Federal Aviation Administration – Regulations and Policies
Aviation Rulemaking Advisory Committee

Airport Certification Issue Area
Commuter Airport Certification Working Group

Task 1 – Aircraft Seating Capacity

Task Assignment

[Federal Register: May 2, 1995 (Volume 60, Number 84)]
[Notices]
[Page 21582-21583]
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DEPARTMENT OF TRANSPORTATION

Aviation Rulemaking Advisory Committee; Airport Certification Issues--New Task

AGENCY: Federal Aviation Administration (**FAA**), DOT.

ACTION: Notice of new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

SUMMARY: Notice is given of a new task assigned to and accepted by the Aviation Rulemaking Advisory Committee (ARAC). This notice informs the public of the activities of ARAC.

FOR FURTHER INFORMATION CONTACT:
Robert E. David, Assistant Executive Director for Airport Certification Issues, Office of Airport and Safety Standards (AAS-300), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3085; fax (202) 267-5383.

SUPPLEMENTARY INFORMATION:

Background

The **FAA** has established an Aviation Rulemaking Advisory Committee to provide advice and recommendations to the **FAA** Administrator, through the Associate Administrator for Regulation and Certification, on the full range of the **FAA**'s rulemaking activities with respect to aviation-related issues. This includes obtaining advice and recommendations on the **FAA**'s commitment to harmonize its Federal Aviation Regulations (FAR) and practices with its trading partners in Europe and Canada.

One area ARAC deals with is Airport Certification issues. These issues involve the certification and operation of airports that service air carriers in 14 CFR part 139.

The Task

This notice is to inform the public that the **FAA** has asked ARAC to provide advice and recommendations on the following task.

Review Title 14, Code of Federal Regulations (CFR) part 139 and develop recommendations concerning what requirements are applicable to airports that have scheduled service with aircraft having a seating capacity of 10 to 30 seats. In developing these recommendations, consideration should be given to accepted industry

practices regarding airport safety, personnel available at these airports, costs associated with meeting these requirements (e.g., capital, operating, and maintenance costs) and the types of accidents/incidents that occur at these airports. Where it appears that it is not reasonable to apply a part 139 requirement at these airports, the ARAC shall examine alternatives to the requirement to determine if there is another means to assure a comparable level of safety.

In conducting this review, ARAC should (1) Consider categorizing the requirements applicable to these airports by the size of the airport, or some other means to achieve specific safety objectives, while minimizing the operational burden; (2) consider alternatives to providing aircraft rescue and firefighting services for operations at these airports; (3) consider conducting a survey of the airports that would be affected by this rule; and (4) recommend applicable requirements, including a reasonable compliance period, taking into account economic and operational factors.

The recommendations from ARAC could serve as the basis for a notice of proposed rulemaking, if the **FAA** is granted the legislative authority to certificate these airports.

ARAC Acceptance of Task

ARAC has accepted the task and has chosen to establish a new Commuter Airport Certification Working Group. The working group will serve as staff to ARAC to assist ARAC in the analysis of the assigned task. Working group recommendations must be reviewed and approved by ARAC. If ARAC accepts the working group's recommendations, it forwards them to the **FAA** as ARAC recommendations.

Working Group Activity

The Commuter Airport Certification Working Group is expected to comply with the procedures adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the tasks, including the rationale supporting such a plan, for consideration at the meeting of ARAC to consider airport certification issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations, prior to proceeding with the work stated in item 3 below.

3. Provide a status report at each meeting of ARAC held to consider airport certification issues. Participation in the Working Group.

The Commuter Airport Certification Working Group will be composed of experts having an interest in the assigned task. A working group member need not be a representative of a member of the full committee.

An individual who has expertise in the subject matter and wishes to become a member of the working group should write to the person listed under the caption FOR FURTHER INFORMATION CONTACT expressing that desire, describing his or her interest in the task, and stating the expertise he or she would bring to the working group. The request will be reviewed by the assistant chair, the assistant executive director, and the working group chair, and the individual will be advised whether or not the request can be accommodated.

The Secretary of Transportation has determined that the formation and use of ARAC are necessary and in the public interest in connection

with the performance of duties imposed on the **FAA** by law.

Meetings of ARAC will be open to the public, except as authorized by section 10(d) of the Federal Advisory Committee Act. Meetings of the Commuter Airport Certification Working Group will not be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. No [[Page 21583]] public announcement of working group meetings will be made.

Issued in Washington, DC, on April 25, 1995.

Robert E. David,

Assistant Executive Director for Airport Certification Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 95-10771 Filed 5-1-95; 8:45 am]

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Recommendation Letter

Jeffrey P. Fegan
Executive Director

DFW

Dallas/Fort Worth International Airport

February 28, 1997

Mr. Guy Gardner
Associate Administrator for Regulation and Certification
FEDERAL AVIATION ADMINISTRATION
800 Independence Avenue, SW
Washington, DC 20591

Dear Mr. Gardner:

Transmitted herewith is a portion of the final report of the ARAC Working Group on "Proposed Rulemaking to Certificate Airports Being Served by Regional Carriers Having More than Nine and Less Than Thirty-One Seats." There is a majority and minority position and attached are corresponding letters of support from the participants in the process. The entire Aviation Rulemaking Advisory Committee, Commuter Airport Certification Working Group Final Report and supporting documents have been sent to Mr. Joe Hawkins, Executive Director of ARAC.

On behalf of the Issues Group, I extend heartfelt gratitude to the members of the Working Group whose hard work and dedication over the year and one half will lead to the resolution of a very significant aviation issue. This report represents closure of the ARAC assigned task. Thank you very much for the opportunity to serve.

Sincerely,

Ken Kenvin, A.A.E.
Director of Operations
Dallas/Fort Worth International Airport
Assistant Chair
ARAC Airport Certification

cc: Loretta Scott, Airport Director Grand Prairie Municipal Airport and Chair of the ARAC-WG
Bob David, Assistant Executive Director, FAA
M. Theresa Coutu, Director of Regulatory Affairs, AAAE
Joe Hawkins, Executive Director, ARAC

Acknowledgement Letter

U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

MAR 14 1997

Mr. Ken Kenvin
Assistant Chair, ARAC
Dallas/Fort Worth International Airport
PO Drawer 619428
DFW Airport, TX 75261-9428

Dear Mr. Kenvin:

Thank you for your February 28 letter forwarding the Aviation Rulemaking Advisory Committee's (ARAC) report and letters of support on "Proposed Rulemaking to Certificate Airports Being Served by Regional Carriers Having More than Nine and Less Than Thirty-One Seats." The report contains a majority and a minority position on rulemaking, an economic impact study, an airport survey, and various working group deliberatory documents.

I would like to thank the aviation community, and particularly the Commuter Airport Certification Working Group, for its commitment to ARAC and its expenditure of resources to develop this report. We in the Federal Aviation Administration pledge to consider your report and the recommendations it contains as a high-priority action.

Sincerely,

Guy S. Gardner
Associate Administrator for
Regulation and Certification

Recommendation

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP
FINAL REPORT

Prepared for:

Aviation Rulemaking Advisory Committee

February 20, 1997

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I. EXECUTIVE SUMMARY

THE TASK

In 1994 after two tragic and highly publicized accidents involving regional air carriers, the Secretary of Transportation, in response to certain safety recommendations from the National Transportation and Safety Board (NTSB), announced the department's intention to require air carrier aircraft operating aircraft with 10 to 30 seats to comply with FAR Part 121. Part 121 carriers are required to operate into airports which have been certificated by FAA under 14-CFR Part 139. The Federal Aviation Administration (FAA) did not have congressional authority to certificate the small airports. Later, FAA asked the U.S. Senate to introduce legislation that would authorize FAA to establish regulations for the certification of those airports served by regional carriers using aircraft with 10 to 30 seating capacity.

In 1995, Senator Wendell H. Ford (D-KY) introduced S.682, a bill to provide for the certification by the FAA of airports serving commuter air carriers. Recognizing that certification would have a significant financial impact, Sen. Ford urged FAA to work with the industry toward the goal of enhanced safety.

THE PROCESS

FAA's program for seeking industry advice on possible regulation is the Aviation Rulemaking Advisory Committee (ARAC). Under the ARAC program, a Working Group (WG) was appointed to study the regulatory and nonregulatory effect on the airports, airlines and others potentially affected by the proposed legislation.

The Working Group is composed of appointed members from the following organizations:

American Association of Airport Executives (AAAE)
Airport Council International-North America (ACI-NA)
National Association of State Aviation Officials (NASAO)
Air Line Pilots Association (ALPA)
Regional Airline Association (RAA)
National Air Transportation Association (NATA)
Aircraft Owners and Pilots Association (AOPA)
Landrum & Brown, aviation consultants

Also serving with the WG were representatives from FAA's airports certification office, legal staff, and office of economics.

The WG met five times and held one telephone conference call. The members are scattered throughout the country - from Alaska to Maine to Dallas; however, most are from the Washington, D.C. area. There was no budget for the study. Most of the administrative functions have been provided at the expense of Landrum & Brown, including recording and distributing meeting minutes and compiling and distributing survey information.
At the first meeting, the representatives were polled for their initial view on the subject of certification of small airports. Some members indicated a preference for the "do nothing" approach, believing that no problem exists, and therefore, no solution is warranted. Others believed

that 14 CFR Part 139 should be extended, in its entirety, to the airports involved. Others felt some level of certification might be advisable.

All members were aware of the limited resources available from the Airport Improvement Program (AIP), the trust fund upon which most public use airports rely for capital improvements. To redirect dollars for certification of the approximately 360 small airports potentially affected by the proposed legislation would surely be at the expense of other larger airports. Also, of concern was that, in addition to the "start up" investment for capital improvements and equipment, the budgets of small airports might not be sufficient for the recurring operations, personnel and maintenance costs associated with a certification program.

Of significant concern to the WG was the potential for small communities to lose air service if the airport sponsor could not meet the impending expenses, thereby, losing jobs, industry, and economic development opportunities. Further, if the cost of certification resulted in higher fares, passengers could choose to drive rather than fly, thus representing a higher risk to their personal safety. Those representatives on the WG whose memberships primarily consist of general aviation users expressed concern that the additional costs would be passed on to all airport users, most of whom may not want or need the additional services.

Also of concern was the lack of data, from any source, to indicate that airport conditions had contributed to any accident for the type air carrier operations being studied. This fact caused some members of the WG to conclude that certification of small airports might be a solution in search of a problem.

The WG designed and distributed a survey to each of the airports potentially affected. The results indicated the need for further information; therefore, a telephone survey was conducted to gather more specific information. The more information that was gathered, the more the WG became convinced that significant emphasis will need to be placed on education and enlightenment, whether or not the WG's final recommendation resulted in a regulatory or non-regulatory approach. Oftentimes, the person responsible for supervision of an airport was someone whose primary duties were for an entirely different function of government, for example, public works, parks and recreation, city or county management, etc. Some confessed that they were not sufficiently familiar with airport certification issues to understand and complete the survey. All indicated a willingness to provide safe facilities but lacked knowledge, personnel, and funds to make costly improvements.

The WG reviewed Part 139, line by line, to discuss the applicability of each provision. A majority opinion began to develop that indicated that a regulatory approach was not necessary, but rather a safety familiarization and education program would be more helpful. It was suggested that the target airports could be included in the FAA's 5010 program which is contracted to NASAO.

A minority position was taken by the ALPA members of the group, mostly with regard to aircraft rescue fire fighting (ARFF) equipment and personnel available on or adjacent the airport in order to meet a three minute response time. The report of the assigned economist would later indicate that the outcome of those accidents which had occurred at airports served by 10 to 30 seat air carrier aircraft would not have been different had ARFF capabilities been available. The minority opinion also maintained that the presence of emergency medical assistance at the airport would provide additional benefits for the travelling public.

