Only</b>							
1. Date Application received			2. Date Proposed for Inspection				
3. Date Inspection Completed			Signature		Title		
4. Recommended for <input type="checkbox"/> Certificate <input type="checkbox"/> Modification <input type="checkbox"/> Disapproval <input type="checkbox"/> Letter of Authorization		Date	Signature		Title		
5. Remarks							

FAA 5280-1 (2-04) Supersedes Previous Edition

**Paperwork Reduction Act Statement:** The information collected on this form is necessary to determine applicant eligibility for airport operating certificates. The FAA estimates that it will take 200 hours to complete this form and develop an Airport Certification Manual or Airport Certification Specifications that must accompany this form. This collection of information is mandatory under 14 CFR Part 139. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The control number for this collection of information is 2120-0675. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ABA-20

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## Appendix 3. Sample Letter of Authorization

(Chap. 2, Par. 209)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

Under the authority granted me in accordance with the provisions of 14 Code of Federal Regulations Part 139.3, you are hereby authorized to permit the following unscheduled air carrier operations by an aircraft with more than (9 or 30) passenger seats at (Airport) in (City), (State):

Carrier	Aircraft Arrival	Departure Dates
Delta	B-737	8:00 am to 11:00 am 6/1/93
		11:00 am to 4:00 pm 6/2/93

This authorization is granted with the understanding that the city of (City, State,) will provide firefighting equipment with a minimum capacity of (Number) gallons of water for AFFF production along with appropriate personnel. This equipment will be positioned at the airport a minimum of 15 minutes before the arrival and departure operations of this aircraft and will remain until a minimum of 15 minutes after the operation is complete.

Sincerely,

(Manager's Name)

Manager, Regional Airports Division

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## Appendix 4. Airport Operating Certificates

(Chap.2, Par. 209)

### SECTION 1. AIRPORT OPERATING CERTIFICATE

# U.S. Department of Transportation Federal Aviation Administration



## AIRPORT OPERATING CERTIFICATE

*This certifies that (Airport Owner/Operator) as owner and operator of (Airport Name, City, State)*

*has met the requirements of the Title 49 USC, Subtitle VII – Aviation Program, and the rules, regulations, and standards prescribed thereunder for the issuance of this certificate, and is hereby authorized to operate as a certificated airport in accordance with and subject to said statute and the rules, regulations, and standards prescribed thereunder, including but not limited to 14 CFR Part 139, and any additional terms, conditions, and limitations contained herein or in the approved Airport Certification Manual on file with the Federal Aviation Administration.*

*This certificate is not transferable and, unless sooner surrendered, suspended or revoked, shall continue in effect.*

*Effective Date:*

*Reissue Date:*

*Issued at:*

*By Direction of the Administrator*

*Manager, Airports Division*

## SECTION 2. TIME-LIMITED AIRPORT OPERATING CERTIFICATE

U.S. Department of Transportation  
**Federal Aviation Administration**



Time-Limited  
**AIRPORT OPERATING CERTIFICATE**

This certifies that (Airport Owner/Operator) as owner and operator of (Airport Name, City, State)

has met the requirements of the Title 49 USC, Subtitle VII - Aviation Program, and the rules, regulations, and standards prescribed thereunder for the issuance of this certificate, and is hereby authorized to operate as a certificated airport in accordance with and subject to said statute and the rules, regulations, and standards prescribed thereunder, including but not limited to 14 CFR Part 139, and any additional terms, conditions, and limitations contained herein or in the approved Airport Certification Manual on file with the Federal Aviation Administration.

This certificate is not transferable and, unless sooner surrendered, suspended or revoked, shall continue in effect until (Date and time).

Effective Date:

Reissue Date:

Issued at:

By Direction of the Administrator

Manager, Airports Division

## **Appendix 5. Certification Action Letter**

(Chap. 2, Par. 209)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Airport Operating Certificate

This letter advises you that your application for an Airport Operating Certificate for (Airport), (City, State), has been approved. We have determined that (Airport) is in compliance with the intent of the Federal Aviation Act of 1958, as amended and incorporated in subsequent legislation, and the rules, regulations, and standards prescribed thereunder for issuance of an Airport Operating Certificate. You, therefore, are authorized to operate as a certificated airport in accordance with and subject to said Act and the rules, regulations, and standards prescribed thereunder, including but not limited to, 14 CFR Part 139, and any additional terms, conditions, or limitations as prescribed in your approved Airport Operating Certificate.

Enclosed is your Airport Operating Certificate, which has been duly signed. Upon receiving the certificate, please display it in a prominent location. If the certificate is surrendered, please return it to the Federal Aviation Administration, Regional Airports Division Office.

Sincerely,

(Manager's Name)

Manager, Airports Division

Enclosure

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## **Appendix 6. Exemption Process**

(See Chap. 2, Par. 211, and Chap. 9)

The Exemption Package consists of six sections: (1) a briefing paper that accompanies the petition for exemption (provided by the regional office), (2) an Exemption Document, (3) notes to assist in the development of a petition for exemption, (4) a letter to grant an exemption, (5) a letter to extend an exemption, and (6) a letter to deny an exemption.

## SECTION 1. FORMAT FOR BRIEFING PAPER

**(DATE)**

### **MEMORANDUM TO THE DIRECTOR, OFFICE OF AIRPORT SAFETY AND STANDARDS**

FROM:

PREPARED BY:

SUBJECT:

---

**Purpose of this Letter:** (To present the Petition for Exemption from XYZ Airport or name of person)

**Background:** (Brief description of conditions or circumstances of the petition, briefly)

**Summary of Petition:** (Whether the regional office has granted, denied, or recommended to AAS-300 an action to the Petition for Exemption)

## SECTION 2. FORMAT FOR EXEMPTION DOCUMENT

**Exemption No. (XXX) [1]**

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, DC 20591 [2]

\* \* \* \* \*

**In the matter of the petition of**

**(XXXXXXXXXX) [3a]**

Regulatory Docket No. (XXX) [4]

**for exemption from subsection (XXXXX) [3b]**

**and (XXXX) of the Federal**

## Aviation Regulations

\*\*\*\*\*

## GRANT OF EXEMPTION [5]

By letter dated (xxxx xx, 20xx), (Mx. xxx x. xxxxx, xxxxx, xxxx xxxx xxxx), petitioned for an exemption from subsection (XXXX) and (XXXX) of the Code of Federal Regulations (CFR) to (xxxx xxxxx xxxx xxxxxxxx) **[6]**.

The petitioner requires relief from the following (section(s), Parts, regulations, etc. [7]):

Section (139.XXX) states, in pertinent part, that (xxxxxx xxxx xxxx xxxx xxxxxxxx xxxxxxxx xxx xxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx [8]).

Section (XXX.XXX) states, in pertinent part, that (xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx xxxxxxxx).

The petitioner supports its request with the following:

(XXXXXXXXXX XXXX XXXXXXXX XXXXXXXXXXXX XXXX XXXXXXXXXXXX XXXXXXXX XXXX XXXX  
XXXXXXXXX XXXXXXXX XXXX XXXX XXXXXXXXXXXXXXXX XXXX XXXXXXXXXXXX.

XXXXXXXX XXXX XXXXXXXXXXXX XXXXXXXXXXXX XXXX XXXXXXXXXXXX XXXX XXXXXXXXXXXX XXXX  
 XXXX XXXXXXXXXXXXXXXX [9]).

(XX-X-XXX-X [10])

The Federal Aviation Administration's analysis is as follows:

(xxxxxxxxxx xxxx xxxxxxxx xxxxxxxxxxxx xxxx xxxxxxxxxxxx xxxxxxxx xxxx xxxx  
xxxxxxxx xxxxxxxx xxxx xxxx xxxxxxxxxxxxxxxx xxxx xxxxxxxxxxxx).

xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxxxxxx xxxx xxxxxxxx xxxxxxxxxxxx xxxx  
xxxxxxxxxxxx xxxx xxxx xxxx xxxx xxxxxxxx **[11]**).

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in Sections (XXX.XXX) (and (XXX) of the Federal Aviation Act of 1958 and subsequent revisions and incorporations, delegated to me by the Administrator (14 CFR 11.53), (xxxxx) is granted an exemption from (XXX) and (XXX) of the Regulation to the extent necessary to permit (xxxxxxxx xxxxx xxx xxxxx xxxxxxxx), subject to the following conditions and limitations **[12]**:

1. (xxxxxxxx xxxxxxxxxxxx xxx xxxxx **[13]**).
2. (xxxxxxxx xxxxxxxxxxxx xxx xxxxx xxxxxxxx xxxxxxxxxxxx xxx xxxxx xxxxxxxx  
xxxxxxxxxxxx xxx xxxxx).

This exemption terminates on (Date **[14]**), unless sooner superseded or rescinded.

Issued in (city), (state), on (month) (day), (20XX).

**Signature Block [15/16]**



### SECTION 3. NOTES FOR FORMATTING EXEMPTION DOCUMENT

1. Exemption numbers are assigned by Rules Docket after the document has been signed.
2. If the document is issued in a certification directorate, this line should include the city, state, and zip code of that directorate.
3. This box contains the following information:
  - a. The name of the petitioner/organization to whom the exemption is issued, and
  - b. The sections from which the petitioner is requesting relief.
4. The docket and number are established by the Rules Docket when the petition is received.
5. For Partial Grant of Exemption or Denial of Exemption.
6. This paragraph should contain the following:
  - a. Date(s) of petition,
  - b. Name(s) of individual(s) requesting exemption,
  - c. Petitioner's mailing address,
  - d. Sections from which relief is sought, and
  - e. A brief description of the nature and extent of relief sought.
7. Identification of the section(s) or Part(s) of the Federal Aviation Regulations, sections of the Federal Aviation Act, etc., as applicable.
8. Two important points to remember—
  - a. It is not necessary or recommended that each section be set forth in its entirety, particularly if the petitioner requests relief from only a paragraph or portion of a section.
  - b. It is important that only those sections that are affected but were not mentioned by the petitioner be addressed.
9. A paraphrase and/or summary of the information, views, and/or arguments provided by the petitioner in support of the action sought. All key points made by the petitioner should be included.
10. The project number is listed at the bottom left corner of the first page of each exemption document. This project number is assigned by the Office of Rulemaking.

