

Safety Management Systems (SMS) for Part 139 Airports

Part 139 SMS Waivers: Eligibility and Requests



**Federal Aviation
Administration**

We are
Airports

**FAA Office of Airports
Airports Safety and Operations Division**

Part 139 SMS - Waiver Eligibility

- Only certain airports certificated under Part 139 are required to comply with new SMS requirements. These airports are defined under new §139.401(a).
- Some Part 139 airports that must comply with new SMS requirements can apply for a waiver per new §139.401(d).
- Waiver requests are only required from certificated airports covered by new SMS requirements.

Part 139 SMS - Waiver Eligibility

- Large/Medium/Small Hub Airports
(Part 139.401(a)(1))
- Airports with 100K operations average over last 3 years (Part 139.401(a)(2))
- Landing Rights, Port-of-Entry, or User Fee Airports not in above categories (Part 139.401(a)(3))

**WAIVER
REQUEST**

**WAIVER
REQUEST**

**WAIVER
REQUEST**

Part 139 SMS - Waiver Eligibility

Part 139 airports that must comply with new SMS requirements but can request a waiver as defined in new §139.401(d). This includes:

- **Only Part 139 airports defined under §139.401(a)(3),* and**
- **Part 139 airports that have no tenants required to comply with SMS requirements of any jurisdiction.**

***Part 139 airports classified as a port of entry, international airport, landing rights airport or user fee airport.**

Is my airport eligible to request a waiver*?

*Applies ONLY to "139.401(a)(3) – Int'l air carrier passenger operations" triggered airports

SMS Waiver Eligibility for Part 139 Airports Serving International Passengers per Part 139.401(a)(3)

Type of operator	Does the operator have a regulatory SMS Requirement?		Does the operator bring international passengers to or from your airport?		Does the operator bring cargo?	
	Yes	No	Yes	No	Yes	No
International Air Carrier	NOT Eligible	NA	NOT Eligible	Eligible	Eligible	Eligible
Domestic Air Carrier (121)	Eligible	NA	NOT Eligible	Eligible	Eligible	Eligible
Charter (135)	Eligible	NA	Eligible	Eligible	Eligible	Eligible
Corporate / GA (91)	Eligible	NA	Eligible	Eligible	Eligible	Eligible
Military	Eligible	NA	Eligible	Eligible	Eligible	Eligible
Other Non-Air Carrier Tenants	Eligible	NA	NA	NA	NA	NA



Part 139 SMS - Waiver Eligibility

How do I find out if my airport qualifies for a waiver under new Part 139 SMS requirements?

- FAA determines if a Part 139 airport is eligible for a SMS waiver.
- Determination made using information from FAA's Air Carrier Activity database and US Customs data on FAA Form 5010, *Airport Master Record*.
- FAA maintains a list of Part 139 airports, know as the *Airport Certification Status List* (ACSL). This list notes which Part 139 airports are eligible for a SMS waiver.
- The ACSL is available online at https://www.faa.gov/airports/airport_safety/part139_cert

Part 139 SMS - Waiver Eligibility

Airport Certification Status List

https://www.faa.gov/airports/airport_safety/part139_cert

The image displays the FAA's Part 139 Airport Certification Status List (ACSL) on the left and an Excel spreadsheet of the same data on the right. A blue arrow points from the website to the spreadsheet. A callout box labeled "SMS Trigger" points to the "SMS Trigger" column in the spreadsheet.

Part 139 Airport Certification Status List (ACSL)