In the last days of the 104th Congress, at the urging of ALPA, legislation was passed to authorize the FAA Administrator to certificate small airports after identifying and considering a reasonable number of regulatory alternatives and to select from such alternatives the least costly, most cost-effective or the least burdensome alternative that will provide comparable safety at airports being served by aircraft with 10 to 30 seat capacity.

Also, the WG was advised by the FAA that a regulatory approach had been decided on. Further, the WG was instructed by FAA that it should finish its work quickly so that FAA could consider the WG's recommendations in its rulemaking.

The work of the WG was severely hampered by the lack of continuity in the appointment of an economist to develop the cost/benefit study. Three different FAA economists were appointed to the WG, and all three advised that the study was not considered to be their highest work priority. No budget was assigned to the WG; therefore, the expertise could not be sought outside FAA.

During the time that the WG awaited the results of the cost/benefit study, the FAA directed the ARAC-Certification Issues Group Chair to direct the WG to hold its last meeting, try to reach a consensus, and make a recommendation to be submitted to the Issues Group. A deadline of January 9, 1997 was given by FAA. The WG was further informed that if a recommendation was not made, FAA would proceed with its development of the regulation without the WG's input using the work papers available.

Members of the WG are disappointed that they were not permitted to complete their work. They were further dismayed to learn that FAA would be willing to disregard the WG's recommendations if conclusions could not be reached and submitted by the deadline, especially in view of the fact that the WG's progress was continually delayed due to FAA's lack of provision for technical support.

THE RECOMMENDATIONS

Despite lengthy discussions, the ARAC-WG did not reach agreement on all aspects of airport certification. As a result, ALPA has developed a **minority** position which differs from the **majority's** in six areas.

The **majority** opinion is that a non-regulatory approach could have accomplished the desired effect. However, since regulation has now been indicated, the **majority** has drafted its suggested revisions to Part 139. It places more emphasis on education directed at accident prevention rather than accident mitigation and upon developing a comprehensive plan for responding to an emergency and for ensuring airfield safety. The Working Group majority clearly feels that the limited funds available to these small airports would be better spent on accident prevention rather than on accident mitigation.

The **minority** recommendation, among other things, stresses the need for availability of ARFF equipment and personnel on or near the airport for a three (3) minute response.

THE CONCLUSION:

The members of the Working Group have voluntarily accepted the challenge of undertaking this study and have taken their charge seriously. "Zero Accidents" has always been their goal whatever their role in the aviation industry. The members wish to thank all those who provided advice, furnished data or otherwise contributed to the process and progress. The Working Group earnestly hopes that its recommendations will be helpful in the development of a cost effective, non-burdensome plan for enhancing safety for the affected airports, airlines and passengers.

II. INTRODUCTION

In April 1995 the Federal Aviation Administration (FAA) asked the Aviation Rulemaking Advisory Committee (ARAC) to review Title 14, Code of Federal Regulations (CFR) Part 139 and develop recommendations concerning which requirements would be applicable to airports that have scheduled air carrier service with aircraft having a seating capacity of 10 to 30 seats. Part 139 prescribes rules governing the certification and operation of land airports which serve any scheduled or unscheduled passenger operation of an air carrier aircraft having a seating capacity of more than 30 passengers. An airport serving scheduled air carriers would be required to operate under an Operating Certificate, where an airport serving unscheduled air carriers would be required to operate under at least a Limited Operating Certificate.

Specifically, the FAA asked the ARAC to:

- Consider categorizing the requirements applicable to these airports by the size of the airport, or some other means to achieve specific safety objectives, while minimizing the operational and economic burden;
- Consider alternatives to providing aircraft rescue and firefighting services for operations at these airports;
- Consider conducting a survey of the airports that would be affected by these requirements to determine what safety practices are already being conducted and the operational and economic impact of full certification; and
- Recommend applicable requirements, including a reasonable compliance period, taking into account economic and operational factors.

Where it appears that it is not reasonable to apply a Part 139 requirement, the ARAC was asked to examine alternatives to the requirements to determine if there are other means to ensure an equal level a safety.

The ARAC accepted the task and established a Commuter Airport Certification Working Group (hereafter referred to as the Working Group) under the Airport Certification Issues Group. The Working Group is comprised of representatives of the FAA, aviation groups (NATA, ALPA, RAA, AOPA and NASAO), state DOTs, airport operators, and aviation technical advisors that provide a diverse range of ideas for discussion. See Section VI for a list of members names, addresses and affiliated organization.

A. ALTERNATIVES

During the first meeting on June 26-27, 1995, the Working Group prepared a list of four possible options that could be implemented on new Part 139 rules for air carrier operators with 10 to 30 seats. These options are as follows:

- Option 1 - Change Part 139 to read 10 passengers instead of 30. Exceptions to these rules would be required for some airports;

- Option 2 - Make no changes to Part 139;

- Option 3 - Modify Part 139 to include smaller airports, but suggest changes in requirements to reduce the economic impact on airport sponsors; and

- Option 4 - Establish a non-regulatory "industry standard" for these airports with further direction and educational assistance from the FAA and various aviation industry groups (i.e., AAAE, RAA, etc.).

Option 4 was added to the list during the October 10-11, 1995 meeting. These options were discussed at great length during this meeting and the Working Group decided that a survey of the applicable airports should be conducted to determine the possible impacts of implementing any one of the three options.

B. AIRPORT SURVEY'S

The Working Group identified 375 airports that receive service from commuter aircraft and that are either not certificated or hold a "limited" certificate that permit operations of unscheduled air carrier aircraft. A two-page survey form was prepared and mailed to each of these airports, requesting responses on questions concerning ARFF capabilities, hours airport is staffed, certification status, annual enplanements, the presence of marking, lighting and signage, and capital and recurring costs of certain equipment and procedures. Forty-eight of these airports were selected for a follow-up telephone survey. An additional phone survey was conducted of seventeen airports that are voluntarily complying with full Part 139 requirements. The results of these surveys are provided at the end of this section of the report.

C. WORK PLAN

Also, during the June 26-27, 1995 meeting a preliminary two phase Work Plan was prepared and submitted to the ARAC Chairman for approval. This Work Plan was modified based on the ARAC Issues Group comments. The final July 27, 1995 Work Plan was approved by the ARAC Issues Group and is presented at the end of this section of the report.

B. Airport Surveys

SURVEY FOR AIRPORTS
RECEIVING COMMUTER AIRLINE SERVICE

NAME OF AIRPORT _____

NAME OF PERSON RESPONSIBLE
FOR MANAGEMENT OF AIRPORT _____

TITLE _____

TELEPHONE NUMBER _____ FAX NUMBER_____

* * * * *

1. Does your airport serve commuter or air carrier aircraft landings on a **scheduled basis?**
   Yes__ No__

   Check which aircraft seating capacity is appropriate.
   10-19 seats __ 20-30 seats __ 30 plus __

2. What was the total number of annual enplanements for 1994? _____

3. Does your airport have:
   ( ) Airport Operating Certificate per FAA Part 139
   ( ) Limited Operating Certificate per FAA Part 139
   ( ) No Federal Certificate

4. Is the airport staffed 24 hours per day? ( ) Yes ( ) No

5. Do you have rescue/firefighting capabilities? ( ) Yes ( ) No

6. Is the airport firefighting facility manned 24 hours per day? ( ) Yes ( ) No

7. Does your airport have: (check all that apply to your airport)
   ( ) lines of succession of airport operational responsibilities
   ( ) a grid map or other means of identifying locations and terrain features on or around the airport which are significant to emergency operations
   ( ) a system for runway and taxiway identification
   ( ) document listing of each obstruction required to be lighted or marked within the airport's area of authority
   ( ) a description of each movement area and its safety area
   ( ) procedures for maintaining paved areas
   ( ) procedures for maintaining unpaved areas
   ( ) procedures for maintaining safety areas
   ( ) procedures for maintaining the marking and lighting systems for the runways and taxiways
   ( ) snow and ice control plan
   ( ) emergency plan
   ( ) procedures for maintaining the traffic and wind direction indicators

(Continued On Back)

7. Does your airport have: (check all that apply to your airport) (Cont'd.)
   - ( ) procedures for performing airport inspections
   - ( ) controlling ground vehicles crossing runways and taxiways
   - ( ) procedures for obstruction removal, marking, or lighting
   - ( ) procedures for protection of navaids
   - ( ) procedures for performing wildlife hazard management
   - ( ) procedures for identifying marking and reporting construction and other unserviceable areas
   - ( ) procedures for airport condition reporting

8. Does your airport maintain **Notice to Airmen (NOTAM)** capability?
   ( ) Yes ( ) No

9. Check if your runway(s) and taxiway(s) have:

R/W	T/W
( ) Marking	( ) Marking
( ) Reflectors	( ) Reflectors
( ) Lighting	( ) Lighting
( ) Signage	( ) Signage

10. For airports that have in place any of the six equipment and/or procedures below, please report what are the capital (fixed) costs and ongoing yearly recurring (variable) costs. For those airports that do not currently have any of these six items, please estimate the capital and maintenance costs of installing and operating them.

Items	Capital Costs	Recurring Costs	Capital & Maint. Costs Installation & Operating
Aircraft Rescue & Firefighting Equip.			
Airfield Marking and Lighting			
Airfield Inspection Procedures			
Airfield Staff Training			
Airfield Discrepancy Reporting			
Airfield Pavement			

11. Comments:

_____

_____

_____

Please mail or FAX your completed survey to the address listed below:

Landrum & Brown
c/o Russell Blanck
11279 Cornell Park Drive
Cincinnati, Ohio 45242
Phone: 513-530-5333
Fax: 513-530-5748

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III. COST/BENEFIT ANALYSIS

A. INDUSTRY PROFILE

A difficulty in determining the number of airports potentially affected if part 139 were to be required for all airports with part 135 scheduled airline service is that such service is particularly dependent upon Essential Airport Service (EAS) funding. Consequently, current information may not reflect the airports that would be affected because changes in future EAS funding levels would significantly affect the number of these airports. With the understanding that the situation can change, this report is based on current information.

The initial data source, which provided the initial number of potentially affected airports, was the Aviation Rulemaking Advisory Committee (ARAC) Working Group's Summary Database for Airports Receiving Commuter Service by Aircraft With 10 to 30 Seats. For those airports whose manager did not respond to the survey, the National Association of State Aviation Officials (NASAO) Internet site was used to complete the airport certification status information based on each airport's Form 5010 Landing Facility Detail. The Federal Aviation Administration's (FAA) Information Systems Branch then reported the number of departures in November 1996 of: (1) scheduled part 135 airplanes with more than 9 and fewer than 31 seats; and (2) scheduled part 135 airplane departures with fewer than 10 seats. In addition, the Department of Transportation (DOT) provided a list of airports where the scheduled aircarrier received EAS funding in August 1996. On that basis, the non-Alaska airports initially developed for the ARAC Survey were classified into the following 6 categories:

1. Non-Certificated Airports with Scheduled Part 135 Airplanes with >9 and <31 PAX;
2. Non-Certificated Airports with Scheduled Part 135 Airplanes with <9 PAX;
3. Non-Certificated Airports with no Scheduled Part 135 Airplanes;
4. Limited Certificated Airports with Scheduled Part 135 Airplanes with >9 and <31 PAX;
5. Limited Certificated Airports with Scheduled Part 135 Airplanes with <9 PAX; and
6. Limited Certificated Airports with no Scheduled Part 135 Airplanes.

The results are found in the Tables 1-6 at the end of this chapter. (Note: There were also a number of airports in the ARAC Survey that were part 135 certificated. These are not listed in a Table.)