11. This section should contain—
  - a. The agency's analysis of the petition (include the agency's position on each point raised in the petition);
  - b. The agency's analysis of each comment received in response to publication of the petition summary; and
  - c. Any background information that would explain the rationale leading to the agency's decision.
12. A paragraph or more that reflects (or states) the agency's determination on the request for exemption. The following should be cited:
  - a. The agency's finding,
  - b. Exemption authority provided in the Federal Aviation Act,
  - c. Delegation authority provided in 14 CFR 11.53, and
  - d. Sections from which the petition is granted or denied exemption.
13. In most cases, a grant or partial grant of exemption is subject to conditions and limitations. There would be no conditions or limitations if the request is denied.
14. A grant of exemption normally terminates 2 years after the date of issuance, except when—
  - a. The exemption is for a specific event, e.g., an air show or championship.
  - b. There is a need to monitor performance or further evaluate criteria.
  - c. The individual or organization expects to come into compliance with the current regulation within a given time.
  - d. The exemption is from an aircraft certification regulation and thus becomes a part of the type certification basis.
15. The signature block should be left blank. It is typed when the exemption is ready to be signed. Do not type the signature block on a page by itself. The page must contain at least two lines of text (excluding the "Issued in (city, state), on" entry).
16. Exemption documents issued in Washington, DC, must be signed by the "Director" or the "Acting Director." of the Office of Safety and Standards. Exemption documents issued in the Region are signed by the Regional Airports Division Manager.

**SECTION 4. LETTER ACKNOWLEDGING RECEIPT OF REQUEST  
FOR EXEMPTION**

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Exemption to 14 CFR Part 139

Your request for an exemption from the requirements of Section (139.XXX) of the Federal Aviation Regulations has been received. FAA has determined that an exemption, with an expiration date of (Date), should be issued.

Enclosed is the Grant Exemption. We request that you advise us as soon as you are in full compliance with the requirements of Section (139.XXX) of 14 CFR Part 139.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Specialist

Enclosure

**SECTION 5. LETTER GRANTING AN EXTENSION OF EXEMPTION****Docket No. (xxx)**

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

This is in response to your (Date) petition on behalf of (Airport) for an extension of Exemption No. (xxxx) from Subsection 139.(xxx) of the Code of Federal Regulations. If granted, the exemption would (state the effect the exemption would accomplish and describe the effect (s). Provide a justification for what would be accomplished.)

Your petition indicates that the conditions and reasons stated in the original petition remain unchanged and in effect. You also state that if this request to extend Exemption No. (xxxx) is granted, safety will not be compromised and the public interest will be served because (Airport) will continue to comply with the applicable conditions and limitations.

The Federal Aviation Administration (FAA) has reviewed the original petition for exemption dated (Date), and the petition for an extension dated (Date), and has determined that the conditions and reasons that resulted in the previous grant of Exemption No. (xxxx), as amended, have remained unchanged. (State the conditions and reasons that first merited the exemption.) Accordingly, FAA has determined that the justification for issuance of an extension of Exemption No. (xxxx) is valid with respect to this exemption, provided all other conditions and limitations remain the same.

In consideration of the foregoing, I find an extension to Exemption No. (xxxx) will provide an equivalent level of safety and is in the public interest. Therefore, pursuant to the authority contained in Sections (xxxx) and (xxxx) of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), (Airport) is granted an extension of the provisions of Exemption No. (xxxx) to expire (Date), unless superseded or rescinded sooner.

This letter will be attached to and is a part of Exemption No. (xxxx).

Sincerely,

(Manager, Regional Airports Division)

## **SECTION 6. LETTER DENYING A REQUEST FOR EXEMPTION**

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Exemption to 14 CFR Part 139

Your petition for an exemption from the requirements of 14 CFR Part 139.(xxx) has been received. FAA has found the petition does not justify granting the requested exemption for following reason(s):

(Reasons for denying request)

If you have any questions about this denial of exemption, please contact me at (telephone number).

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

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## **Appendix 7. Airport Certification Manual Transmittal Letter**

(Chap. 3, Par. 302)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Revision to Airport Certification Manual

We have reviewed and approved the revision to your Airport Certification Manual (ACM), dated (Date). Please distribute copies of the revision to the holders of the ACM listed on the Distribution List, and record this revision in the ACM revision log, as appropriate. Each existing ACM should be updated in accordance with this revision.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Specialist

Enclosure

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## Appendix 8. Inspection Confirmation Letter

(Chap. 4, Par. 403)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Scheduled Annual Certification Inspection

As discussed by telephone, the annual certification inspection of (Airport) is scheduled for (Date). Please have the following information and records available during the inspection:

- a. Number of based aircraft for the Airport Master Record.
- b. Number of operations for the previous 12 months for the Airport Master Record.
- c. ARFF training curriculum and personnel training records.
- d. Basic emergency medical care training curriculum and certificates.
- e. Quarterly inspection records of fueling agent physical facilities
- f. Annual certification of training for each fueling agent.
- g. Documentation of the annual review of the Airport Emergency Plan.
- h. Documentation of the triennial exercise of the Airport Emergency Plan.  
(Does not apply to all classes. )
- i. Records of safety inspections for the previous 6 months, including records showing all corrective actions taken, such as work orders.
- j. Any records of accidents or incidents on movement areas involving air carrier aircraft and/or ground vehicles.

If you have any questions about the inspection, please contact me at (Telephone Number).

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

## **Appendix 9. Airport Certification/Safety Inspection Checklist (FAA Form 5280-4)**

(Chap. 4, Par. 404)

See following pages.

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AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST										
Airport Name: ▶			Associated City, State: ▶			Site No.: ▶				
Certificate Holder: ▶			Current ARFF Index (A-26) ▶		Airport Classification (Check) Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV* <input type="checkbox"/>					
Inspector: ▶			Inspection Dates:		S=Satisfactory      U=Unsatisfactory N/A = Not Applicable      Remarks Required					
	S	U	N/A			S	U	N/A		
<b>METHODS AND PROCEDURES FOR COMPLIANCE</b>										
1. Compliance with Advisory Circulars (139.7)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Taxiway Centerline (311a2)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>EXEMPTIONS - NO. ON RECORD ( )</b>							3. Taxiway Edge Markings (311a3)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Justification Still Valid (139.111)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Holding Position Markings (311a4)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>AIRPORT CERTIFICATION MANUAL</b>							5. ILS Critical Area Markings (311a5)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Compliance with ACM (201a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Signs Identifying Taxiing Routes (311b1i)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Preparation (201a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Holding Position Signs (311b1ii)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3. Content (203)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. ILS Critical Area Signs (311b1iii)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Maintenance (201b)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Signs internally illuminated (311b2)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>RECORDS</b>							10. Runway Lighting Meets Specifications (311c1)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Furnished upon Request (301a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Taxiway Lighting/Reflectors (311c2)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Maintained for Specified Duration (301b)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Airport Beacon (311c3)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>PERSONNEL</b>							13. Airport-owned Approach Lighting (311c4)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Sufficient Qualified Personnel (303a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Obstruction Marking/Lighting (311c5)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Properly Equipped (303b)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Markings/Signs/Lighting Properly Maintained (311d)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3. Trained (303c)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>SNOW AND ICE CONTROL</b>			
4. Record of Training for 24 CCM (303d)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Prepare/Maint./Execute Plan (313a)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5. Use of an Independent Organization or Designee (303f)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Plan Addresses Prompt Removal or Control (313b1)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>PAVED AREAS</b>							3. Plan Addresses Positioning Snow for Clearance (313b2)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Lips (305a1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Plan Addresses Use of Approved Materials (313b3)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Holes (305a2)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Plan Addresses Timely Commencement (313b4)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3. Cracks/Surface Variations (305a3)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Plan Addresses Prompt Notification to Users (313b5)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Debris/Contaminants (305a4)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>ARFF OPERATIONS</b>			
5. Chemical Solvent Removed (305a5)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. ARFF Capability Meeting Index Provided During ACR OPNS (319a)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
6. Drainage/Ponding (305a6)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. ARFF Requirements Met for Increase in Index (319b)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>SAFETY AREAS</b>							3. Reduction in ARFF Index Meets Conditions (319d)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Dimensions Maintained (309a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Vehicle Communications in Required Vehicles (319e)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Ruts/Surface Variations (309b1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Vehicle Marking & Lighting (319f)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3. Drainage (309b2)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Vehicle Readiness (319g)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Support Aircraft/Equipment (309b3)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Response Drill (No. Vehicles _____) (319h)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5. Objects in Safety Area/Frangible Mounting (309b4)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Personnel Properly Equipped (319i1)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>MARKING, SIGNS, AND LIGHTING</b>							9. Personnel Properly Trained (319i2)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1. Runway Marking Meets Specs (311a1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Live-Fire Drill Every 12 Consecutive Calendar Months for all Personnel (319i3)			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

\* For Class IV Airports, indicate N/A for all items that are not applicable.

AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST									
Airport Name: ▶			Associated City, State: ▶				Site No.: ▶		
Certificate Holder: ▶			Current ARFF Index (A-26) ▶		Airport Classification (Check) Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV* <input type="checkbox"/>				
Inspector: ▶			Inspection Dates:		S=Satisfactory      U=Unsatisfactory N/A = Not Applicable      Remarks Required				
	S	U	N/A			S	U	N/A	
11. Personnel Trained and Current in Basic Emergency Medical Care Provided for ACR OPNS (319i4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Full-Scale Exercise every 36 CCM for Class I Airports (325h)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
12. Record of Training for 24 CCM (319i5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Consistent with the Approved Security Program (325i)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
13. Sufficient Personnel to Meet Requirements (319i6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>SELF-INSPECTION PROGRAM</b>					
14. Alerting Procedures/Equipment Established (319i7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Inspect Daily or As Required (327a1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
15. Hazardous Materials Guidance Available (319j)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Inspect when Required by Unusual Conditions; Accidents (327a2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
16. Emergency Access Roads Maintained (319k)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Equipment Provided (327b1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>HAZARDOUS MATERIALS</b>				4. Procedures/Equipment for Dissemination of Information to Users (327b2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
1. Procedures for Hazardous Substances and Materials (321a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Ensure Inspections Conducted by Qualified Personnel (327b3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2. Acceptable Fire Safety Standards Established (321b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Personnel Properly Trained (327b3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3. Compliance to Fire Safety Standards (321c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Reporting System to Ensure Prompt Correction of Unsafe Conditions, including Wildlife Strikes (327b4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4. Inspection of Fuel Facilities every 3 CCM (321d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. 12 CCM of Records of Inspections Showing Conditions Found and all Corrective Actions (327c1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5. Record of Inspection for 12 CCM (321d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Record of Training for 24 CCM (327c2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6. Fueling Agent Supervisor Training Every 24 CCM (321e1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>PEDESTRIANS AND GROUND VEHICLES</b>					
7. Fueling Agent On-the-Job Training Every 24 CCM (321e2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Limit Access Movement/Safety Areas (329a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8. Written Confirmation Every 12 CCM that Training has been Accomplished (321f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Establish/Implement Procedures for Safe Operations on Movement/Safety Areas (329b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
9. Require Immediate Corrective Action/Notify FAA of Noncompliance (321g)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Pedestrian and Vehicle Control with ATCT (329c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>TRAFFIC/WIND INDICATORS</b>				4. Pedestrian and Vehicle Control - No ATCT (329d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
1. Wind Cones Provided/Lighted (323a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Pedestrian and Vehicle Operator Training on Airport Procedures & Consequences of Noncompliance (329e)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2. Segmented Circle, Landing Strip, and Traffic Pattern Indicators Provided When No ATCT (323b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Record of Training for 24 CCM (329f1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>AIRPORT EMERGENCY PLAN</b>				7. 12 CCM of Records for Accidents or Incidents Involving Pedestrians, Ground Vehicles, or Aircraft .329	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
1. Develop/Maintain Plan/Procedures for Prompt Response/Sufficient Detail (325a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>OBSTRUCTIONS</b>					
2. Response Instructions Aircraft, Bomb, Structure, Fuel, Natural, Hazardous Materials, Sabotage/Hijack, Power, Water (325b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Objects within Airport Authority Determined to be an Obstruction Removed, Marked, or Lighted (331)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3. Must Address Medical, Transportation, Hospital, Ambulance, Inventory, Injured, Crowds, Disabled Aircraft (325c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>PROTECTION OF NAVAIDS</b>					
4. Provide for Marshaling, Emergency Alarm, Coordination of ATCT Functions (325d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Prevent Construction that Would Derogate NAVAIDS or AT Facilities (333a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5. Contains Procedures for Notifying Agencies of Accident Location & Other Information (325e)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Protect NAVAIDS from Vandalism and Theft (333b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6. Contains Provisions for Water Rescue to the Extent Practical (325f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Prevent NAVAIDS Signal Interruption (333c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
7. Coordinate & Develop Plan with Participating Agencies/Personnel (325g1, 2,)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>PUBLIC PROTECTION</b>					
8. Airport Personnel are Properly Trained (325g3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Prevent Inadvertent Entry to Movement Area by Unauthorized Persons or Vehicles (335a1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
9. Review Plan every 12 CCM (325g4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Reasonable Protection from ACFT Blast (335a2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

\* For Class IV Airports, indicate N/A for all items that are not applicable.

AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST													
Airport Name: ▶		Associated City, State: ▶			Site No.: ▶								
Certificate Holder: ▶		Current ARFF Index (A-26) ▶		Airport Classification (Check) Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input type="checkbox"/> Class IV* <input type="checkbox"/>									
Inspector: ▶		Inspection Dates:		S=Satisfactory      U=Unsatisfactory N/A = Not Applicable      Remarks Required									
		S	U	N/A				S	U	N/A			
<b>WILDLIFE HAZARD MANAGEMENT</b>					<b>IDENTIFYING, MARKING, AND LIGHTING CONSTRUCTION AND OTHER UNSERVICABLE AREAS</b>								
1. Immediate Measures Taken to Alleviate Wildlife Hazards when Detected (337a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Mark/Light Construction/Unserviceable Areas & Equipment (341a1)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Provide for a Wildlife Hazard Assessment when Required (337b)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Pre-Construction Review of Utilities (341a2)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Wildlife Hazard Assessment Conducted by Qualified Personnel (337c)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>NONCOMPLYING CONDITIONS</b>						
4. Wildlife Hazard Assessment Contents (337c)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Limit ACR OPNS to Safe Areas when Uncorrected Unsafe Conditions Exist (343)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Wildlife Hazard Assessment Submitted to FAA (337d)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>METHODS AND PROCEDURES FOR COMPLIANCE</b>						
6. Wildlife Hazard Management Plan Formulated and Implemented when Required by FAA (337e)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	OTHER			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Plan Addresses Required Contents (337f)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
8. Procedures to Review and Evaluate the Plan every 12 CCM or as Required (337f6)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
9. Airport Personnel Training Program by a Qualified Wildlife Biologist (337f7)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
<b>AIRPORT CONDITION REPORTING</b>													
1. Collection/Dissemination of Airport Conditions (339a)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
2. Use of NOTAM/Other Systems (339b)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
3. Provide Information on Required Conditions (339c)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
4. 12 CCM of Records of Each Dissemination (339d)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
<b>Remarks - Narrative</b>													

\* For Class IV Airports, indicate N/A for all items that are not applicable.

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## **Appendix 10. Tower Chief Interview Checklist**

[Chap. 4, Par. 403]

AIRPORT -

DATE -

RUNWAY TRANSGRESSION PROBLEMS -

MARKING AND SIGNING ACCEPTABLE -

NOTAM PROCEDURES -

RUNWAY CONDITION ASSESSMENT PROCEDURES -

HOW HANDLED -

GROUND VEHICLES - PERMISSION BEFORE ENTERING TAXIWAYS -

BIRD HAZARDS -

DEER AND OTHER WILDLIFE HAZARDS -

INADVERTENT ENTRY PROBLEMS -

MOVEMENT AREA LETTER OF AGREEMENT -

CONDITION AND MAINTENANCE OF RUNWAY AND TAXIWAY LIGHTING -

ARFF ALARM AND COMMUNICATION PROCEDURES -

REMARKS -

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## **Appendix 11. Inspection Closeout Letter**

(Chap. 4, Par. 405)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Annual Certification Inspection Closeout

The (periodic/surveillance) certification inspection of (Airport) was conducted on (Date). The inspection revealed that the airport is being operated in compliance with 14 CFR Part 139, the Airport Certification Manual, and the Airport Operating Certificate.

We commend you for the procedures you are using in the day-to-day operation of the airport. The appearance of the airport indicates they are effective.

Thank you for your cooperation during the inspection, and please do not hesitate to call if you have questions regarding the operational safety of the airport.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

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## Appendix 12. Guidelines for Operating in the Runway Safety Area

(Chap. Four, Par. 411)

### REFERENCES:

139.329 (b); 139.309 (b) (4); 139.203 (b); 139.335 (a) (2); FAA Order 7110.65, Paragraphs 3-1-5 and 3-1-6.

#### 1. 14 CFR 139 Requirements.

a. Under 14 CFR 139.329 (b), airport operators are required to establish and implement procedures for operation of ground vehicles in the safety area as well as the movement area. These procedures must be included in the ACM.

b. 14 CFR 139.309 (b) (4) requires that no objects be in the safety areas except those fixed by function. This means signage, lights, and NAVAIDs, not personnel, vehicles, and equipment.

c. 139.335 (a) (2) requires the certificate holder to provide reasonable protection of persons and property from aircraft blast. This includes personnel and equipment used for maintenance of the safety area and objects located there. These procedures must be included in the ACM.

#### 2. Air Traffic Control Handbook.

The Air Traffic Control Handbook, Order 7110.65, Paragraph 3-1-5 states that vehicles, equipment, and personnel in direct communications with the control tower may be authorized to operate up to the edge of an active runway surface when necessary.

#### 3. Guidelines for Operating in the Runway Safety Area.

a. The purpose of the safety area is to minimize the damage to an aircraft that inadvertently leaves the runway. For this reason, it must remain "sterile" during aircraft operations. However, this does not preclude vehicles, personnel, and equipment from going into the safety area of an active runway between aircraft operations, e.g., for foreign object debris (FOD) pickup, changing a light bulb, grass mowing, etc.

b. Under some circumstances, it might be necessary to work in the RSA while aircraft operations are occurring, e.g., to make emergency repairs to a light cable. During air carrier operations, work may be conducted no closer than 200 feet of the runway centerline, with equipment and vehicles kept to the minimum number necessary for the repair. If these conditions cannot be met, the runway should be closed to air carriers while the repairs are being made.

c. The words "when necessary," as used in Order 7110.65, Paragraph 3-1-5, are not to be construed as *carte blanche* for, or unrestricted use by, personnel, vehicles, and equipment to operate up to the edge of a runway in violation of established ground vehicle procedures.

**d.** For maintenance performed in the safety areas of air carrier runways closer than 200 feet from centerline during visual meteorological conditions (VMC), it is acceptable to close the runway to air carriers and restrict the runway use to airplane design groups I, II, and III in aircraft approach categories A and B and use the appropriate RSA dimension indicated in AC 150/5300-13, *Airport Design*, Table 3-1.

**e.** In cases requiring the closure of a runway for maintenance, the airport operator should be encouraged to schedule the work during times that will have the least impact on the national airspace system and give the local air traffic control tower advance notice when possible.

**f.** ACSIs need to review safety area procedures at certificated airports to ensure they are adequate and safe; where they are not, ACSIs must require a change. If an airport operator is in violation of established ground vehicle procedures or public protection requirements, enforcement action must be taken.

## **Appendix 13. ARFF Training Checklist**

(Chap. 4, Par. 416)

See Part 139.319 I (2) (i) through (xi) and 139.319 (3).