Effective date: February 23, 2023

Data source: FAA Airport Data and Information Portal

State	FAA Region	Airport Identifier (LOC ID)	Airport Name	Associated City	Inactive Status	Hub Size	NPA#	Class	ARFF Index	SMS Trigger	Waiver
AK	AAL	ADAK	ADAK	ADAK ISLAND	N/A	Basic		B			
AK	AAL	ADQ	KODAK	KODAK	Non-Hub			B			
AK	AAL	ANK	KING SALMON	KING SALMON	Non-Hub			B			
AK	AAL	ANC	TED STEVENS ANCHORAGE INTL	ANCHORAGE	Medium			E	130.401(a)(1)	Hub airport	
AK	AAL	BET	BETHEL	BETHEL	Non-Hub			B			
AK	AAL	BOW	WILEY POST-WILL ROGERS MEML	UTQOVIK	Non-Hub			B			
AK	AAL	CDB	COLD BAY	COLD BAY	N/A	Local		B			
AK	AAL	CDV	MERLE K. (MUDHOLE) SMITH	CORCORA	Non-Hub			B			
AK	AAL	DGG	RED DOG	RED DOG	Non-Hub			B			
AK	AAL	DLD	DILLINGHAM	DILLINGHAM	Non-Hub			B			
AK	AAL	DUT	UNALASKA	UNALASKA	Non-Hub			B		130.401(a)(3) - Int'l air carrier passenger operations	
AK	AAL	ENA	KENAI MUNI	KENAI	Non-Hub			A			
AK	AAL	FBI	FAIRBANKS INTL	FAIRBANKS	Small			C	130.401(a)(1)	Hub airport	
AK	AAL	GST	GUSTAVUS	GUSTAVUS	N/A			A			
AK	AAL	HOM	HOMER	HOMER	N/A			A			
AK	AAL	JNU	JUNEAU INTL	JUNEAU	Non-Hub			C	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	KTN	KETCHIKAN INTL	KETCHIKAN	Non-Hub			B	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	NOME	NOME	NOME	Non-Hub			B	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	OTZ	RALPH WEN MEML	KOTZEBUE	Non-Hub			B			
AK	AAL	PSG	PETERSBURG JAMES A. JOHNSON	PETERSBURG	Non-Hub			B			
AK	AAL	SCC	DEADHORSE	DEADHORSE	Non-Hub			B			
AK	AAL	SCP	SAND POINT	SAND POINT	N/A	Basic		A			
AK	AAL	SIT	SITKA ROCKY GUTIERREZ	SITKA	Non-Hub			B	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	VDZ	VALDEZ PIONEER FLD	VALDEZ	N/A	Local		A	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	VRG	WRANGELL	WRANGELL	N/A			B	130.401(a)(3) - Int'l air carrier passenger operations		
AK	AAL	YAK	YAKUTAT	YAKUTAT	N/A			B			
AL	ASO	BHM	MOBILE INTL	MOBILE	N/A	Regional		A	130.401(a)(3) - Int'l air carrier passenger operations		
AL	ASO	BHM	BIRMINGHAM-SHUTTLESWORTH INTL	BIRMINGHAM	Small			C	130.401(a)(1)	Hub airport	
AL	ASO	DHN	DOTHAN INTL	DOTHAN	Non-Hub			B			
AL	ASO	HVY	HUNTSVILLE INTL CARL T. JONES FLD	HUNTSVILLE	Small			C	130.401(a)(1)	Hub airport	

Safety Management Systems (SMS) for Part 139 Airports

Part 139 SMS - Waiver Eligibility

A SMS waiver is NOT an Exemption under Part 139.111

- Airports eligible for a SMS waiver are not exempted from SMS requirements. The granting of a SMS waiver is temporary and based only on an airport meeting certain criteria specified in regulation.
- In contrast, exemptions granted under Part 139.111 can apply to any Part 139 requirement and are based on individual airport circumstances. As such, the exemption approval process is more involved, including a public comment period.

Part 139 SMS – Change to Waiver Eligibility

- If basis for an airport's eligibility for a SMS waiver changes, the certificate holder must inform FAA
- Changes to eligibly status include:
 - FAA reclassifying airport as a Large, Medium or Small Hub Airport
 - Aircraft operations increase to more than 100,000 annual operations
 - Air carrier or another airport tenant has a new regulatory requirement for SMS
 - Waiver expires
- If no longer eligible for waiver, certificate holder has 18 months from notification of FAA decision to submit a SMS Implementation Plan.

Part 139 SMS – How to Request a Waiver

- **To obtain a SMS waiver, the certificate holder must -**
 - Submit a written request to FAA; and
 - Send the request, via letter or email, to the appropriate FAA Regional Airports Division Manager (go to <https://www.faa.gov/airports/regions> for region contact info)
- **Waiver requests must include a justification for the waiver, including explanation as to how the airport meets criteria specified in Part 139.**
- **SMS waiver requests must be initiated by the certificate holder, not the FAA.**

Part 139 SMS – How to Request a Waiver

What should a SMS Waiver Request contain?

- A description of the airport's annual aircraft operations and enplanements.
- A description of air carriers and other passenger-carrying aircraft operations, including any regulatory SMS requirement.
- Confirmation that no air carriers or other aircraft operators are transporting passengers to and from the airport from an international location.
- Any additional or unique information that supports a waiver from SMS requirements.

Part 139 SMS – Waiver Granting Process

- Upon receipt of written waiver request from a certificate holder, FAA regional offices will review the request with FAA Headquarters.
- FAA Headquarters will issue a decision on the waiver request.
- The Airport Certification and Safety Inspector assigned to the airport for which the waiver was requested will notify the certificate holder of FAA's decision.

Part 139 SMS – Waiver Granting Process

- **Once granted, a SMS waiver is valid for 2 years from date of issuance (NOT 24 consecutive calendar months).**
 - Upon or before waiver expiration, the certificate holder must re-apply for another waiver.
- **Update your Airport Certification Manual**
 - Add Section 401, Safety Management System
 - Note the airport is waived from the requirement until ##/##/####
 - Add FAA Waiver Letter as an exhibit to your ACM

Part 139 SMS – Waiver Granting Process

Don't wait until the last minute to submit a waiver request!

- Waiver application can be made at any time the airport is eligible.
- However, if FAA denies a waiver request, the certificate holder is still required to submit to FAA a SMS Implementation Plan by the prescribed due date.



Contact and Resource Information

- **FAA.gov Part 139 SMS web page**

https://www.faa.gov/airports/airport_safety/safety_management_systems/external

- **FAA Contacts:**

James Schroeder
SMS Project Manager
Airport Safety and Operations Div.
(202) 267-4974
james.schroeder@faa.gov

OR

FAA Airport Certification Safety
Inspector
assigned to requesting airport
([https://www.faa.gov/airports/
regions](https://www.faa.gov/airports/regions))