Briefly summarizing those tables, there are 38 non-certificated airports with part 135 scheduled airplanes with more than 9 but fewer than 31 seats. The number of daily departures range from 1.0 to 7.2 (with one exception of 11.5 departures) with an average of 3.5 departures. Airlines servicing 23 of those airports receive EAS.

In addition, there are 48 part 139 limited certificate airports that have part 135 scheduled airplane service by airplanes with more than 9 but fewer than 31 seats. The number of daily departures range from 0.8 to 9.3 with an average of 3.9 departures. Airlines servicing 26 of these airports receive EAS.

In addition, (as more fully explained in the Compliance Cost section) 13 of the non-certificated airports that had responded to the ARAC survey were resurveyed to obtain a better understanding of the impact that applying part 139 to those airports. Further, their annual operating budgets and the number of staff at these airports was also collected. As seen in Table 7, the operating budgets are generally between $250,000 and $400,000 while the number of staff ranges from 1 to 5. The important result from this rather limited survey is that these airports are very small with very limited operating budgets. In fact, 36 of the 38 airports are small entities under the DOT definition of a small airport entity. Consequently, many of them do not have the financial resources to afford any substantial annual expenditures to operate in compliance with part 139 even if EAS funding were maintained.

TABLE 1
NUMBER OF DEPARTURES OF SCHEDULED PART 135 AIRPLANES
WITH >9 BUT <31 PAX AT NON-CERTIFICATED AIRPORTS
(November 1996)

No.	City/County	State	ID	DPM	DPD	EAS
1.	Lake Havasu	Ariz	HLL	216	7.2	N
2.	Show Low	Ariz	SOW	97	3.2	N
3.	El Dorado	Ark	ELD	86	2.9	Y
4.	Harrison	Ark	HRO	102	3.4	Y
5.	Jonesboro	Ark	JBR	43	1.4	Y
6.	Mountain Home	Ark	2M9	81	2.7	N
7.	Carlsbad	Cal	CRQ	345	11.5	N
8.	Inyokern	Cal	IYK	143	4.8	N
9.	Hana Maui	Haw	HHN	60	2.0	N
10.	Mt. Vernon	Il	MVN	55	1.8	Y
11.	Quincy	Il	UIN	215	7.2	N
12.	Spencer	Iowa	SPW	217	7.2	N
13.	Augusta	Me	AUG	102	3.4	Y
14.	Bar Harbor	Me	BHB	127	4.2	Y
15.	Rockland	Me	RKD	166	5.5	Y
16.	Cumberland	Md	CBE	100	3.3	N
17.	Manistee	Mich	MBL	97	3.2	N
18.	Glasgow	Mont	GGW	42	1.4	Y
19.	Glendive/Dawson	Mont	GDV	67	2.2	Y
20.	Havre	Mont	HVR	42	1.4	Y
21.	Lewistown	Mont	LWT	83	2.8	Y
22.	Miles City	Mont	MLS	83	2.8	Y
23.	Sidney	Mont	SDY	46	1.5	Y
24.	Wolf Point	Mont	OLF	67	2.2	Y
25.	Keene	N.H.	EEN	121	4.0	Y
26.	Alamogordo	N.M.	ALM	79	2.6	Y
27.	Carlsbad	N.M.	CNM	156	5.2	N
28.	Clovis	N.M.	CVN	81	2.7	Y
29.	Gallup	N.M.	GUP	164	5.5	N
30.	Santa Fe	N.M.	SAF	114	3.8	N
31.	Silver City	N.M.	SVC	40	1.3	Y
32.	Dickinson	N.D.	DIK	170	5.7	Y

33.	Enid	OK	WDG	47	1.6	Y
34.	Ponca City	OK	PNC	69	2.3	Y
35.	Brownwood	Tex	BWD	42	1.4	Y
36.	Del Rio	Tex	DRT	94	3.1	N
37.	Bryce Canyon	Utah	BCE	30	1.0	N
38.	Bluefield	W.Va.	BLF	76	2.5	Y

TABLE 2
NUMBER OF DEPARTURES OF SCHEDULED PART 135 AIRPLANES
WITH <9 PAX AT NON-CERTIFICATED AIRPORTS
(November 1996)

No..	City/County	State	ID	DPM	DPD	EAS
1.	Harrison	Ark	HRO	18	0.6	Y
2.	Canyonland Fields/ Moab	Utah	CNY	42	1.4	Y
3.	Anacortes	Wash	74S	373	12.4	N
4.	Friday Harbor	Wash	FHR	937	31.2	N
5.	Oak Harbor/ Wes Lupin	Wash	76S	483	16.1	N

TABLE 3
NON-CERTIFICATED AIRPORTS WITH NO SCHEDULED PART 135
AIRPLANE SERVICE
(November 1996)

No.	City/County	State	ID	DPM	DPD	EAS
1.	Sedona	Ariz	SEZ			N
2.	Springdale	Ark	ASG			N
3.	Bermuda Dunes	Cal	UDD			N
4.	Bishop	Cal	BIH			N
5.	Imperial	Cal	IDL			N
6.	Cour D'Alene	Id	COE			N
7.	Kokomo	Ind	OKK			N
8.	Ocean City	Md	N80			N
9.	Fergus Falls	Minn	FFM			Y
10.	Clarksdale	Miss	CKM			N
11.	Pascagoula	Miss	PQL			N
12.	Kearney	Neb	EAR			Y
13.	Albuquerque/ Double Eagle	N.M.	AEG			N
14.	East Hampton	N.Y.	HTO			N
15.	Aurora	Ore	UAO			N
16.	Sugarland/Hull	Tex	SGR			N
17.	Green River	Utah	U34			N
18.	Monument Valley	Utah	TIV			N
19.	Orcas Island	Wash	ORS			N
20.	Wausau Municipal	Wis	AUG			N

TABLE 4
NUMBER OF DEPARTURES OF SCHEDULED PART 135 AIRPLANES WITH >9 AND <31 PAX AT PART 139 LIMITED CERTIFICATED AIRPORTS
(November 1996)

No.	City/County	State	ID	DPM	DPD	EAS
1.	Kingman	Ariz	IGM	41	1.4	Y
2.	Page	Ariz	PGA	81	2.8	Y
3.	Prescott	Ariz	PRC	152	5.1	Y
4.	Hot Springs	Ark	HOT	139	4.6	Y
5.	Merced	Cal	MCE	24	0.8	Y
6.	Visalia	Cal	VIS	54	1.8	Y
7.	Cortez	Col	CEZ	139	4.6	Y
8.	Danville	Il	DNV	102	3.4	N
9.	Marion	Il	MWA	125	4.1	N
10.	Sterling/ Rock Falls	Il	SQI	92	3.1	Y
11.	Bloomington	Ind	BMG	76	2.5	N
12.	Ottumwa	Iowa	OTM	46	1.5	Y
13.	Great Bend	Kan	GBD	83	2.8	Y
14.	Hays	Kan	HYS	72	2.4	Y
15.	Liberal	Kan	LBL	74	2.5	Y
16.	Manhattan	Kan	MHK	183	6.1	N
17.	Hagerstown	Md	HGR	264	8.8	N
18.	Alpena	Mich	APN	213	7.1	N
19.	Iron Mountain	Mich	IMT	188	6.3	N
20.	Sault Ste Marie	Mich	CIU	145	4.8	N
21.	Fairmont	Minn	FRM	92	3.1	Y
22.	Grand Rapids	Minn	GPZ	90	3.0	N
23.	St. Cloud	Minn	STC	252	8.4	N
24.	Thief River Falls	Minn	TVF	86	2.9	N
25.	Cape Girardeau	Mo	GGI	45	1.5	Y
26.	Alliance	Neb	AIA	96	3.2	Y
27.	Chadron	Neb	CDR	92	3.1	Y
28.	Grand Island	Neb	GRI	250	8.3	N
29.	Norfolk	Neb	OFK	102	3.4	N
30.	North Platte	Neb	LBF	100	3.3	N
31.	Scottsbluff	Neb	BFF	103	3.3	N
32.	Las Vegas/ Henderson	Nev	HSH	120	4.0	N
33.	Las Cruces	N.M.	LRU	109	3.6	N
34.	Ruidoso	N.M.	SRR	30	1.0	N
35.	Massena	N.Y.	MSS	38	1.3	Y
36.	Devils Lake	N.D.	DVL	123	4.1	Y
37.	Jamestown	N.D.	JMS	123	4.1	Y
38.	Williston	N.D.	ISN	161	5.4	N
39.	North Bend	Ore	OTH	163	5.4	N
40.	Brookings	S.D.	BKX	102	3.4	Y

41.	Huron	S.D.	HON	173	5.8	N
42.	Mitchell	S.D.	MHE	92	3.1	Y
43.	Yankton	S.D.	YKN	102	3.4	Y
44.	Cedar City	Utah	CDC	98	3.3	Y
45.	St. George	Utah	SGU	280	9.3	N
46.	Vernal	Utah	VEL	49	1.6	Y
47.	Rutland	Vt	RUT	90	3.0	Y
48.	Beckley	W.Va.	BKW	164	5.5	Y

TABLE 5
NUMBER OF DEPARTURES OF SCHEDULED PART 135 AIRPLANES
WITH <9 PAX AT PART 139 LIMITED CERTIFICATED AIRPORTS
(November 1996)

No..	City/County	State	ID	DPM	DPD	EAS
1.	Carbondale	Il	CKM	42	1.4	N
2.	Frenchville	Me	FVE	42	1.4	N
3.	Fairmont	Minn	FRM	4	0.1	Y
4.	Ely	Nev	ELY	42	1.4	Y

TABLE 6
PART 139 LIMITED NON-CERTIFICATED AIRPORTS WITH NO SCHEDULED
PART 135 AIRPLANE SERVICE
(November 1996)

No.	City/County	State	ID	DPM	DPD	EAS
1.	Mammoth Lakes	Cal	MMH			N
2.	Lamar	Col	LAA			Y
3.	Chicago-Meigs	Il	CGX			N
4.	Anderson	Ind	AID			N
5.	Elkart	Ind	EKM			N
6.	Gary	Ind	GYY			N
7.	Mt. Comfort	Ind	MQJ			N
8.	Valparaiso	Ind	VPZ			N
9.	Goodland	Kan	GLD			N
10.	Menominee	Mich	MNM			N
11.	St. Paul Downtown	Minn	STP			N
12.	Worthington	Minn	OTG			N
13.	Clarksdale	Miss	CKM			N
14.	West Yellowstong	Mont	WYS			N
15.	Hastings	Neb	HSI			Y
16.	Astoria	Ore	AST			N
17.	Galveston	Tex	GLS			N

TABLE 7
ANNUAL REVENUES AND NUMBER OF PERSONNEL OF THE RESURVEYED AIRPORTS

No.	City/County	State	ID	Annual Operating Budget	No. of Staff	ARRF	24 hrs
1.	El Dorado	AR	ELD	$105,000	2FT/1PT	N	N
2.	Lake Havasu	AZ	HLL	$310,000	4FT	Y	N
3.	Inyokern	CA	IYK	$300,000	2FT	Y	N
4.	Kokomo	IN	OKK	$250,000	3FT	?	?
5.	Sidney	MT	SDY	$89,000	1FT	Y	N
6.	Kearney	NE	EAR	$400,000	4FT	?	?
7.	Keene	NH	EEN	$254,000	2FT	Y	N
8.	Alamogord	NM	ALM	$81,000	2FT	Y	N
9.	Gallup	NM	GUP	$140,000	4FT	Y	N
10.	Enid	OK	WDG	$1,000,000	5FT/7PT	Y	N
11.	Ponca City	OK	PNC	$265,000	3FT	Y	N
12.	Brownwood	TX	BWD	$346,000	5FT	Y	N
13.	Moab	UT	CNY	$40,000	1PT	?	?