See also NFPA publications 403, 1001, and 1403.

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## Appendix 14. Shortages of Trained ARFF Personnel

(Chap. 4, Par. 416)

The ACSI should ascertain whether sufficient ARFF personnel are available to operate the required ARFF vehicles in accordance with Section 139.319 (i) (6).

**1. Requirements.** Compliance with the AOC dictates that “sufficient rescue and firefighting personnel are available during all air carrier operations to operate the vehicles, meet the response times, and meet the minimum agent discharge rates required by this [P]art.” Past incidents involving shortages of trained ARFF personnel at certificated airports necessitate a uniform national approach to enforcing the requirements of Section 139.319 (i) (6).

**2. Options for Addressing Shortages of ARFF Personnel.** In the case of a shortage of trained ARFF personnel, the airport operator has essentially three options:

(1). Close the airport to air carrier operations by issuing a NOTAM when a shortage of trained ARFF personnel results in the inability to meet the ARFF requirements of the certificate.

(2). Have FAA determine the airport is in violation of Section 139.319 (i) (6) and have the certificate suspended, thus stopping air carriers from landing. A NOTAM must be issued stating the airport is closed to all scheduled air carrier aircraft with more than nine passenger seats.

(3). Provide, through prior planning and training, sufficient qualified personnel, available from a variety of sources, to operate the ARFF equipment during air carrier operations. Personnel must be determined as “qualified” by an ACSI after the airport operator certifies they meet requirements of Section 139.319 (i) Personnel.

**3. Role of the ACSI.** The ACSI is directly involved in all three of the above options and should be prepared to fulfill that role completely.

(4). **Contingency Plan.** The ACSI should encourage each airport operator to develop a contingency plan for taking action if needed, particularly where union firefighting personnel are concerned. This plan should be included in the ARFF or AEP section of the ACM and, at a minimum, consist of the following:

(1). Identification of the available, qualified firefighting personnel who will immediately take over ARFF operations in the event of a shortage of trained ARFF personnel. If none are available, an airport operator may consider establishing a backup ARFF personnel program. This would require establishing a training program for available personnel—such as security and maintenance staff, the National Guard, contract ARFF services, etc.—to assist supervisory firefighting personnel in the event of a shortage of trained ARFF personnel. The ACSI must ensure that any “auxiliary” or backup firefighting personnel, as addressed in the ACM, are qualified by conducting a response test to determine if those personnel can operate the ARFF equipment as required.

(2). Procedures to notify the regional airport certification staff when there is a possibility of a shortage of trained ARFF personnel.

(3). Procedures to keep the airline tenants informed of ARFF-related developments as they occur.

(4). If necessary, procedures for reducing air carrier operations to the index level the airport operator is able to maintain.

(5). Procedures to file a NOTAM closing the airport to air carrier operations when sufficient qualified ARFF personnel are not available.

**b. ACSI's Responsibilities.** ACSIs play a major role in FAA's response to a shortage of trained ARFF personnel at a certificated airport. Responsibilities of the ACSI during a possible shortage of personnel are as follows:

(5). Advise the airport operator of available options.

(6). If a shortage of trained ARFF personnel is imminent, establish an FAA coordination point on the airport. The ATCT can be used to advantage during a shortage of personnel.

(7). Maintain close coordination with the Regional Airports Division Manager and AAS-300 on airport status and conditions.

(8). Alert Air Traffic to the possibility of air carrier diversions to other airports.

(9). Monitor firefighting capability and be prepared to initiate a suspension of certificate, if necessary. If a suspension of certificate becomes necessary, a NOTAM must be issued, and the airport operator must inform all air carrier operators. If a shortage of trained ARFF personnel is imminent, the inspector should consider having the suspension paperwork prepared ahead of time.

## Appendix 15. Test for Evaluating Foam-Proportioning Equipment on ARFF Vehicles Using a Refractometer

(Chap. 4, Par. 416)

**1. Purpose.** This test provides procedures for evaluating the foam-proportioning systems installed on ARFF vehicles.

**2. Caution.** This test is not intended, nor should it be used, to test the reliability or quality of foam in a concentrated form. The refractive reading of a foam concentrate will vary from manufacturer to manufacturer and from batch to batch. A high- or low- number reading for a foam concentrate is not an indication of its ability to do the work intended. If for some reason a foam concentrate is believed to be unreliable or of poor quality, the airport sponsor should advise the manufacturer.

### 3. Using the Refractometer.

**a.** A refractometer is used to read the refractive index of a liquid. A refractive index is a measure of the concentration of a solution or the percentage of solids in a solution or mixture.

**b.** In order to read the refractometer, place a few drops of liquid on the prism and expose it to a bright source of light. Tilt the instrument toward the light until optimum contrast is noted between bright and dark areas on the scale. Focus the eyepiece as necessary and observe the scale reading where the bright and dark areas meet.

### 4. Determining the Refractive Index of AFFF.

**a.** Place a few drops of water (taken from the same source as that used to replenish the ARFF vehicle) and calibrate the scale to "0".

(1). The prism must be thoroughly cleaned after each reading of each water, concentrate, or solution.

(2). Focus and calibration of the refractometer should be performed in accordance with the manufacturer's instructions.

**b.** Determine the refractive index of an AFFF solution by first obtaining the refractive index of the AFFF concentrate and then determining the AFFF/water ratio using the following formula:

$$\begin{aligned} \text{\% of foam in solution} &= \frac{\text{refractometer reading of solution}}{\text{refractometer reading of pure foam concentrate}} \times 100 \\ &\text{O R} \\ \text{pure concentrate X \% of solution} &= \text{reading of solution} \end{aligned}$$

**Example.** Pure foam concentrate tested with a reading of 18.0. For a 6-percent solution of foam to water, the refractometer reading should be  $18.0 \times 6\% (.06) = 1.08$ .

**5. Test Procedure.** Check the proportioning system according to the following steps:

- a. Make sure the refractometer is in calibration as stated in Step 4a.
- b. Check the water tanks on the truck. A refractometer reading of “0” indicates the water is uncontaminated. This check has revealed in several trucks a leaking foam bladder and in one truck, the addition of a “tank saver” anti-corrosion soluble oil.
- c. Check to see whether foam is 3 percent or 6 percent. This is essential to determining the proper foam-proportion setting.
- d. Have the ARFF crew draw a sample from the truck's foam bladder and calculate what the refractive index of the foam solution should be, as stated in Step 4b.
- e. Test the truck for proper foam proportioning:
  - (1). Generally start with the roof turret. In an emergency, this is the primary system and uses foam at the greatest rate.
  - (2). Have the vehicle operator bring the truck to proper discharge pressure as stipulated in the ARFF vehicle operating manual (most vehicles are in the 225 psi to 275 psi range).
  - (3). Discharge the turret using water and foam and, after allowing time to get a uniform mix, have the operator stop the discharge. Stand next to the turret nozzle and, using a cup or other small container, collect the runoff liquid as it flows from the base of the nozzle.
  - (4). Using an eyedropper, collect a sample of the liquid from the cup and place it on the refractometer and take a reading. This reading will give the refractive index of the solution and allow the ACSI to determine the percentage of foam to water the turret system is producing. Be sure to read the liquid, not the bubbles. The bubbles will not give an accurate solution reading.
  - (5). Using the procedure described in (4) above, check the handline and under-truck nozzles.

**6. Tolerance of the Proportioner Product.** A foam concentrate proportioning system controls the ratio of foam concentrate to water in the foam/water solution being discharged from all orifices normally used for ARFF operations.

- a. The proportioning system for a 6-percent concentrate should be sufficiently accurate to provide for the discharge of finished foam within the range of 5.5 percent to 7.0 percent foam concentrate in the discharged foam/water solution.
- b. If a foam concentrate of 3 percent is issued, the concentrate range in the discharged solution should be 2.8 to 3.5 percent.

## Appendix 16. Wildlife Hazard Management

(Chap. 4, Par. 425)

### SECTION 1. WILDLIFE ASSESSMENT LETTER

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Wildlife Hazard Assessment

In reference to your letter dated (Date), you may contact the following Animal Damage Control personnel for the conduct of a wildlife assessment in the State of (State).

Mr./Ms. (Name)

USDA Animal Damage Control

(Address)

(City, State ZIP)

(Phone Number)

A wildlife assessment, acceptable to the Administrator, must contain at least the following:

- a. Analysis of the events that prompted the study.
- b. Identification of the species, numbers, locations, local movements, and daily and seasonal occurrences of wildlife observed.
- c. Identification and location of features on and near the airport that attract wildlife.
- d. Description of the wildlife hazard to air carrier operations.

Upon its completion, please submit the wildlife assessment to our office so we can determine whether there is a need for a Wildlife Hazard Management Plan. In reaching this determination, we will consider the following four factors:

- a. The findings of the assessment,
- b. The aeronautical activity at the airport,
- c. The views of the certificate holder and the airport users, and
- d. Any other factors bearing on the matter of which we are aware.

Enclosed is a copy of Advisory Circular 150/5200-33A, *Hazard Wildlife Attractants On or Near Airports*, which will assist you in the conduct of a wildlife assessment.

If you have any other questions about this matter, please contact me at (Telephone Number).

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

Enclosure

cc: (APHIS contact)

**SECTION 2. FORM LETTER #1**

Request for information about the presence of Federally listed or proposed species or designated or proposed critical habitat.

\*\*\*\*\*

Because of recent wildlife aircraft strikes at (Airport) in (County), (State), the Federal Aviation Administration (FAA) is requiring the airport to develop a Wildlife Hazard Management Plan to reduce the wildlife aircraft strike hazard at the airport.

As part of the Wildlife Hazard Management Plan developmental process, potential impact on federally listed or proposed species or designated or proposed critical habitat will be considered. Therefore, would you provide information about the presence of federally listed or proposed species or designated or proposed critical habitat occurring on or near the airport?

Please reply to the attention of (Name) and reference file no. (Number).

Thank you for your cooperation in this matter.

