ORDER

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
NEW ENGLAND REGION
BURLINGTON, MA.

NE 1100.3B

9/12/73

SUBJ: DELEGATION OF AUTHORITY

1. PURPOSE. This order provides for the redelegation of authority to assure the maximum effectiveness in implementing agency policy to delegate decision-making authority to the lowest practical level and to minimize successive referrals of problems and redundant reviews of action.

2. DISTRIBUTION. This order is being distributed to Director, Airports Service, Washington Headquarters; Airports Division Chiefs all Regions and to all Division Chiefs and above in the New England Region.

3. CANCELLATION. NE 1100.3A, Delegation of Authority, is cancelled.

4. BACKGROUND. Order 1100.5, Delegations and Limitations of Authority, Paragraphs 220, Delegation of Authority; 221, General Limitations on Delegations of Authority and 222, Specific Limitations on Delegation of Authority.

5. ACTION. This directive delegates authority to the Chief, Airports Division to:

   a. Review requests for aid under the Airport and Airway Development Act of 1970 and approve allocations or modifications thereof of ADAP funds within the limitations established in Order 1100.5, paragraph 222. Make regional recommendations to the Airports Service regarding programming beyond those limits.

   b. Review and approve applications or modifications thereof under the Planning Grant Program, within the limitations established in Order 1100.5, paragraph 222. Make regional recommendations to the Airports Service regarding programming beyond this level.

   c. Evaluate environmental statements and declarations for airport development being processed for funding under the Airport Development Aid Program and relative to the Planning Grant Program. Develop and execute the Federal finding or related declarations and prepare Environmental Statement for approval by the Office of the Secretary.

Distribution: RNE-2; WAS-1; RAS-2 (all regions)
ANE-60 (5 cys); MS-110 (2 cys)

Initiated By: ANE-600

d. Approve airport site locations.

e. Approve additions, deletions or modifications to the New England segment of the National Airport System Plan (NASP), with the exception of the addition of a new air carrier served airport.

f. Approve Airport Layout Plans

g. Establish runway clear zones. Approve deviations from clear zone policy.

h. Determine airport obstruction lighting requirements.

i. Approve ADAP project plans and specifications including pavement design, "as built" plans, change orders and supplemental agreements.

j. Approve Grant Amendments, Program Changes, and Special Condition satisfaction or modifications to FAAP and ADAP projects.

k. Execute FAAP, ADAP and PGP Grant Offers, Grant Amendments.

l. Approve inclusion of donations and/or land exchanges in ADAP and PGP projects and establish the extent of Federal participation based on value of the donation.

m. Approve ADAP, FAAP and PGP contracts and contract awards including owner removal contracts, negotiated contracts, force account approvals and notice to proceed authorization for same.

n. Approve adaptation and deviations of agency airport standards in accordance with applicable orders.

o. Determine acceptability of FAAP and ADAP construction.

p. Approve all grant payments under FAAP, ADAP and PGP including the approval of final payment after review of the Project Cost Review Report.

q. Designate an "Airports Division Representative" who will perform the project cost review function with respect to all FAAP, ADAP and PGP grants.

r. Approve title evidence after coordination with Regional Counsel.

s. Accept System and Master Planning studies conducted under the Planning Grant Program.

t. Determine need of surplus property and recommend property transfers to disposal agency.

u. Determine sponsor's status of compliance with Federal Agreements.

v. Designate instrument runways as necessary to carry out Airports Program responsibilities.

w. Approve ADAP Engineering and Laboratory Testing contracts.

x. Recommend to controlling Federal agency transfer of land under Section 23 of the Airport and Airways Development Act.

y. Approve request to divert surplus funds from sponsor's airport account when conditions of agency guidance are met.

z. Approve Airport Operations Manual and recommendation for exemptions submitted under FAR Part 139, Airport Certification Program.

aa. Conduct Airport Certification/Safety inspections and recommend issuance or denial of Airport Operating Certificate.

bb. Administer enforcement of Part 139 and recommend sanctions to be taken by the agency.

cc. Approve administrative determinations necessary to manage the Airports Program responsibilities outlined above, including (1) finding that Grant Amendments deleting an item of a project is not prejudicial to the interests of the United States, and (2) that airport sponsor's representations indicating substantial compliance with statutes and regulations governing Airports programs are acceptable.

6. LIMITATIONS

a. All limitations set forth in Order 1100.5, Par 221 and 222 apply to these delegations.

b. The Regional Director will be advised prior to final commitment on determinations in which the Director's awareness is desirable. This applies particularly to controversial cases under items c, j, and cc.

FERRIS J. HOWLAND
Director