B. BENEFITS

The method used to review the potential benefits for bringing non-certificated airports into part 139 was to collect all part 135 scheduled commuter airlines accidents and incidents that have occurred at all airports. There are two reasons for using this method.

The first reason is that it increases the available pool of part 135 accident and incident data. For example, between 90 percent and 95 percent of the November 1996 part 135 scheduled airplane operations occurred at part 139 certificated airports. Given the very low accident rate for part 135 scheduled airplanes, limiting the sample of accidents and incidents only to those that have occurred on non-certificated airports could overlook infrequently occurring types of events that could occur at a non-certificated airport. Thus, incorporating accident and incident data from part 139 airports can be used, not to serve as a basis of comparison between non-certificated and part 139 certificated, but, rather, to illustrate potential events and provide a basis for a proactive means to indicate potential problems that may eventually occur at a non-certificated airport.

Second, comparing the post-accident consequences of part 135 scheduled airline accidents and incidents that have occurred at part 39 certificated airports, part 139 limited certificated airports, and non-certificated airports can indicate whether the accident mitigating aspects of part 139 have affected fatalities and injury severity. In particular, has the presence of Aircraft Rescue and Firefighting (ARFF) at part 139 airports prevented fatalities or reduced the injury severity in a part 135 airplane post-crash fire? If it has had a positive effect, then, even though there have been no fatalities from part 135 scheduled airplane post-crash fires on non-certificated or limited part 139 airports, this evidence could indicate an effective role for ARFF in combating future post-crash fires at these airports. Conversely, if ARFF has not prevented fatalities or reduced injury severity in part 135 scheduled airplane post-crash fires, this evidence could indicate that ARFF may not be effective in combating post-crash fires at these airports.

An alternative method to estimating potential benefits is to attempt to calculate an overall individual part 135 scheduled airplane accident rate for each of the three types of airport certificates, to compare these rates, and then to declare that any difference must be a result of the airport certification category. Using that method would generate conclusions that would be inaccurate or, at best, unproved. This method ignores such important factors that would affect average accident rates, such as the impact of weather conditions, types of operations, the fact that there are very few accidents, etc. Correlation is not causation.

The data used for this benefits discussion is based on the National Aviation Safety Data Analysis Center's (NASDAQ) collection of the summary National Transportation Safety Board's (NTSB) accident and incident reports for all part 135 scheduled airplane accidents and incidents that occurred at an airport. The NASDAQ data base covers from 1983 through Nov. 3, 1996. Thus, the November 1996, Quincy, Illinois, accident is not in this data base until the NTSB concludes its investigation and issues its final report. Reviewing these reports and eliminating those that involved seaports and rotorcraft generates an accident and incident data base of 138 reports. Of these 138 reports, 40 occurred in Alaska, 79 occurred at non-Alaskan part 139 certificated airports, 10 occurred at non-Alaskan non-certificated airports, and 9 occurred at non-Alaskan limited part 139 certificated airports. These accidents and incidents do not include animal strikes, which are separately addressed in the paragraphs discussing section 135.337.

As might be expected, most Alaska accidents involved airplanes with 9 or fewer passengers and airport runway conditions on gravel runways. There were no reported post-crash fires among any Alaska accidents or incidents - even the Nov. 23, 1987, accident at Homer, Alaska involved fatalities and injuries caused solely by the impact of the crash. As a result, these Alaska accidents (with one exception) were not included in the more detailed analysis because conditions are not replicated in the lower 48 states, Hawaii, and the U.S. possessions.

None of the non-Alaska accidents that occurred at non-certificated or at part 139 limited certificated airports could be attributable to the airport's condition. For part 139 certificated airports, only 16 accidents involved the airport's condition or airport (including aircarrier or fueling agent) personnel. Of these 16 accidents, 14 involved either ground personnel (walking into propellers, directing docking airplanes into already parked airplanes, and ground support vehicles colliding with taxiing airplanes) or part 135 scheduled airplanes taxiing into equipment, such as Ground Power Units (GPU) or baggage tugs, that were left in the wrong place. One accident occurred when a construction worker went to lunch and left an unattended backhoe parked adjacent to the aircraft ramp in a dirt area with the boom in the extended position where it was struck by the wing of an airplane taxiing to takeoff. Another accident occurred due to a 5 inch dropoff (part 139 requires a 3 inch maximum difference in pavement heights) from the connector to the taxiway. No fatalities or injuries were associated with either of these two accidents.

In addition to preventing potential accidents, part 139, (through the ARFF and emergency plan requirements) is also designed to mitigate the post-crash effects (e.g., fire, landing in water, etc.) of an accident. The NASDAC data base contains the following 15 post-crash fires that occurred to part 135 scheduled airplanes. There were no reported non-Alaska water landings or other airport emergencies that occurred to scheduled part 135 airplanes. It also reported the number of fatalities and the extent of injuries associated with each accident. These accidents are summarized in Table 8.

Phoenix: 2/21/94

During the landing rollout, a fire broke out in the PA-31-350 engine's accessory compartment. One passenger suffered a fractured ankle during the evacuation. The other 3 passengers and crew evacuated safely.

Las Vegas: 7/12/93

Pilot neglected to secure the nose compartment baggage compartment of a CE-402-C. The airplane stalled and crashed nose first. Although there was a post-crash fire, the 3 fatalities occurred due to the impact.

Table 8

No.	Date	Airport	Number of Individuals			
			Fatal	Serious	Minor	None
1.	2/21/94	Phoenix, Ariz	0	1	0	3
2.	7/12/93	Las Vegas, Nev	3	0	0	0
3.	2/1/91	Los Angeles, Cal	18	0	0	0
4.	1/30/91	Beckley, W.Va	0	13	3	3
5.	12/26/89	Pasco, Wash	6	0	0	0
6.	7/27/88	Anchorage, Alas	0	0	0	8
7.	5/24/88	Lawton, Ok	0	2	6	0
8.	5/16/88	Atlanta, GA	0	0	0	12
9.	5/8/87	Mayaguez, P.R	2	0	4	0
10.	3/4/87	Detroit, Mich	9	7	6	0
11.	2/5/87	Florence, S.C.	0	0	0	7
12.	3/22/85	Los Angeles, Cal	0	1	1	11
13.	12/7/84	Harrison, Ark	0	0	0	7
14.	10/28/83	Tri-Cities, Tenn	0	0	16	0
15.	8/27/83	Hot Springs, Ark	0	0	0	4
TOTALS			38	24	33	55

Los Angeles: 2/1/91

This is the accident where the USAir 737 landed on the Skywest SA-227-AC. All of the 18 passengers and crew in the Skywest airplane died on impact.

Beckley: 1/30/91

A USAir BA-JETSTM-3101 made a hard landing, its landing gear collapsed, and it slid 3,600 feet. The impact caused the injuries to the 16 passengers and crew as the post-crash fire occurred after the evacuation. ARFF was available but another USAir BA-Jetstm-3101 had been diverted from Bluefield W.Va. and the airport employee thought that there was only one USAir flight

landing. The employee left the line office and went to the hangar to open the hangar door to store the airplane that was scheduled to remain overnight. While at the hangar, the second USAir airplane landed and had the accident. While the employee was at the hangar, he saw a sheriff's car with emergency lights flashing drive past him and one of the crew from the first airplane reported there had been a crash. After calling 911, the employee went for the ARFF truck and got to the accident scene between one and a half minutes and two minutes. The total response was 5 to 10 minutes longer than it would have been had the employee remained at the line office.

Pasco: 12/26/89

A BA-JETSTM-3101 nosed over and crashed in a steep descent and a post-crash fire occurred. All 6 fatalities occurred due to the impact.

Anchorage: 7/27/88

A fire broke out in the left main gear wheelwell of the SA-227 after takeoff. The pilot landed safely and the 8 passengers and crew were able to evacuate safely.

Lawton: 5/24/88

The left engine failed during takeoff and the EMB-110P crashed on the runway and slid into the perimeter fence. Brush fires started and the fuel tank ruptured. The 6 passengers and the First Officer evacuated the airplane before the ARFF arrived. However, the captain was trapped in the airplane while a fire was approaching the rear of the airplane from the leaking fuel. A passenger and the First Officer managed to extricate the captain. However, it is not clear from the report whether the ARFF arrived before or after the captain was extricated. It took the ARFF crew between one and one half minutes to one minute and 50 seconds to reach the accident scene after they had been notified. The ARFF did arrest the fire but the back of the airplane was destroyed.

Atlanta: 5/16/88

A SA-226-TC made a gear up landing. The 12 passengers and crew were able to evacuate safely.

Mayaguez: 5/8/87

A C-212-CC crashed right wing first about 650 ft. short of the runway. The fuel tank ruptured and a post-crash fire ensued. The two crew died on impact but the 4 passengers were able to exit safely before the ARFF arrived.

Detroit: 3/4/87

A C-212-CC crashed but the impact was survivable. A post-crash fire developed and before the ARFF could arrive, the 9 fatalities were victims of flashover while the 10 survivors although severely injured from the crash were the ones able to exit the airplane before flashover. A rapid intervention vehicle was at the scene within one and one-half minutes of the alarm from the control tower. It was followed 15 seconds later by 3 CFR trucks. The fire was extinguished within 2 minutes of the first alarm.

Florence: 2/5/87

A SA-226-TC made a gear up landing and the 7 passengers and crew were able to evacuate before the post-crash fire became serious.

Los Angeles: 3/22/85

A SA-226-TC made a gear up landing and the 13 passengers and crew were able to evacuate before the post-crash fire became serious. The two injuries were due to parts of the propeller entering the cabin and striking two passengers.

Harrison: 12/7/84

A SA-226-TC made a landing during the course of which the left landing gear collapsed and the airplane slid 2,190 feet. All 7 passengers and crew were able to evacuate safely before the post-crash fire became serious.

Tri-Cities: 10/28/83

An EMB-110-P1 made a gear up landing. The 16 minor injuries were suffered during the impact and all evacuated safely before the post-crash fire became serious.

Hot Springs: 8/27/83

While turning onto the runway, the instrument panel of a SA-226-TC erupted into fire. The 4 passengers and crew were able to evacuate safely before the post-crash fire became serious.

C. COMPLIANCE COSTS

GENERAL METHODOLOGY

The basis of this report is the initial Aviation Rulemaking Advisory Committee's (ARAC) Working Group survey. However, in order to obtain a more in-depth view of the impact that a part 139 certification would have on the most affected airports (the non-certificated), a telephone survey was developed that resurveyed the managers of non-certificated airports who had responded to the ARAC survey. The resurvey was designed to be more open-ended to allow the respondent to provide an overview of the expected part 139 impact on the airport. After all, sometimes the total impact is more than the sum of the individual parts. Thirteen airport managers were resurveyed.

The key factor to remember is that these numbers are compliance cost **estimates,** and, as such, need to be treated with caution. There are four reasons contributing to the uncertainty associated with these cost estimates.

1. First, different approaches to enforcement of part 139 requirements on these airports can result in different compliance costs. In general, a strict by-the-Advisory-Circular enforcement approach would generate higher compliance costs than would a more performance oriented enforcement approach. To some extent, different enforcement experiences could account for the wide variation in cost estimates provided by respondents.

2. Second, the airports in this survey group have widely differing characteristics. For example, 4 of the 13 resurveyed airports have had a part 139 or a part 139 limited certificate while some others reported that they would simply abandon part 135 scheduled service if they had to become a part 139 certificated to receive it. Consequently, any "average" cost covers a wide range of actual costs among individual airports.