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## Appendix 17. Sample Fueling Procedures and Safety Checklist

Airport Fuel Facility Inspection Log

Airport \_\_\_\_\_ Grade of Fuel \_\_\_\_\_ Month \_\_\_\_\_

DATE	TANK INSPECTIONS		FIS INSPECTIONS			EQUIPMENT INSPECTIONS					
	FLOATING SUCTION WEEKLY	WATER (DAILY)	WATER (DAILY)	DIFF. PRESSURE (DAILY)	LEAKS (DAILY)	STRAINERS (WEEKLY)	HOSES & NOZZLES (WEEKLY)	FIRE EXTING. MONTHLY	PUMPS & METERS (MONTHLY)	VALVES (MONTHLY)	BONDING & GROUNDING (MONTHLY)
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
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21											
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23											
24											
25											
26											
27											
28											
29											
30											
31											

\*Each space must bear the appropriate remark and/or the initials of the inspector.

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## Appendix 18. Sample Mobile Fueler Checklist

(Chap. 4, Par. 417)

### MOBILE REFUELER DAILY AND WEEKLY PREVENTIVE MAINTENANCE

Date	Make & Model	No.
Activity	Meter Readings	
This check-off list shall be delivered to the Equipment Maintenance Office daily by person making inspection. Supervisor shall indicate what action has been taken to correct listed deficiencies.		
Item No.	I DAILY OPERATIONS	OK      Adjust      Needs Repair
1	Fire Extinguishers (In place, filled, operable)	
2	Static Strap (In contact with ground)	
3	Static Grounding and Bonding Cables (In place and good condition)	
4	Fuel Marker Signs (In place)	
5	Fuel Color Check (Agrees with Fuel Marker Signs)	
6	Hose (Check entire length for cracks, cuts, breaks.)	
7	Hose Nozzles (Remove, inspect and clean strainer and comment on impurities found. Be sure nozzle spout cap is in place.)	
8	Refueler Truck Engine Exhaust Piping (Inspect for leaks and cracks.)	
9	Auxiliary Pumping Engine: (Oil level, leaks, battery water, etc.)	
10	Engine Shrouding (Secure and in place)	
11	Engine Exhaust Piping (Leaks and cracks)	
12	Muffler - Flame Arrestor (Leaks and noise)	
13	All Tank Drain sample and test for water; drain until free of water.)	
14	All Separators (Drain sample and test for water; drain until free of water.)	
15	Leak (Tanks, piping, valves, pumps, etc.) Remarks:	
16	Emergency Valves (Check for proper operation of controls.)	
II DURING PUMPING OPERATION		
17	Pumps (Leaks, noise, and overheating)	
18	Meters (Leaks and noise)	
19	Fuel Color Check	
20	Enter Pressure Drop On Refueler Daily Pressure Drop Log (Do not operate if more than 15 lbs.)	
21	Leak (Tanks, piping, valves, pumps, etc.)	
III AFTER FILLING REFUELER		
22	Water Check (Allow to settle for 15 min. and then check for water by operating tank water drains.)	
IV WEEKLY SERVICES		
1	Separator Automatic Drain Valve (Shall not be restricted)	
2	Line Strainer Screens (Remove, inspect and replace.)	
3	General Inspection (Include all of daily operations plus operating checks of equipment.)	
V GENERAL		
1	(List here any deficiencies not itemized above.)	

This is to certify that I have personally performed all of the above services and that I have completed and filled a work order for indicated repairs.

\_\_\_\_\_  
Signature

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## Appendix 19. Sample Warning Letter

(Chap.5, Par. 504)

(Date)

File Number: (EIR Number)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

### **Warning Letter**

14 Code of Federal Regulations (CFR) Part 139 Violation

At 2:55 p.m., April 25, 2006, the Air Traffic Control Tower (ATCT) observed an Aircraft Rescue and Firefighting (ARFF) vehicle proceed across Runway 30R without ATCT authorization.

Investigation of the matter revealed that the operator of the vehicle crossed Runway 30R without ATCT authorization because of his failure to monitor communications with the ATCT. This situation is contrary to Section 139.329 (e) of 14 CFR Part 139, which states in part, "...each employee, tenant, or contractor is trained on procedures required under paragraph (b) of this section..." and Section 139.203, which states that "...each holder of an airport Operating Certificate must include in the Airport Certification Manual..." and includes element 22.

It is obvious that if an aircraft had collided with the ARFF vehicle, serious consequences might have resulted. It is imperative that all personnel authorized to operate a ground vehicle on movement areas be thoroughly indoctrinated with the airport procedures for safe and orderly operation of a ground vehicle on the movement areas.

In closing this case, we have given consideration to all available facts and have concluded the matter does not warrant legal enforcement. In lieu of such action, we are issuing this letter, which will be made a matter of record.

We have determined that airport management has taken appropriate action against the ARFF vehicle operator, through reprimand and mandatory retraining. We will expect your future compliance with the regulations.

Sincerely,

(Manager's Name)

Manager, Regional Airports Division

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## **Appendix 20. Letter of Correction**


(Chap. 5, Par. 504)

See following pages.

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**SECTION 1. LETTER OF CORRECTION, FAA FORM 5280-6**

		<h2 style="margin: 0;">Letter of Correction</h2>	
U.S. Department of Transportation		<b>Federal Aviation Administration</b>	
1. Airport Manager		4. FAA Airport Certification Inspector	
2. Airport Name	Site No.	5. FAA Office	Region
3. Address		6. FAA Address	
7. Type of Operating Certificate <input type="checkbox"/> Airport Operating Certificate <input type="checkbox"/> Time-Limited Operating Certificate		8. Certification Date	
9. Index <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E		10. Class <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV	
11. Type of Airport Certification Inspection <input type="checkbox"/> Annual <input type="checkbox"/> Periodic <input type="checkbox"/> Surveillance		12. Inspection Date	
13. FAA Contact		14. EIR Number	
<p>Inspection of the above named airport has revealed that it is not in compliance with all of the requirements of Title 14 CFR Part 139, the Airport Certification Manual, and the Airport Operating Certificate.</p> <p>We have given consideration to all available facts and conclude that this matter does not warrant legal enforcement action; however, if the airport does not take the appropriate actions to correct the discrepancies in a timely manner, other enforcement action may be necessary. In lieu of such action, we are issuing this letter, which will be made a matter of record. We will expect your future compliance with the regulations. Please advise, by return of this form, when discrepancies are corrected.</p> <p>The individual identified in item #13 must be notified if corrections are not completed by the agreed upon date.</p>			
<b>15. Part 139 Discrepancies Noted</b>			<b>16. Discrepancies Corrected</b> <small>(Completed by Airport Personnel)</small>
a. Part 139 Reference	b. Discrepancy	c. Planned Correction Date	a. Date     b. By (Initials)
<input type="checkbox"/> <b>Check if Comments/Recommendations attached</b> – comments and recommendations about airport safety that are not required by FAR Part 139, are noted on attached sheet.			
By signature below, assurance is given that discrepancies noted above will be corrected by the dates indicated and a copy of this letter returned by 15 calendar days following the completion of all discrepancy corrections.			
Date	Signature of Authorized Airport Official	Signature of FAA Certification Safety Inspector	

**RECOMMENDATIONS/COMMENTS**  
**AIRPORT CERTIFICATION INSPECTION**  
\_\_\_\_\_ **AIRPORT**

**(DATE)** \_\_\_\_\_

The following recommendations/comments are provided as a result of the Airport Certification Inspection.

1.

2.

3.

**SECTION 2. LETTER OF CORRECTION (LONG FORMAT)**

Those Regions that, for any reason, prefer not to use Form 5280-6 can use instead the long format of the Letter of Correction. When the ACSI determines Form 5280-6 is inappropriate for use, the following format can be used. A Letter of Correction in the long format should be issued within 15 days of the inspection.

(Date)

EIR NUMBER

Mr./Ms. (Name)

(Title)

(Airport and Site Number)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

A (periodic/surveillance) inspection of (Airport) on (Dates) by (ACSI's Name) for requirements related to Federal Aviation Regulation Part 139 and the Airport Operating Certificate issued (Date of issue) revealed that it is not in compliance with all of the requirements of 14 CFR Part 139, the Airport Certification Manual, and the Airport Operating Certificate.

We have given consideration to all available facts and concluded this matter does not warrant legal enforcement action. In lieu of such action, we are issuing this letter, which will be made a matter of record. We will expect future compliance by the airport with the regulations. Please advise (Name of FAA contact) at (FAA office, Region, and address) by return of this letter when the discrepancies are corrected.

**DISCREPANCIES:** (Identify all discrepancies by regulation paragraph number, with its description and location.)

1. Section 139.XXX (x) – (Title)

(Description/Location of Deficiency)

(agreed to correction date)

(date corrected) (Airport rep's initials)

2. Section 139.XXX (x) – (Title)

(Description/Location of Deficiency)

(agreed to correction date)

(date corrected) (Airport rep's initials)

By signature below, assurance is given that the dates shown for items to be corrected were as agreed to during the exit interview on (Date of exit interview), and all items will be corrected on the dates indicated in the space provided in this letter. Please sign and return this letter within 15 days of correcting the last discrepancy.

Certification Inspector:

I certify that all discrepancies listed above were corrected on the dates indicated.

(Date)            (Signature)-Airport Manager

**SECTION 3. SAMPLE LETTER OF CORRECTION (LONG FORMAT)**

The following is a sample Letter of Correction using this format. It was prepared for Plainview Municipal Airport, using the analysis of discrepancies in Section 1 of Appendix 25.

\*\*\*\*\*

May 12, 2006

EIR Number: 2006CE1200005

Mr. Airport Manager  
Airport Manager  
Plainview Municipal Airport  
2790 Airport Blvd.  
Plainview, IA 50704

Dear Mr. Airport Manager:

**Letter of Correction**

The periodic airport certification inspection of Plainview Municipal Airport was concluded on May 3, 2006. The inspection was conducted to determine compliance with 14 CFR Part 139, the Airport Certification Manual, and the Airport Operating Certificate. The inspection revealed the airport was not in compliance with all of the requirements of Part 139. The following discrepancies to Part 139 were noted during the inspection, and those that are unresolved must be corrected by the dates indicated:

**1. 139.311 (c) – Marking, Signs, and Lighting**

Taxiway lights at the intersection of Bravo and Alpha are not located in accordance with FAA standards specified in AC 150/5340-30, *Design and Installation Details for Airport Visual Aids*. Three taxiway lights on the radius of Taxiway Bravo must be relocated to not more than 10 feet from pavement edge.