3. Third, there are many instances when the airport manager did not know (and would not estimate): (1) costs for developing and following a specific procedure; or (2) costs of some equipment that would be required under part 139. In addition, there are areas (primarily those involving the amount of time to create a certification manual and to develop written procedures) where specific information was not provided but general comments were made about the overall amount of "unnecessary paperwork" that would occur under a part 139 certification.

Applying other airport managers' cost estimates for developing and following specific procedures introduces additional uncertainty into the estimates. Nevertheless, that is the only available method. Consequently, as the "average" times to perform individual paperwork activities are based on discussions with the resurveyed airport managers, there would be differences among individual airports.

With respect to equipment costs, however, manufacturers were surveyed and their estimates can provide reasonably reliable cost information. There are two types of equipment (1) Airplane Rescue and Firefighting (ARFF); and (2) airport lighting and signs, were found to have potentially large compliance costs. The working group has agreed to the basic equipment and personnel costs associated with ARFF, but a discussion with Mike Conroy of the National Fire Protection Association (NFPA) led to some modification of training costs and the annual costs

for building depreciation, maintenance, and utilities needed to be addressed. For airport lighting costs, 3 major manufacturers (Crouse-Hinds, Hughey and Phillips, and ADB) were contacted (2 responded) to provide estimated costs for lighting and signs for a 6,000 ft. runway with parallel taxiway and three connectors.

4. Finally, the sample of 13 resurveyed airport managers may not be representative of the entire population. For example, 4 of the airports (30 percent) have had a part 139 certificate. As a result, there may be areas in which this analysis overestimates the extent to which these airports would be in compliance with the part 139 requirements. However, it is believed that these overestimates are not a significant problem in this report.

In conclusion, despite these uncertainties, these "average" cost estimates are believed to be reasonably accurate and can serve as an aid in the deliberations. Nevertheless, any individual airport's costs to comply with specific sections of part 139 can differ considerably from the "average."

Finally, this report does not include the potential impact on airports that have part 139 limited certificates and have scheduled commuter service. In particular, these airports would now become subject to the ARFF manning and the airport emergency plan requirements. The impact of these (and others) part 139 requirements on part 139 limited certificate airports needs further review.

The following is a section-by-section breakdown of the compliance costs associated with bringing non-certificate airports with scheduled part 135 airplane service into compliance with part 139.

SECTION BY SECTION COST ESTIMATES

Many of the compliance costs depend upon the number of airport personnel hours needed to meet a requirement. Thus, in order to transform these hours into dollars, the FAA determined that the average fully loaded hourly compensation rate (includes wages, social security, fringes, worker's compensation, etc.) would be $25 for an airport manager, $20 for a firefighter, and $15 for other airport personnel.

There are two basic types of compliance costs that are estimated in the following sections. The first type is the "first year" cost, which includes items such as capital equipment, additional personnel costs, expenditures on developing programs, initial training, etc. The second type is "annual" cost, which includes all recurring costs such as additional personnel costs, expenditures on maintenance and depreciation, annual training, etc.

Table 9 contains a summary of the estimated first year and annual compliance costs to an individual non-certificated airport based on a high cost estimate of complying with part 139 requirements. It needs to be emphasized that not every non-certificated airport would incur every one of these costs nor would every non-certificated airport necessarily spend the estimated amount in order to be in compliance with the requirement. Nevertheless, many of these airports would need to make expenditures in the general range represented in the table.

TABLE 9
ESTIMATED HIGH PER AIRPORT FIRST YEAR AND ANNUAL COMPLIANCE COSTS

Section	First Year	Annual
Application for Certificate	$420	$0
Inspection Authority	$400	$200
Issuance of Certificate	$600	$0
Exemptions	$1,000	$0
Airport Certification Manual	$2,600	$400
Marking and Lighting	$450,000	$3,400
ARFF Equipment	$177,000	$12,850
ARFF Personnel and Training	$87,730	$84,130
Storing Hazardous Materials	$140	$60
Develop an Airport Emergency Plan	$3,000	$200
Emergency Exercise	$0	$200
Locked Gate	$1,000	$100
Wildlife Hazard Management	$100,000	$5,000
Total	$823,890	$106,540

Section 139.101: Certification requirements: General

There would be no compliance costs associated with this section.

Section 139.103: Application for certificate

As with any paperwork requirement, an airport manager would need time to contact the FAA for initial guidance concerning the acceptable format and for the information necessary to complete the application. The compliance cost estimate for this section includes only the time to prepare an application. All costs associated with developing a certification manual will be estimated in section 139.201. For an airport that has not had a part 139 certificate, it is estimated that an application for a part 139 certificate would take an airport manager 2 days for a non-certificated airport (for a one-time cost of $400) and 1 day for a limited part 139 airport (for a one-time cost of $200).

The application must also be accompanied by 2 copies of an airport certification manual. The FAA estimates that an individual certification manual would cost about $10, for a total of $20 per application.

Section 139.105: Inspection authority

The FAA inspector is, typically, accompanied on the inspection by the airport manager so that questions can be answered, points can be clarified, etc. The FAA estimates that, for the average size of the affected non-certificated airports, the FAA initial inspection would take 2 days (for a

one-time cost of $400) and its annual inspections thereafter would take 1 day (for an annual cost of $200).

Section 139.107: Issuance of certificate

In general, an FAA investigation of any airport requires more than just a one-time paperwork submission by the applicant. The FAA will request more information than was supplied with the initial application; phone the airport manager to obtain clarification of items in the submitted manual; make one or two visits to the airport; etc. All of these activities would require the airport manager's participation. Based on FAA experience, it is estimated that a manager of a non-certificated airport would spend 3 days (for a one-time cost of $600) on a part 139 certificate.

Section 139.109: Duration of certificate

There would be no compliance costs associated with this section.

Section 139.111: Exemptions

As is more fully explained in the section 139.115, .117, and .119 discussion, 10 of the 13 resurveyed airport managers reported that they had ARFF on site. Two of the 10 had the local fire department on site. The other 8 reported that, although ARFF equipment was on site, it was not manned in accordance with part 139 requirements.

It is anticipated that due to the personnel expenses of having full-time ARFF personnel, managers of 33 of the 39 non-certificated airports would request an exemption from either: (1) the entire ARFF requirements; or (2) the ARFF personnel requirements. It is likely that all of these airports would be under the enplanement eligibility threshold for applying for an exemption. Applying for this exemption would require these airport managers to provide airport financial information, projections of future enplanements, etc. On that basis, it is estimated that an airport manager would take 5 days (for a one-time cost of $1,000) to provide the initial petition, subsequent documentation, etc. for an FAA exemption.

Section 139.113: Deviations

It is estimated that each report would take a total of 6 hours (for a cost of $150) for an airport manager to complete an initial report and a follow-up to respond to FAA follow-up questions and requests. As it is anticipated that few of these reports would be filed in any particular year, the overall compliance costs with this section would be minimal.

Section 139.201: Airport operating certificate: Airport certification manual;

Section 139.203: Preparation of airport certification manual; Section 139.205: Contents of airport certification manual

The compliance costs associated with each of the three sections are difficult to individually distinguish because these are three interdependent components of one process - creating a written certification manual that contains mandatory procedures judged to be acceptable to the FAA. In practice, this process requires the airport manager to review and to become familiar with part 139 and its associated Advisory Circulars (AC); to develop written procedures for all of the

operations required to be documented under section 139.205; and then to review and change these procedures as necessary to make certain that they would continue to meet with FAA approval. Several of the resurveyed airport managers asserted that transforming an airport operations manual into a certification manual is not a trivial exercise. Indirect evidence for this assertion can be found in the regulatory history of part 139. When the FAA initially proposed part 139, the affected airport managers were to be allowed 60 days to prepare the application and manual. In the 1972 final rule, the FAA agreed with commenters that 60 days was too short a time and allowed the airport managers 120 days.

In general, the most troublesome facet of compliance with these sections to airport managers was an uncertainty that their existing procedures would be acceptable to the FAA in either content or form. Another concern, as shown in the ARAC survey, is that the managers of non-certificated airports reported that they did not have written procedures for an average of 5 of the required procedures.

It is estimated that an airport manager of a non-certificated airport would need about 13 days (at a one-time cost of $2,600) to develop and write all the necessary procedures and to complete and obtain FAA approval of the certification manual. In addition, the airport manager would need to spend about 2 days a year to keep the manual current. The length of time would vary across airports and would depend upon how closely the airport's operation manuals follow the FAA 139 series ACs, how much additional material created for section 139.205 would need to be written and incorporated into the certification manual, and whether the airport had been a part 139 certificated airport.

Section 139.207: Maintenance of airport certification manual

There would be minimal compliance costs associated with this section. Although some of the surveyed airport managers expressed unhappiness with the requirement for keeping an airport certification manual current at all times, it appears that any compliance costs would be minimal.

Section 139.209: Limited airport operating certificate: Airport certification specifications;

Section 139.211: Preparation of airport certification specifications;

Section 139.213: Contents of airport certification specifications;

Section 139.215: Maintenance of airport certification specifications

These 4 sections apply to obtaining a part 139 limited certificate and does not apply to this report.

Section 139.217: Amendment of airport certification manual or airport certification specifications

There would be minimal compliance costs associated with this section.

Section 139.301: Inspection authority

These compliance costs have been estimated under section 139.105.

Section 139.303: Personnel

There would be no compliance costs associated with this section because it is current industry practice for all airport managers to employ qualified individuals.

Section 139.305: Paved areas

All resurveyed airport managers reported that they currently follow these requirements. They were specifically questioned about the "prompt repair" and the specifications found in 139.305(a)(1) and (2) and reported that the requirements in this section represented standard procedures necessary to keep the airport operational. They further reported that, in general, their existing practices were at least as good as those in this section because it is bad for business to let any areas deteriorate and potentially cause damage to their customers' (both general aviation (GA) and commuter) airplanes. Although some managers noted that there could be short periods of times when their airports might not be strictly in compliance, those periods of non-compliance would be infrequent. In light of those discussions, it is estimated that there would be minimal compliance costs associated with this section.

Section 139.307: Unpaved areas

No airport manager reported that there was an unpaved movement area that would be affected by this section at the airport. Consequently, it is estimated that there would be minimal compliance costs associated with this requirement.

Section 139.309: Safety areas

Similar responses to those for 139.305 were given, however, two airport managers expressed some concern about the FAA interpretation and enforcement of this section. They felt that their airports would meet the spirit of this section but the uncertainty about FAA interpretation and enforcement left them hesitant to say that there would be no costs. The other airport managers did not foresee any compliance costs. However, these airports would not be affected unless a major upgrade is undertaken because they would be grandfathered under the current rule. In light of this information, there would be minimal compliance costs associated with this section.

Section 139.311: Marking and lighting

One of the airport managers who had had a part 139 certificate, reported that his airport (Kokomo, Ind.) had upgraded its lighting and signs in 1992 - after the new lighting requirements were promulgated. The Kokomo airport has two runways (one 5,201 ft.; one 4,001 ft.) and a taxiway parallel to the 5,201 ft. runway with 3 connectors. The lighting upgrade was only for the 5,201 runway and taxiway. That manager reported a cost of $375,000 for this upgrade, of which $175,000 was for equipment and $200,000 was for construction and installation. In 1996 dollars, this would be about $435,000.

Another airport manager who had had a part 139 limited certificate (Keene, N.H.) reported that his 6,201 foot runway and parallel taxiway had their lighting upgraded in 1993 at a cost of about $400,000. In 1996 dollars, this would be about $450,000.

As noted earlier, three airport lighting and sign manufacturers were called and asked to provide an approximate cost to bring airport lighting and marking up to part 139 standards for a

hypothetical 6,000 foot runway and parallel taxiway with 3 connectors. One of them reported that they and their contractors had recently completed an upgrade of the lighting and signs for the Westminster/Carroll County Regional, Md. airport - a GA airport with no tower. Previously, that airport had a 3,222 ft. X 60 ft. runway with a parallel taxiway and 4 connectors but, in a general upgrade, the runway was increased to 5,001 ft. X 100 ft. with 5 connectors. The lighting upgrade was to Medium Intensity Runway Lighting (MIRL) and included all new cable, new light bases, 5 regulators, all new cans, and all new transformers. They did not have exact dollar values for all of the installation costs charged by the contractor. They installed 30 lighted signs at about $2,500 per sign and it cost about $2,500 to install each sign for a total sign cost of $150,000. As a rough approximation, they estimated that at this airport, substituting retroreflective signs would have reduced the sign costs by about 80 percent (or by $120,000). However, they noted that the entire lighting system at this airport was going to be upgraded due to the runway expansion so that the power for the lighted signs was not the factor determining the necessity for the entire system upgrade. They were asked what would be a typical cost increase, if, in point of fact, the power required for lighted signs were to be the factor necessitating a lighting system upgrade and retrofit. Their response was that these lighting and sign upgrades have involved Airport Improvement (AIP) funds and the incremental costs to the airport for the upgrade would have been relatively small and they had not encountered the hypothetical situation. Consequently, they were unwilling to estimate even a range of costs for that hypothetical situation.

The manufacturer estimated that the two runway end identification light systems at the Westminster Airport cost about $80,000 installed and the PAPI cost about $15,000 installed. The overall total cost for this airport was between $400,000 and $500,000. They estimated that if that airport had had a 6,000 ft. runway and parallel taxiway, the costs would have been between $450,000 and $550,000.

Finally, another manufacturer provided a "rough" estimate of between $400,000 and $450,000 to install a lighting and sign system that would meet the minimum requirements. He also reported that retroreflective signs would reduce the sign costs by about 75 percent.

As a result, it is estimated that between $400,000 to $450,000 would be needed to upgrade lighting and signs to part 139 standards and that allowing retroreflective signs would reduce these costs by about $100,000 to a total of $300,000 to $350,000.

Brighter lights are more expensive to replace and use more electricity than dimmer lights. One airport manager whose airport had installed improved lighting reported that the annual incremental costs of replacing the more expensive burnt-out lights were about $1,000 per year and the additional electricity costs would be about $2,400 per year ($200 a month). There is a difficulty in generalizing this estimate because some airports would leave the lights on, some would have the lights activated by the approaching airplane, some have longer hours than others, etc.

Section 139.313: Snow and ice control

The airport managers reported that their airports would be in compliance with the requirements of this section - as long as they could shut down the airport until the snow could be removed. Some of them located in Arizona and New Mexico also added the qualifier that they do not have snow removal equipment and they wait for the sun to clear the movement areas. One airport manager in the Northeast reported that the state contractors clear the roads first and then they

plow the airport. However, the applicable AC requires an airport to have equipment capable of removing one inch of snow in all primary movement areas within one hour. If an airport were to be required to have snow removal equipment it would cost about $50,000 and there would be annual operation and maintenance costs of about $5,000.

Section 139.315: Aircraft rescue and firefighting: Index determination;

Section 139.317: Aircraft rescue and firefighting: Equipment and agents;

Section 139.319: Aircraft rescue and firefighting: Operational requirements

Of the 38 non-certificated airports with part 135 scheduled service, 15 of their managers responded to the ARAC survey that they had ARFF on-site, 5 responded that they had no ARFF on site, and 18 did not respond to the question. Of the 15 airport managers with ARFF on-site, only 2 responded that the trucks were manned full-time. In the resurvey of 13 managers of non-certificated airports, 10 reported that they had ARFF on-site but 6 of the 10 (60 percent) further stated that their trucks would not meet the firefighting capabilities required by part 139. As a result, they believed that they would need to upgrade their ARFF truck or obtain a new truck. Further, if they obtained a new ARFF truck, 4 of the 6 managers (67 percent) reported that the existing building housing the truck would be too small and a larger building would need to be constructed.

An industry consultant expert in ARFF trucks reported that about half of the trucks (3 of the 6) reported by the airport managers as being inadequate under part 139 would, in fact, meet the part 139 requirements.

Assuming that these survey results are representative of the population of 38 non-certificated airports, 10 of these 38 airports have no ARFF truck or building on-site, 28 have an ARFF truck but 19 of them would need to upgrade the ARFF truck and 13 of these 28 would need a new building to house the new ARFF truck.

Of the 48 non-certificated airports with part 135 scheduled service, 37 of their managers responded to the ARAC survey. Of these 37 respondents, 30 reported that they had an ARFF truck on-site and 7 reported that they had no ARFF truck on-site. Of those 30 airport managers whose airports had an ARFF truck, 7 reported that it was manned full-time.

The working group reached a general agreement that a minimum ARFF truck with a useful life of 10 years would cost $50,000, truck maintenance would be $5,000 a year, $2,000 would be spent every three years on miscellaneous firefighting equipment and clothing, and a storage building with a use of 40 years would cost $125,000. The building's depreciation, maintenance, and utilities would average about $7,200. Consequently, the total capital cost for the building and the truck would be $175,000 while the annual operating costs associated with this equipment would be $12,850.

Most of the Working Group agreed that, at a minimum, the practical way to comply with the ARFF for these airports would require an airport to hire two dedicated firefighters (for an annual total compensation cost of $80,000). This assumes that there are trained professional firefighters available to be employed at these airports. If not, an NFPA representative reported that basic firefighting training requires a minimum of 140 hours of classroom and practice firefighting. In addition, these firefighters would need specific training in airplane firefighting. If the airport

were to actually train their firefighters, then they face the risk that the newly trained firefighter would leave for a position in a fire department where the pay and fringes are likely to be better than those at a small airport. However, the cost estimates are based on the assumption that the airport can hire trained professional firefighters. Nevertheless, there is the possibility that certain of these non-certificated airports may be required to fund basic firefighting training and those training costs plus the potential loss of such a trained firefighter can be a considerable expense.

The two firefighters and one additional airport employee (to cover those times when a firefighter would be on vacation or ill) would each need a 40 hour training class dedicated to airplane firefighting (for a compensation cost of $1,600 for the two firefighters and $600 for the airport employee for a total one-time cost of $2,200) that would cost about $400 per attendee (for a total one-time class cost of $1,200 for the three trainees). The NFPA representative reported that airplane firefighting requires a specialized class (often held at larger airports) for which the attendees would need to travel and stay overnight. The estimated costs would be $50 a day for lodging and $30 a day for food and incidentals for the 6 day stay (need to arrive the day previous to the start of class) for a one-time cost of $1,440 for the three attendees. In addition, the two firefighters and one additional airport employee would each need a 40 hour emergency medical training course (for a compensation cost of $2,200) that is typically offered for free at the local or regional hospital. As a result, the initial total cost to train 2 firefighters and 1 additional airport employee for airplane firefighting would be $6,680.

The working group agreed that each individual would need one hour per week at the airport for refresher firefighting training (for an annual compensation of $1,000 per firefighter and $750 for the airport employee for an annual cost of $2,750). The working group also agreed that the yearly practice burn would cost $350 per attendee (for an annual cost of $1,050). Thus, the total annual training costs would be $3,800.

As previously discussed, in light of the availability of alternative employment, the turnover rate among firefighters at these airports is expected to be higher than the turnover rate for full-time airport employees. It is estimated that the labor turnover rate for the dedicated firefighters would be about 16 percent (or one new firefighter would need to be trained every three years) at these airports. As the estimated initial training cost for a firefighter is $2,480, averaging this cost over three years indicates that the annual additional initial training cost to cover firefighter turnover is about $830. Thus, the annual personnel training costs would be $4,630.

One alternative to airport personnel providing ARFF is to have the local fire department available for each part 135 scheduled operation at these airports. However, except where the fire station is on-site, that alternative is not generally practical. One reason is that many of these airports are located in areas that have a local volunteer fire department where it may be difficult to have volunteers present at the airport for every commuter airplane operation. Even in those areas with a paid fire department, placing local firefighters at the airport can mean that they are not as available to respond to fires elsewhere. This problem would be exacerbated the further the airport is from the city or town. For example, if an airport has 6 commuter operations (3 departures and 3 arrivals) a day, the fire department might need to hire additional firefighters to cover both the local area and the airport. None of the resurveyed airport managers could provide even a rough estimate of the amount that the local fire department would need to charge them to provide this service as would be required under part 139. However, a consultant estimated that the local fire department would charge $150 per scheduled commuter operation which, in turn, would total about $215,000 for the year for 4 daily scheduled operations. For such an airport, $215,000 could pay for 4 full-time firefighters or, over time, a fire truck with 3 full-time

firefighters. When viewed in that light, it appears that the Bar Harbor estimate would be too high if the fire department were only concerned with recovering its operating costs. However, that estimate may not be unreasonable because a professional fire department operation generally has specific manpower requirements for any operation it undertakes - and those requirements generally involve a minimum of 3 firefighters. In conclusion, if ARFF were to be required for these airports, it would be less expensive for the vast majority of them to have the airport controlled ARFF on-site rather than to contract with the local fire department for it to be at the airport 15 minutes before and 15 minutes after each operation. For a few airports, having the fire department itself on-site could be an option but that option would be available to very few of these non-certificated airports.

In addition, part 139 limited certificate airports that currently have ARFF available for the charter service would also need to have ARFF available for any scheduled commuter service. Depending upon their charter schedules, these airports may not currently provide this service for all of their part 135 scheduled operations.

Finally, there may be some part 139 fully certificated airports that currently only staff their ARFF for the larger airplanes and not for scheduled part 135 airplanes. These airports could incur some costs for additional staffing.

Section 139.321: Handling and storing of hazardous substances and materials

Section 139.321(a): The resurveyed airport managers reported that the Fixed Base Operator (FBO) or the airline acts as the cargo handling agent. As a result, there would be no compliance costs for the airport associated with this section.

Section 139.321(b): The ARAC survey data base did not report whether or not the airport had a written fire safety program. Consequently, the costs of developing a fire safety written program are estimated in this section and were not included in the costs of developing the certification manual under Sections 139.201, .203, and .205. Most managers of non-certificated airports have delegated the responsibility for fueling areas to the fueling agent or the FBO. Of the 13 resurveyed managers of non-certificated airports, 4 had a written program for the fuel storage area while 9 had no written program. The development of a written program would require the airport manager to meet with the fueling agent or the FBO, learn the existing fire safety system, determine whether and to what extent that fire safety system would need to be revised to meet FAA requirements, and then write and submit the plan to the FAA during the application for certification. If the airport plan were to differ from the fueling agent's or the FBO's plan (particularly with respect to the training of fueling personnel), the airport manager would need to require the fueling agent or the FBO to comply with the FAA-approved plan. Despite that possibility, none of the 13 airport managers indicated that they anticipated any difficulty with adopting the fueling agent's program to their certification needs. Assuming that the reported ratio of 9 out of 13 airports that would need to create a written fire safety plan for the fueling area is representative of the 38 non-certificated airports, it is estimated that 27 airport managers would each spend an average of 4 hours (for a one-time cost of $80 per airport and a total cost of $2,160 for all airports) to develop a written fire safety plan for the fueling area.

Section 139.321(c): With the exception of the fueling agent's personnel training requirements, the airport managers reported that their current surveillance of the fueling activities would meet the part 139 requirement. Thus, there would be minimal compliance costs associated with this section for a non-certificated airport.