Correction Date: August 15, 2006

**2. 139.311 (d) – Marking, Signs, and Lighting**

Three light fixtures along Taxiway Alpha had broken globes. This is an indication that lighting is not properly maintained. These globes must be replaced as soon as possible.

Correction Date: May 30, 2006

**3. 139.201 (b) – General Requirements**

The ACM requires that runway markings be in accordance with the FAA standards specified in AC 150/5340-1, *Standards for Airport Markings*. The current threshold bars on both ends of Runway 12-30 are 12 inches wide. The threshold bars must be remarked to 10 feet wide to meet standards in AC 150/5340-1.

Correction Date: June 30, 2006

**4. 139.201 (b) – General Requirements**

The ACM requires that taxiway markings be in accordance with the FAA standards specified in AC 150/5340-1, *Standards for Airport Markings*. Taxiway centerlines on all taxiways were recently repainted at a 4-inch width. In addition, the double yellow lines for the taxiway edge markings at the Taxiway D and Taxiway C intersection are 4 inches wide. These markings must be repainted to 6 inches wide to meet standards in AC 150/5340-1.

Correction Date: June 30, 2006

**5. 139.305 (a) (4) – Paved Areas**

FOD was located on portions of Taxiway Bravo, Taxiway Delta, and Taxiway Charlie. Personnel responsible for this function should be instructed to take appropriate action to control FOD at the airport.

Correction Date: May 30, 2006

**6. 139.309 (b) (1) – Safety Areas**

A depression, located in the Runway 3-21 safety area on the north side between the Taxiway Delta and Charlie intersections, presents a potentially hazardous surface variation and must be filled and graded level.

Correction Date: May 30, 2006

**7. 139.309 (b) (4) – Safety Areas**

The metal stakes that support four light fixtures along Taxiway Charlie are more than 3 inches above the ground. These stakes need to be re-set so they are not higher than 3 inches above the ground.

Correction Date: May 30, 2006

**8. 139.309 (b) (1) – Safety Areas**

The Runway 6-24 safety area has not been maintained cleared and graded. Farming operations are being conducted in the safety area at the east end of Runway 24 within 210 feet of the runway centerline. This area must be returned to turf and farming operations must cease.

Correction Date: June 30, 2006

**9. 139.311 (a) – Marking, Signs, and Lighting**

Some of the Runway 13-31 centerline markings are obscured by rubber deposits in the touchdown areas and are not clearly visible. These markings must be repainted.

Correction Date: June 30, 2006

**10. 139.321 (c) – Handling and Storing of Hazardous Substances and Materials**

The certificate holder has failed to require Red Air to comply with the following airport fire safety standards for fuel storage areas:

- a. Vegetation in the fuel storage area might contribute to the spread of fire and must be removed.
- b. The emergency cutoff for the Jet A loading area is not conspicuously marked.

Correction Date: May 30, 2006

**11. 139.321 (c) – Handling and Storing of Hazardous Substances and Materials**

The certificate holder has failed to require Acme Aviation to comply with the following airport fire safety standards for fuel storage areas:

Grass in the Jet A and 100LL storage areas might contribute to the spread of fire and must be removed.

Correction Date: May 30, 2006

**12. 139.321 (c) – Handling and Storing of Hazardous Substances and Materials**

The certificate holder has failed to require Acme Aviation to comply with the following airport fire safety standards for mobile fuelers:

A “Flammable” sign on the right side of the Jet A mobile fueller has faded sufficiently so as to require replacement and must be replaced.

Correction Date: May 30, 2006

**13. 139.327 (c) – Self-Inspection Program**

The certificate holder has failed to require airport maintenance personnel to document corrective actions for unsatisfactory conditions found during self-inspections.

Correction Date: May 30, 2006

**14. 139.339 (c) (6) – Airport Condition Reporting**

A review of self-inspection checklists and NOTAM records revealed that NOTAMs were not issued for significant lighting outages caused by lightning strikes during the period from late June 2005 through mid-July 2005. Personnel responsible should be instructed to issue appropriate NOTAMs in the future.

Correction Date: May 30, 2006

**15. 139.201 (b) – General Requirements**

The periodic airport certification inspection revealed that airport personnel are not complying with procedures in the ACM for maintenance of paved areas, safety areas, marking, fueling operations, self-inspection, and airport condition reporting. Personnel responsible for airport certification requirements must review the ACM and be familiar with their responsibilities as defined therein.

Correction Date: May 30, 2006

Please advise in writing when the unresolved discrepancies are corrected, but no later than 15 days after the correction date. These dates were mutually agreed to. If you are unable to meet these dates, please notify me as soon as possible. We will expect your future compliance with the regulations.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

Attachment



## **RECOMMENDATIONS/COMMENTS**

### **AIRPORT CERTIFICATION INSPECTION**

#### **Plainview Municipal Airport**

**May 12, 2006**

The following recommendations/comments are provided as a result of the Airport Certification Inspection:

**Recommendation** – Membership in the ARFF Working Group would provide a means for obtaining additional resources for ARFF training. Information on the ARFF Working Group and membership is enclosed.

**Recommendation** – Thick brush in a drainage area between Runway 13-31 and Taxiway Charlie might attract deer. As discussed during the inspection, this brush was previously removed 3 years ago; however, it has grown back and presents a wildlife attractant, which could create a hazard.

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## **Appendix 21. Discrepancy Closeout Letter**

(Chap. 5, Par. 504)

(Date)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

14 Code of Federal Regulations (CFR) Part 139 Discrepancy Closeout

In reference to the Letter of Correction issued on (Date of Letter of Correction), you have indicated the discrepancy to 14 CFR Part 139 was corrected by (Date Corrected). We commend you for the expeditious correction of this discrepancy.

You may consider this letter official notification that the discrepancy to 14 CFR Part 139, identified during the periodic/surveillance certification inspection, is closed.

Thank you for your cooperation.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Inspector

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## **Appendix 22. Enforcement Investigative Report**

(Chap. 5, Par. 505)

**( R E S E R V E D )**

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## Appendix 23. Letter of Investigation

(Chap. 5, Par. 506)

**THIS LETTER IS SENT BY CERTIFIED MAIL.**

(Date)

File Number: (EIR Number)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Letter of Investigation

This letter is in reference to a reported (Specify incident) at your airport on (Date). Information reported to our office indicates that (Short description of incident).

This (Specify incident) appears to be a violation of Part 139 of the Federal Aviation Regulations.

This letter is to inform you that this incident is under investigation by the Federal Aviation Administration. We offer you an opportunity to submit a written statement on this matter. If you desire to do this, you should submit the statement, postmarked within 10 days following receipt of this letter. Your statement should contain all pertinent facts and any extenuating or mitigating circumstances that you feel might have a bearing on this incident from an airport-related viewpoint.

If we do not hear from you within the specified time, our report on this matter will be processed for action without the benefit of your statement.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Specialist

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## **Appendix 24. Investigation Closeout Letter**

(Chap. 5, Par. 507)

(Date)

File Number: (EIR Number)

Mr./Ms. (Name)

(Title)

(Airport)

(Street Address)

(City, State ZIP)

Dear Mr./Ms. (Name):

(Airport)

(City, State)

Closing of Investigation

Federal Aviation Regulation (14 CFR) Part 139

On (Date), we advised you that the Federal Aviation Administration was investigating an incident that reportedly involved (Brief description of incident).

This letter is to inform you that the investigation of this incident, which occurred on (Date of incident), has not established a violation of 14 CFR Part 139. You may consider the matter closed as it relates to Part 139.

Sincerely,

(ACSI's Name)

Airport Certification and Safety Specialist

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## **Appendix 25. Enforcement Consistency Methodology**

(Chap. 5, Par. 508)

May 31, 2000

### **INTRODUCTION**

This methodology consists of three basic parts that must be used by the ACSIs to assist them with the consistent and uniform application of Part 139. Part 1 describes the methodology used to determine the applicable Part 139 reference and the number of discrepancies found during a periodic airport certification inspection. Part 2 discusses the process an ACSI goes through after the inspection leading to the preparation of the notification of a discrepancy. Part 3 provides Part 139 references for some of the more typical discrepancies found by ACSIs during the course of an airport inspection.

### **SECTION 1. METHODOLOGY FOR DETERMINING PART 139 ENFORCEMENT CITATIONS AND NUMBER OF DISCREPANCIES**

Discrepancies must be written in a uniform and concise manner. When determining the appropriate citation, ACSIs must do so in accordance with this guidance.

Certificate holder noncompliance with Certalerts, Policy Guidance, industry standards, and specifications cannot be cited as a discrepancy, unless the particular document is referenced in the ACM. If a document is referenced, the certificate holder is cited for not complying with the ACM.

The ACSI must follow the three steps outlined below when writing discrepancies:

#### **Step 1: Determining the Part 139 Citation.**

Part 139 has some overlapping requirements. This often results in confusion as to which requirement to cite or leads to inconsistent citations for the same discrepancies. To promote consistency, ACSIs need to reference the Part 139 Enforcement Citation Table found at the end of this appendix to determine the proper citation. This table is organized by subject matter and Part 139 citations and is provided for some commonly found discrepancies. Citations must be taken to section, subparagraph letters and, where applicable, the subparagraph number of Part 139, (e.g. 139.309 (b) (4)). ACSIs must use the listed citation, even if other citations were previously acceptable.

Citations found in the Part 139 Enforcement Citation Table were determined by grouping discrepancies into three categories – direct, indirect, and standardization. Each of these categories is described below:

a. **Direct Discrepancy.** A direct discrepancy of the regulation itself, e.g., a 3-inch difference in elevation between abutting pavement sections as described in 139.305 (a) (1). For direct discrepancies use the specific Subpart D section, as appropriate. For example, cite 139.311 (a) (1) for a runway missing a required marking element or 139.309 (b) (4) for a non-frangible, mounted sign located in the safety area.

b. **Indirect Discrepancy.** A discrepancy to the ACM is indirect because an element of the ACM/ACS is cited rather than a specific Part 139 requirement, e.g., the airport failed to inspect the movement area four times a day as stated in the ACM. For indirect discrepancies, use compliance with the ACM if the specific Subpart D section is not appropriate. For example, cite 139.201 (b) for an airport missing a number of guidance signs that were shown in the signage plan. Use 139.201 (b) for improperly maintaining a wind indicator when the ACM includes adequate procedures for maintenance. If adequate procedures are not included in the ACM, use 139.203 (b) to require adequate procedures to be included in the ACM.

c. **Standardization Discrepancy.** A discrepancy for failure to maintain an FAA standard or a substitute standard on the airport, as approved by FAA, e.g., the airport has nonstandard markings, lighting, and signage. In this instance, there is no specific reference in 139.311 that the airport operator must comply with certain standards. Further, a check of the airport's ACM reveals no reference to meeting AC standards or substitute standards approved by FAA. Since there is no reference to a standard in the ACM, the ACSI must cite 139.7 to require compliance with standards, and 139.205 (b) to require contents of the manual to include AC standards or substitute standards approved by FAA. A failure to maintain an FAA standard or FAA-approved ACM standard will result in a Section 139.7 discrepancy. For example, if an airport's fire safety standards were not in accordance with FAA-approved standards, NFPA 407, or the local fire code and were not included in the ACM, 139.7 must be cited.

## Step 2: Determining the Number of Discrepancies.

After conducting the inspection, ACSIs must group similar discrepancies (same section of 139) together to determine what discrepancies for the section, subparagraph letter, and subparagraph number can be grouped and cited as only one discrepancy. For example, all discrepancies to Section 139.309 (b) (1) for a single runway must be grouped together as one discrepancy.

The following describes how discrepancies for the same Part 139 citation are grouped for each system:

**1. Runways.** Each runway on the airport is considered as a system with respect to determining discrepancies for—

a. **Safety Areas.** Safety area discrepancies are grouped by runway and cited as one discrepancy for each runway. A discrepancy in an overlapping runway safety area is cited only once.

**b. Paved Areas.** Pavement lips at several locations on one runway are considered one discrepancy to 139.305 (a) (1). However pavement lips at several locations on **two** different runways are considered two discrepancies to 139.305(a)(1).

**c. Markings.** Runway markings are generally considered separate systems for each approach end because they might be different for each approach.

Hold position markings required by 139.311 (a) (4) are considered a separate system for each runway on the airport. For example, if a hold position marking was missing on a taxiway/runway intersection, the discrepancy will be written for 139.311 (a) (4).

All the ILS markings required by 139.31 (a) (5) at the airport are considered a separate system. For example, if ILS markings were missing from two separate runways, that would constitute two separate discrepancies.

**d. Lighting.** Runway lighting systems are generally considered separate systems for each approach end because they might be different for each approach. Edge lights, threshold lights, runway end lights, centerline lights, and TDZ are considered separate systems. However, an entire edge light system not working will be considered one discrepancy for both ends. Also, numerous inoperable edge lights on a runway will be considered one discrepancy for both ends.

**2. Taxiways.** All taxiways on the airport are considered as one system with respect to determining discrepancies for paved areas, safety areas, marking (excludes hold position marking), and lighting, which includes edge lights, centerline lights, guard lights, and stop bars. Guidance signs required by 139.311 (a) (3) are considered one system for the whole airport. For example, the failure to maintain edge lights on Taxiways A, B, and S will be written as one discrepancy.

**3. Aprons.** All aprons on the airport are considered as one system with respect to determining discrepancies for paved areas, e.g. failure to maintain apron pavement on the Terminal and Cargo apron will be written as one discrepancy.

#### **4. Fueling.**

1. All fuel trucks, cabinets, and/or pits on the airport are considered a system for each fueling agent. Fuel storage areas on the airport are considered a separate system for each fueling agent.

2. Training requirements for each fueling agent on the airport are listed separately by fueling agents.

3. Failure by the airport to conduct quarterly inspections is considered one discrepancy even if more than one fueling agent is involved.

4. Failure by the airport to obtain annual training certification requirements from the fueling agents on the airport is considered one discrepancy, even if more than one fueling agent is involved.

**Step 3: Summary Discrepancy for Not Complying with the ACM.**

When there are discrepancies to Subpart D requirements (Sections 301 through 343), there is also a related discrepancy for the certificate holder's noncompliance with the ACM. For example, two discrepancies are noted in the movement area, one for a pavement lip exceeding 3 inches above grade along the side of a runway and the second for a potentially hazardous surface variation in the runway safety area. These two situations are not in compliance with requirements in 139.305 (a) (1) and 139.309 (b) (1). However, there is also a related discrepancy to 139.101 (b) because the certificate holder is not complying with procedures in the ACM for maintaining paved areas and safety areas. To emphasize the importance of complying with the ACM, an additional discrepancy is appropriate under the circumstances.

In order to not give the impression of "stacking" up discrepancies against the certificate holder, discrepancies to Subpart D sections of Part 139 are summarized in one discrepancy to the ACM rather than writing it up as a separate discrepancy. An example summary discrepancy for the above situation is as follows:

**139.101 (b) – AIRPORT CERTIFICATION MANUAL**

The periodic airport certification inspection revealed that airport personnel are not complying with procedures in the ACM for maintaining paved areas and safety areas. Personnel responsible for meeting airport certification requirements must review the ACM.

## **SECTION 2. EXAMPLE OF IDENTIFYING DISCREPANCIES AND WRITING A LETTER OF CORRECTION**

This section shows how the Enforcement Consistency Methodology that was presented in Part 1 is applied. The example lists discrepancies found during an airport inspection. It then explains how the various discrepancies are grouped in a Letter of Correction. A sample Letter of Correction using the information in this example appears in Appendix 20.

### **Summary of Conditions Identified During the Inspection**

An ACSI conducted the periodic airport certification inspection of (Name of Airport). During the course of the inspection, the ACSI listed a number of conditions that did not meet the standards required by Part 139. The following is a summary of the conditions found:

1. Two taxiway edge lights on the radius of Taxiway Alpha and Taxiway Bravo are more than 10 feet from pavement edge.
2. Three light fixtures along Taxiway A had broken globes.
3. Threshold bars on both ends of Runway 12-30 are 12 inches wide.
4. Taxiway centerlines on all taxiways are only 4 inches wide, and edge markings for Taxiways Delta and Charlie were 4 inches wide.
5. FOD found on Taxiways Bravo, Delta, and Charlie.
6. Depressions in Runway 3-21 safety area on north side near the intersection of Taxiway Delta and Charlie.
7. Metal stakes that support four light fixtures along Taxiway Charlie are more than 3 inches above the ground.
8. Runway 6-24 safety area is not maintained cleared and graded. Farming operation within 210 feet of Runway 24 East End.
9. Rubber deposits obscured a number of Runway 13-31 centerline markings.
10. Vegetation in Red Air's fuel storage areas, and the Jet A emergency cutoff switch is not conspicuously marked.
11. Vegetation in the Jet A and 100LL fuel storage areas at Acme Aviation.
12. "Flammable" sign on Acme Aviation's Jet A mobile fueler is not readable.
13. Airport personnel are not documenting corrective actions for unsatisfactory conditions found during self-inspections.
14. NOTAMS were not issued when the airport experienced significant lighting outages from late June through mid-July 1998.

15. Certificate holder personnel are not complying with the ACM. (In the discovery of other discrepancies, the ACSI noted that parts of the ACM were not being followed.)

The following is a summary of safety recommendations the ACSI made in the interest of enhancing airport safety. These items are not Part 139 discrepancies but are safety recommendations attached to the LOC.

- a. Recommend membership in ARFF Working Group to help with ARFF training.
- b. Recommend vegetation in drainage area between Runway 13-31 and Taxiway Charlie be removed to keep deer off the airport.

### **Analysis and Grouping of Discrepancies by Systems**

The ACSI first must determine the appropriate citation using the Enforcement Citation Table in Part 3 and then groups all similar conditions together as outlined in Part 1, Step 2, Determining the Number of Discrepancies. The ACSI uses this guidance to determine which discrepancies are parts of a system and which are not.

1. The airport operator stated in the ACM that it would meet the standards for all taxiway and runway edge lighting specified in AC 150/5340-24, *Runway and Taxiway Edge Lighting System*. During the inspection, the ACSI found that taxiway edge lights on two taxiways, Alpha and Bravo, were not installed as per the AC or another standard approved by FAA and documented in the ACM. The discrepancies were on two taxiways, but all taxiways as a whole are considered to be a system. There is only one discrepancy to 139.101 (b).
2. In addition, the ACSI found three light fixtures with broken globes. This is a discrepancy to 139.311 (c), lighting not properly maintained. This is considered a separate discrepancy from the discrepancy listed in item 1.
3. The airport operator stated in the ACM that airport markings would be installed as per AC 150/5340-1, *Standards for Airport Markings*. Runway 12-30 threshold bars were only 12 inches wide and not in compliance with the standards. Since each runway is considered a separate system for marking purposes, there are two discrepancies to 139.101 (b).
4. All taxiway centerlines at the airport were 4 inches wide. The taxiway edge markings for Taxiways D and C were 4 inches wide and not in compliance with the standards. Since all taxiways on the airport are considered one system for marking purposes, there is only one discrepancy to 139.101 (b).
5. The ACSI found FOD on three taxiways. FOD is a direct discrepancy to the regulation, so the subparagraph is referenced. Since taxiways are grouped into one system, there is only one discrepancy to 139.305 (a) (4).
6. Deficiencies in the runway safety areas for Runways 3-21 and 6-24 are both direct discrepancies to 139.309 (b) (1). However, they are discrepancies for



two different runways. Since a runway is considered to be a system unto itself, two discrepancies are written.