Section 139.321(d): Of the 13 airport managers, 4 reported that they perform the quarterly inspections and would be in compliance with this requirement, 2 reported that an outside independent agency (one by the Department of Defense and one by the local fire department) performed these quarterly inspections while the airport performed an annual inspection, 6 reported that both they and the local fire department made annual inspections, and 1 reported that the airport alone performed an annual inspection. They also reported that the typical inspection would take between 0.5 hours to one hour. Assuming that the resurveyed airport managers are representative of the 38 non-certificated airports, 21 of these 38 airport managers would need to spend an additional 2 hours to 4 hours (for a per airport cost of $40 to $80 and a total annual cost of $1,050 to $2,100) to do these quarterly inspections.

Although these airport managers use a check list to complete these inspections, a few were concerned that their current inspections and records would not be adequate for a part 139 airport. However, given the relatively uncomplicated nature of these small fueling operations, it is assumed that the FAA would accept the existing inspection procedures and check lists.

Section 139.321(e): None of the resurveyed airport managers knew whether or not the fueling agent supervisor had completed an aviation fuel training course in fire safety. One airport manager had completed this course and he reported that it cost $1,000 (including travel, lodging, and course fee but not his compensation). Two others reported that they believed it would cost between $1,000 and $2,500 to complete this course because it would not be offered locally. On that basis, the FAA estimates that it would cost the fueling agent about $2,000 for a supervisor to complete this course.

Section 139.321(f)-(i): The FAA estimates that there would be minimal compliance costs associated with these provisions.

Section 139.323: Traffic and wind direction indicators

All the resurveyed airport managers reported that they had the lighted wind cones required by this provision. On that basis, it is assumed that there would be minimal compliance costs. However, there could be airports that may need to provide additional lighting for wind cones.

Section 139.325: Airport emergency plan

Section 139.325(a)-(e): The difficulty in estimating the compliance cost for this section is the ambiguity concerning the level of effort needed for compliance. If an acceptable plan is one that lists the names and numbers of the organizations to be called and provides a very basic description of the airport personnel responsibilities, then the compliance costs would be relatively small. For example, of the 13 resurveyed airport managers, 7 reported that they had a written emergency plan that would meet part 139 FAA requirements under that interpretation, 4 reported that they had a written emergency plan that would need minor revisions, and 2 reported that they had no written emergency plan and provide no training to their airport personnel in their responsibilities during an emergency. Assuming that the resurvey is representative of the 38 non-certificated airports, 12 of these airport emergency plans would need minor modification while 6 of these airport emergency plans would need to be developed. It is estimated that revising an existing plan would take an airport manager 4 hours (for a one-time cost of $80) while writing a plan would take an airport manager 6 hours (for a one-time cost of $120). On that basis, 12 managers of non-certificated airports would need to revise their program (for a one-

time cost of $960) and 6 managers of non-certificated airports would need to write an emergency program (for a one-time cost of $720) in order for a part 139 certificate.

If, however, compliance would require substantial coordination, a table top exercise involving an aerial photo of the airport and surrounding area rehearsing what each appropriate agency would do, then these costs would be greater than estimated in this analysis. A consultant concluded that it would cost an airport between $10,000 and $15,000 to prepare an emergency plan under the more stringent interpretation of the emergency plan requirement.

Nevertheless, it is anticipated that the level of effort that would suffice to comply with a more stringent interpretation of this provision would require an airport manager to cooperate and coordinate the plan with the local police, fire department, and local health care providers. On that basis, it is estimated that an airport manager would need 15 days to develop a comprehensive airport emergency plan and the manager would spend one day a year to review it.

Of the 13 resurveyed airport managers, 3 reported they would be in compliance with the more stringent interpretation of the requirements, 4 would need to make substantial additions to their plans, while the other 6 would likely incur the costs estimated for the Bar Harbor airport.

Finally, 11 of the 13 airport managers reported that their airport was part of a local area disaster plan.

Section 139.325(f): It could not be determined how many of the non-certificated airports would be required to have water rescue capability. A consultant reported that compliance with this section would require a marine response vessel including trailer, portable fire pump, and other equipment (for a one-time cost of $30,000); two 25-person inflatable life rafts (for a one-time cost of $500); and a heated garage for the response boat (for a one-time cost of $30,000) resulting in a total one-time cost of $60,500. However, the Working Group believes that compliance with this requirement would be met as part of the emergency plan under which the authority responsible for water rescue would be the responding party. On that basis, the compliance costs would be minimal.

Section 139.325(g): None of the 13 resurveyed airport managers had ever participated in a full-scale emergency plan exercise at his/her current airport, although one reported that he had been involved in such an exercise at another airport. From his experience, he stated that a first-time exercise would take about 24 hours (for a first-time cost of $600) spread over several days for an airport manager to meet with the other affected organizations, establish a mutually acceptable date for the exercise, inform GA operators who may want to use the airport at that date and time, and contact a local group to supply volunteers to act as victims. It is estimated that succeeding exercises would take 16 hours (for a cost of $400 every 3 years or about $135 a year) of the airport manager's time. The actual exercise itself would take a day to stage and evaluate the responses (for a per exercise cost of $200) while it would take about 4 hours of each of his airport personnel's time (for a per exercise cost of $60 to $240). The total airport manager and airport personnel costs would be between $660 and $840 per exercise. In general, although the local participating fire, police, hospital, and ambulance service would incur costs to pay staff to replace those involved in the exercise, it is unlikely that these costs would be billed to the airport. Thus, there would be minimal costs to the airport other than those for the airport manager and personnel. Assuming that all of the 38 non-certificated airports would need to have one of these exercises every three years to comply with the part 139 certificate requirement, the

total first-time costs would be between $25,080 and $31,920 per exercise, for an annual average of $8,360 to $10,640.

Section 139.327: Self-inspection program

Section 139.327(a): Every resurveyed airport manager reported that they are in compliance with this section. Thus, there would be minimal compliance costs associated with this section.

Section 139.327(b)(1)-(3): Same as above.

Section 139.327(b)(4): As noted in the Industry Profile section, only two of the resurveyed non-certificated airports had as many as 5 employees while most had 2 to 4. For those airports, there is no reporting system because, as often as not, the individual performing the inspection is the individual who will correct any unsafe conditions found. Assuming that process would be acceptable to the FAA, there would be minimal compliance costs.

Section 139.327(c): Every resurveyed airport manager reported that a record is made of each inspection and of any corrective action and, although only a few did not keep these records for 6 months, there would be minimal compliance costs associated with this additional storage time. That conclusion is based on the assumption that the current airport checklist record format would be acceptable to the FAA. A few managers voiced concerns that the FAA would require a lengthier, more detailed format that would increase the manager's paperwork, however, it is likely that no (or only minimal) change(s) in the form would be required by the FAA.

Section 139.329: Ground vehicles

Section 139.329(a): There was some uncertainty concerning the practical meaning of the specific words "Limit access". A few of the managers made the point that once a vehicle is allowed onto the airport, there is nothing to physically stop it from going anywhere wherever it wants. For these compliance costs, the requirement is interpreted to allow an airport to permit an airplane owner to drive his car to the hangar or loading ramp with a minimum of time spent in movement or safety areas. On that basis, the resurveyed airport managers reported that their airports would be in compliance. However, if the requirement is interpreted to absolutely prohibit unauthorized ground vehicles from transversing movement or safety areas, then most of these airports would not be in compliance and it would be very difficult and expensive for them to comply with this requirement.

Section 139.329(b): Each of the 13 resurveyed airport managers reported that there was a locked gate to prevent an unauthorized motor vehicle from entering the airport movement areas. Ten of these airport gates could only be opened by either a magnetic card or an airport employee. However, 3 of these airport managers reported that the gate was routinely left open during the operating hours because there were too few airport employees available to open the gate whenever a GA operator wanted to access his/her airplane. Of the airport managers whose gate had a magnetic card system, two of them reported that an installed card system locked gate would cost about $1,000. There would also be an annual cost of $100 for maintenance and depreciation of the system. Assuming that the resurvey is representative of the 38 non-certificated airports, 9 would need to either direct personnel to be available to open the gate or to install a magnetic lock system. If the magnetic lock system were to be selected, it would cost a total of $9,000 in one-time costs to install and there would be minimal annual costs.

Section 139.329(c): Only one of the 13 resurveyed airports had a control tower and that manager reported that there is no two-way communication for controlling ground vehicles. However, that airport has signs for ground vehicle traffic and has established procedures that are known to the operators of those vehicles. That operator was not willing to estimate a potential cost to install two-way radio communication with an escort vehicle, although he did state that it would be expensive.

Section 139.329(d):

Section 139.329(e): Every airport manager reported that a standard clause in every hangar lease specifically establishes the routes that an aircraft operator must use to drive his motor vehicle to the hangar. Violation of that clause can result in the owner's lease being canceled. As a result, the FAA estimates that there would be minimal compliance costs associated with this provision as this is common industry practice.

Section 139.331: Obstructions

None of the 13 resurveyed airport managers reported that compliance with this section would impose costs on their airport. Consequently, it is estimated that there would be minimal compliance costs associated with this section, although there could be a few airports that may incur some compliance cost.

Section 139.333: Protection of navaids

The 13 resurveyed airport managers reported that, if the requirement is interpreted less stringently, then the current level of NAVAID protection would comply with this section and there would be minimal compliance costs. However, if the requirement is interpreted more stringently, then there could be considerable compliance costs for some airports.

Section 139.335: Public protection

Section 139.335(a): None of the resurveyed airport managers reported that this section would impose new or additional burdens on their airports. On that basis, it is estimated that there would be minimal compliance costs associated with this section.

Section 139.335(b): None of the resurveyed airport managers reported that compliance with this section would impose costs on their airports. However, there could be other airports where this current compliance is not the case and there could be compliance costs associated with fencing.

Section 139.337: Wildlife hazard management

Each of the 13 resurveyed airport managers reported some problems with wildlife. The most common problems with animals other than birds is with deer and coyotes. The method generally used by airport managers to solve a deer problem was to organize a hunt. Birds were reported to be a problem, particularly during bird migration seasons.

Two of the resurveyed managers reported that a Department of Interior Fish and Wildlife Service wildlife had performed an ecological study that provided recommendations. In one case, the study recommended fencing an open side of the airport's perimeter to protect against coyote and potential bighorn sheep runway incursions at what would have been a cost of $107,000. He

respectfully declined to follow that recommendation because the problem is not sufficiently severe to warrant that expense. In the other case, the study recommended building 13 foot high fences angled at 30 degrees and parallel to the runway because deer had been traveling across the runway during certain times of the year. That manager estimates that it would have cost his airport about $200,000. As a result, he called the game warden, got permission to organize a deer hunt, took out about 60 deer, and solved the problem. Although two cases are not enough to generate an "average" cost (particularly because there can be a wide variety in wildlife problems and airport terrain's), it appears that ecological studies exhibit a tendency to recommend a high cost, non-hunting solution to a wildlife management problem. Consequently, it is estimated that an "average" wildlife management plan for land animals would cost about $100,000 and would involve about $5,000 in annual maintenance and depreciation.

Section 139.339: Airport condition reporting

The 13 resurveyed airport managers reported that this requirement is common industry practice. As a result, it is estimated that there would be minimal compliance costs associated with this section.

Section 139.341: Identifying, marking, and reporting construction and other unserviceable areas

The 13 resurveyed airport managers reported that this requirement is common industry practice. As a result, it is estimated that there would be minimal compliance costs associated with this section.

Section 139.343: Noncomplying conditions

The 13 resurveyed airport managers reported that this requirement is common industry practice. As a result, it is estimated that there would be minimal compliance costs associated with this section.

ARAC PHONE SURVEY QUESTIONNAIRE

September 25, 1995

1. What affect would full compliance to Part 139 regulations for commuter aircraft with 10 seats or more have on your airport operations?