7. In addition, mounting stakes are considered a separate discrepancy for a structure with frangible point higher than 3 inches above the ground. This is a discrepancy to 139.309 (b) (4).
8. See 6 above.
9. Rubber deposit is a discrepancy because it obscures runway markings on a runway, which is a direct discrepancy of the regulation to maintain each marking system properly. Since a runway is considered to be a system unto itself, one discrepancy is written to 139.311 (d).
10. Discrepancies 10, 11, and 12 deal with the same subparagraph of the regulation, 139.321 (b). However, for the purpose of writing a discrepancy, each fueling agent's facilities are divided into systems for delivery and storage as in the regulation (see 139.321 (c)). In discrepancy 10, the certificate holder failed to make Red Air maintain the airport's fire safety standard in Red Air's fuel farm. The same is true in discrepancies 11 and 12 for ACME Air, except that one deals with the fuel farm (a storage area), and the other is for a fuel truck (a delivery system). Thusly, there are three discrepancies written, one for Red Air and two for ACME.
11. See 10 above.
12. See 10 above.
13. This is a direct discrepancy of the regulation. Airport personnel are not documenting the conditions found in accordance with 139.327 (c). Since the self-inspection system is considered one system, there is only one discrepancy.
14. In this discrepancy, the airport failed to issue airport condition reports to the AFSS for issuance of a NOTAM. This relates to one system and is a direct discrepancy to the regulation for not complying with 139.339 (c) (6).
15. This is a summary discrepancy for not complying with the ACM. for some of the discrepancies listed above. Rather than writing a separate discrepancy for each discrepancy to the ACM, only one is written to show the airport is not in compliance with the ACM as required by 139.201 (b).

**Note:** The ACSI would include in the Letter of Correction an attachment explaining in detail two recommendations which, in his/her opinion, would enhance safety at the airport.

### SECTION 3. 14 CFR PART 139 ENFORCEMENT CITATION TABLE

The following table provides the appropriate Part 139 citation for the more typical discrepancies found by ACSIs during the course of an airport inspection. Whenever possible, ACSIs must use the listed citation, even if other citations were previously

acceptable. For the purposes of simplicity and abbreviation the citations in this table have been abbreviated to read, 201 (b), 305 (a) (2), 311 (b) (1), 319 (l) (2), etc. However, ACSIs must use the proper citation, for example, 139.201 (b), 139.305 (a) (2), 139.311 (b) (1), 139.319 (l) (2), etc.

<b>Subject</b>	<b>Part 139 Subsection</b>
<b>Advisory Circulars</b>	139.7
<b>Airport Certification Manual (Contents)</b>	
Non-compliance with Snow and Ice Plan	.101 (b)
Non-compliance with WHMP Plan	.101 (b)
Failure to maintain windsock per ACM	.101 (b)
Lack procedures to maintain wind sock	.203 (element 19)
Sign plan not current	.201 (b)
Snow and Ice Control Plan not current	.201 (b)
ACM not current	.201 (b) (1)
<b>Personnel</b>	
Lack sufficient and qualified personnel	.303
<b>Paved Areas</b>	
3-inch lips	.305 (a) (1)
A hole in the pavement	.305 (a) (2)
Cracks/surface variations	.305 (a) (3)
Loose aggregate on pavement areas	.305 (a) (4)
Ponding condition on pavement areas	.305 (a) (6)
<b>Safety Areas</b>	
Inadequate safety area dimensions	.309 (a) (2)
Farming operations in safety areas	.309 (b) (1)
Depressions and ruts in safety area	.309 (b) (1)
Ponding, poor drainage in safety areas	.309 (b) (2)
Broken manhole casting/ missing lid	.309 (b) (3)
Structures with frangible point higher than 3-in.	309 (b) (4)
Equipment parked in safety area	.309 (b) (4)

**Marking**

Non-standard or missing markings	.201 (b)/209 (b)/139.7 or .205(b)/. 213(b)
Missing runway marking element	.311 (a) (1)
Missing taxiway centerline/edge markings	.311 (a) (2)
Marking not properly maintained	.311 (c)/201(b) or 209 (b)

**Guidance Signs**

Non-standard signs or location	.201 (b)/.209 (b)/139.7 or .205 (b)/.213 (b)
Missing guidance signs shown on Sign Plan	.201 (b)/.209 (b)
Sign Plan not current	.207 (a)/.215 (a)
Additional sign needed *	.313 (a) (3)
Sign not on Sign Plan	.205 (b)/.213 (b)
Damaged sign/OTS signs	.311 (c) or .101 (b)/.209(b)
Signs not properly maintained	.311 (c)

**Note:** Use written recommendations generally to have changes made to approved signage or Sign Plan.

\* If not a mandatory sign, ACSI may address in a written recommendation.

**Hold Position Markings and Mandatory Instruction Signs**

Non-standard signs or location	.201 (b)//139.7 or .205 (b)
Sign Plan not current	.201 (b)/139.7
Missing hold sign or holding position marking	.311 (b) and .311(a) (4)
Damaged/missing sign/OTS signs	.311 (d)
Not properly maintained	.311(d)

**ILS Markings and Signs**

Non-standard signs or location	.201 (b) //139.7 or .311(b)
Sign Plan not current	.201 (b)
Missing ILS hold sign holding position marking	.311 (b)
Damaged/missing sign/OTS signs (not properly maintained	.311 (d)

**Lighting**

Non-standard lighting	.201 (b)//139.7
Missing runway lighting element	.311 (c)
Missing taxiway centerline/edge lights	.311 (c) (2)
Lighting not properly maintained	.311 (d)

**Approach Lighting**

Non-standard location of REIL	.201 (b)/139.7
Non-standard approach lighting	.201 (b)/139.7
Missing system element	.311 (c) (4)
Lighting not properly maintained	.311 (d)

**Snow and Ice Control**

Snow and Ice Control Plan not current	.201 (b)
Not complying with Snow and Ice Control Plan	.313 (a)
Procedures are not adequate in Plan	.313 (b) (1–5)

**ARFF**

Unacceptable foam (capacity)	.319 (a)
Airport not providing required ARFF capability	.319 (a)
Foam system failed	.319 (g)
Foam proportioner not adjusted	.319 (g)
Trucks or systems not operational or maintained	.319 (g)
Response not with-in 3 minutes	.319 (h)
Response not with-in 4 minutes	.319 (h)
Inadequate protective clothing	.319 (i) (1)
ARFF training not adequate	.319 (i) (2)
Live-fire training not accomplished	.319 (i) (3)
Medical training not in compliance	.319 (i) (4)
Insufficient number of trained ARFF personnel	.303/.319 (i) (6)
Alert system not acceptable	.319 (i) (7)

**Fueling**

Fueling standards are not adequate	.321 (b)
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Fueling agent not complying with standards	.321 (c)
Airport Authority not complying with standards when acting as the fueling agent	.321 (c)
Airport Authority not complying with standards, other than those applicable to the fueling agent	.201 (b)
Failure to have quarterly inspection reports	.321 (d)
Fuel training supervisor not qualified	.321 (e) (1)
Fuel personnel not properly trained	.321 (e) (2)
Failure to obtain annual training certification	.321 (f)
Inadequate procedures to take corrective action	.321 (g)

### **Traffic and Wind Direction Indicators**

Non-standard segmented circle	139.7
Not properly maintained	.201 (b)/.323
Maintenance not addressed in ACM	.205 (b)/
Wind cone not provided (primary/supplemental)	.323 (a)
Wind cone provided but has no light fixtures	.323 (a)
Segmented circle not provided	.323 (b)
No right hand traffic pattern	.323 (b)

### **Airport Emergency Plan**

Not complying with Plan	.201 (b)
Plan not current	.201 (b)
Overall Plan not sufficient detail	.325 (a) (2)
Procedures are not adequate in Plan	.325 (b–f)
Airport personnel not familiar with Plan	.325 (g) (3)
Annual review of AEP	.325 (g) (4)
Conduct triennial AEP exercise	.325 (h)

### **Self-Inspection Program**

Checklist in ACM not being used	.201 (b)
Inspection not conducted daily	.327 (a) (1)
Inspection personnel not qualified	.327 (b) (3)
Inadequate procedures for corrective actions	.327 (b) (4)

Conditions not noted on inspection records	.327 (c)
Corrective actions not documented	.327 (c) (1)
Inspection records not kept for 6 months	.327 (c) (2)

### **Ground Vehicles**

Access not limited to only necessary operations	.329 (a)
Procedures for non-compliance not in ACM	.329 (b)
Procedures not adequate	.329 (b)
Personnel not familiar with procedures	.329 (e)
Records of personnel trained	.329 (f) (1)
Accident/incident records not maintained	.329 (f) (2)

### **Obstructions**

Trees on airport property penetrate surfaces	.331
Tress within control of airport penetrate surfaces	.331
Crane outside safety area penetrate surfaces	.331

### **Protection of NAVAIDs**

Service road through critical area interferes	.333 (a)
Crops/vegetation/farm equipment interferes	.333 (c)
Unable to locate power cable prior to construction	.333(c)

### **Public Protection**

Inadvertent entry	.335(a) (1)
Protection from jet blast	.335(a) (2)
Inadequate fencing	.335(a) (2)

### **Wildlife Hazard Management**

Airport not complying with Plan	.201 (b)
Personnel not trained in accord with Plan	.201 (b)
Plan not current	.201 (b)
Assessment not arranged by airport	.337 (b)
Portion of plan not implemented	.337 (e)
Plan not adequate to deal with problem	.337 (e) (1–5)
Plan not effective and no evaluation conducted	.337 (f) (6)

Wildlife hazards not immediately alleviated .337 (a) (3) or .337 (f)

**Airport Condition Reporting**

Airport failed to collect/disseminate conditions .339 (a)

NOTAMs not provided on specific conditions .339 (c) (1–9)

**Construction/Unserviceable Areas**

Barricade lights not working or lighted .341 (a) (1)

Barricades not adequate .341 (a) (1)

Unserviceable area not properly marked .341 (a) (1)

Equipment parked in safety area not lighted .309 (b) (4)/.341 (a) (1)

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## **Appendix 26. Reserved**

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