2. Will general aviation revenues, as opposed to only air carrier revenues, be required by the airport sponsor to fully comply with FAR Part 139 certification costs?

3. Who would conduct your airport inspection if full Part 139 regulation compliance was implemented?

   a). How often would your airport be inspected and at what cost per inspection?
   b). How would you plan to fund the additional expense associated with these inspections?

4. How many commercial aircraft (10 or more seats) accidents have occurred at your airport?

   a). How many of these accidents had fatalities?
   b). How would an increase in ARFF or emergency response capability have effected any passenger injuries or fatalities?

5. Please quantify and describe the safety benefits, if any, your airport would receive if made to comply with full FAR Part 139 requirements.

6. Do you have any procedures or facilities in place for public protection (fence, signage, etc.)? If yes, what was the initial cost and how much is it to maintain on a yearly basis?

7. Do you believe an FAA sponsored non-regulatory airfield safety assessment/enhancement program would be of benefit to your airport?

8. Review the airport's capital and recurring facility costs with each airport chosen for further questioning.

9. Does your airport have a Disaster Plan of any kind?

   a). Have you ever conducted a full scale disaster exercise?
   b). Have you ever conducted a table top exercise?
   c). What emergency equipment other than ARFF is available on your airport (hydraulic extraction tools, emergency medical supplies, other rescue tools, etc.)
   d). Are any of your staff EME qualified?

10. Can you offer an alternative approach, other than a modified FAR Part 139, the FAA can use to ensure the public that your airport is safe and that you have an emergency plan ready when scheduled air carriers operate from your airport?

MEMORANDUM
Landrum & Brown

September 20, 1996

To: Loretta Scott, Chair, ARAC Working Group

From: Bob Sanfilippo
Landrum & Brown

Subject: Phone survey of selected airports not required to maintain a full 139 certification, but have chosen to comply.

Utilizing the data obtained from our original survey, I identified those airports that are currently maintaining a full 139 certificate, even if their level of air service does not require them to do so. Unfortunately, the survey only identified seventeen airports in this category. Of the seventeen identified airports I was able to contact sixteen. I focused on two main areas: why have they maintained a full certificate; and, ARFF equipment, in particular staffing and annual costs. The phone survey contained eight questions; they are:

1. Are you still fully certified FAR Part 139?
2. How long has your airport been certified?
3. When was your last FAA certification inspection?
   - Were any major deficiencies discovered?
4. Why have you chosen to voluntarily meet full 139 standards?
5. What type of ARFF equipment are you presently utilizing?
   - Who mans and operates the equipment?
   - Describe your training program
6. When did you last stage your ARFF equipment for other than a scheduled flight?
   - Typical type of responses (ARFF or EMS)?
   - Number of times you stage in a year?
7. What is your total airport budget?
   - Could you send me a copy of the budget?
8. What is your ARFF budget:
   - Personnel costs
   - Equipment & supply costs
   - Training costs

For the most part, everyone I spoke with was very cooperative; however, the availability of reliable cost numbers was insufficient. Only five airports were able to give me actual budget numbers. Many of the airports contacted are part of other city or county departments, such as, Parks District or Public Works and the airport managers did not have budget numbers readily available. The remainder of the memo will be divided into two sections: Why has the airport maintained full certification, and the costs associated with maintaining the certification, especially ARFF.

Section One: Why has your airport maintained full certification

I think the working group already knows the answer to this question; marketing and development were the main responses. Eighty percent of the airports I talked with either recently (within the last year) had scheduled service by aircraft with over 30 seats or are anticipating (hoping) to reacquire the service soon. Therefore, they felt it was easier to maintain the certification than to relinquish it and have to get recertified again. I did find it interesting that only one Airport Manager said they maintained certification for **safety reasons.** When the other airports responded with "marketing" as the reason. I asked if they had a marketing plan or budget; none of them did. I also asked if going to a limited certificate would reduce their budget? They all said probably not. It might be useful to the working group if we could determine what type of costs are associated with going from a limited certificate to a full certificate. The bottom line is that it is easier and, to some extent, more cost effective to maintain certification, even if you have to justify it as a marketing tool to the city council or aviation board or whoever is operating your airport.

Section Two: Costs associated with meeting 139 certification ARFF requirements

Obtaining accurate cost numbers was difficult at best and at times confusing. As I mentioned earlier many of the airports contacted are just departments within a larger budget and are not handled as an enterprise fund budget. Many times payroll and fringe benefit costs are included in another budget and only direct expenses and some overhead costs are included in the airport budget. Since I was trying to obtain payroll cost as they apply to ARFF personnel, I was not too successful. However, I did try to obtain ballpark numbers when ever possible. Once again, payroll was very difficult, especially if the ARFF equipment is operated by airport personnel. Training costs and maintenance and supplies were easier to estimate and seemed to be realistic. The average annual training cost was approximately $ 4,000 and maintenance and supplies were approximately $5,300.

If the maintenance and supply numbers seem low, it's because most of the airports I contacted had new ARFF equipment, one to three years old. Since it is a specialized piece of equipment it does not receive much wear and tear during the year; therefore, maintenance costs should be reasonable. AIP funds were utilized to purchase the equipment by all of the airports owning relatively new equipment.

One area I found particularly interesting is the creativity of some of the airport managers in meeting their ARFF costs. Fifty percent of the airports screened have some sort of special arrangement other than funding ARFF through direct payroll costs. One airport built the city/county fire station on airport property with access on the landside as well as the airside. The city/county supplies the personnel to meet 139 certification requirements. I forgot to ask if the fire station was build with AIP funds. Another airport gave the airport tenant the option: they staff the ARFF equipment, or have their rates increased. The tenant assimilates all ARFF personnel costs and the airport maintains the equipment and purchases supplies. The FBO operator staffs the ARFF equipment at another airport.

One more airport that pays for ARFF through its O&M budget has a airport reserve bank account to cover deficits. The airport has been experiencing 40 to 50 thousand dollar deficits a year. I asked how the account was funded. The airport manager said he was not sure since he was relatively new to the airport but it was funded somehow with past surplus funds. His concern was that they would run out of money in the next two to three years and he did not know how they would fund the budget.

Clearly, ARFF costs are still an issue. I'm not sure the budget numbers I was able to gather will be much help. However, I did talk with an airport manager that had just completed getting a 139 full certificate. The airport ARFF equipment will be operated by professional fire fighters from the local volunteer fire department (VFD). The fire house is located on airport property with both landside and airside access. The VFD will assign four full time fire fighters for 18 hour coverage, two fire fighters per shift. The fire fighters will also function as EMS personnel for the airport. All equipment was purchased with AIP and matching state funds. The budget is:

Wages four VFD personnel annually	$ 94,000 *
Taxes	8,400
Insurance Liability & Comprehensive	34,600
Training	4,000
Uniforms	2,000
Other: percent of Fire Chief, admin. costs, etc.	6,000
	$ 149,200

* I don't think this includes fringe benefit costs . The airport manager was not sure.

The survey average for the airports that reported ARFF budgets was $ 141,360. When I questioned managers that did not have budget numbers for what they thought the estimated annual cost would be, not utilizing airport personnel, it was $150,000. Also, a large portion of the airports with professionally trained fire fighters have them crossed trained for EMS and police/security functions. Attached is a table that depicts the costs I was able to gather. The sample is small so I don't know how much weight we should place on the findings. The one thing that I am sure of after the survey is that if we want one level of safety for all airports, ARFF must be operated by professional fire fighters, not part-time airport personnel.

My intent was and still is not to be judgmental on how the ARFF requirements were achieved, but to document the airports existing operation. What I discovered opened up a larger question. All my airport experience, both as a pilot and a consultant, pertained to large airports. As I talked with these airport managers I got some insight into how really small these operations are and the budget and personnel problems that they undergo. Does a full 139 certificate really mean that there is one level of safety for all airports? Or will the traveling public just perceive that there is one level of safety if full 139 certification is enforced. In my opinion the level of training at some of these airport is suspect. I would think if all US (in lower forty-eight states) airports today had to meet full 139 standards that many would fall into the suspect group. The level of training for the airports I surveyed was all over the ballpark. Almost all the airports staffed with professional fire fighters seem to have adequate capabilities.

However, many of the airports that staffed the ARFF equipment with airport personnel were in my opinion inadequate. Many training programs consisted of looking at a video and attending a live burn pit once a year. This, combined with lacking budgets and normal employee turnover, could be the recipe for disaster. Some airports had a total staff of four employees including the manager. One employee resigns and you may have lost half or all of your ARFF capability.

Loretta, I don't know how, or if, this information will be of any assistance to the working group. I would be glad to give a verbal summary of my findings as stated in this memo or share this memo with the group.

Part 139 Survey Cost for ARFF
By Airport

	Airport Code	Annual Budget	ARFF Budget	Personnel	Training	Maintenance & Supplies	Total ARFF Cost	Percent of Budget	Staffing	Comments
1	83B	300,000			5,000				Fire Dept.	No personnel cost City Fire Dept. Maintenance under Fire Dept. Budget
2	FLG	1,100,000			5,000	5,000			7 AE	Airport operates at a $500,000 deficit each year, estimates total ARFF at $150,000
3	LEB	693,000	106,000	100,000	1,200	4,800	106,000	15%	VFD	Local VFD sends one person to operate equipment, Landing fee $1.05 going to $1.68
4	MCM	900,000			2,000	3,500			3 AE	Northwest reimburses airport for standby time gave NW choice increase LF or pay for labor
5	MGM	340,000			5,000				6 AE	Does not have ARFF budget, running a 50K deficit each year, Airport Reserve Account
6	MIE				1,300	1,200			Fire Dept.	No personnel costs, Muncie Aviation operates airport and is also FBO, staff is mixed??
7	MTH	554,000	149,200	140,200	4,000	5,000	149,200	27%	VFD	Gave VFD space in building on airport to use as a station reimburse VFD for 4 full time staff
8	MTO				1,200	4,800			3 AE	
9	PIB	750,000	150,000	112,500	20,000	17,500	150,000	20%	6 AE	Six personnel are cross trained Fire & Police Staffed 24hr cost must not include fringe

AE: Airport Employee VFD: Volunteer Fire Department

Part 139 Survey Cost for ARFF
By Airport

	Airport Code	Annual Budget	ARFF Budget	Personnel	Training	Maintenance & Supplies	Total ARFF Cost	Percent of Budget	Staffing	Comments
10	POU	1,300,000				5,000			11 AE	Does not allocate ARFF personnel cost since personnel are cross trained, training cost are free, state Out Reach Fire Training Program
11	SBP	1,200,000	231,000	225,000	2,000	4,000	231,000	19%	Fire Dept.	Staff with 7 full time California Div. of Forestry personnel
12	SBY				2,000	5,000			Piedmont	No personnel cost, Piedmont supplies staff rather than having rates increase
13	SCK	1,400,000				9,500			3 AE	No training costs, operates a ARFF training program on airport generates revenue
14	SLK	450,000			1,750	2,000			VFD & AE	VFD handles aircraft over 30 seats airport handles under 30 seats
15	TUP	482,530		67,000	2,300	1,300	70,600	15%	3 AE	Training LSU Fire Training School once a year
	Total				52,750	68,600	706,800			
	Average				4,058	5,277	141,360			

AE: Airport Employee VFD: Volunteer Fire Department

C. Work Plan

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

EXTENSION OF FAR PART 139 AIRPORT CERTIFICATION TO AIRPORTS SERVING AIR CARRIERS USING AIRCRAFT SEATING TEN OR MORE PASSENGERS

PROPOSED WORK PLAN

July 27, 1995

Federal Aviation Regulation Part 139, "Certification and Operations: Land Airports Serving Certificated Air Carriers" currently prescribes requirements for certification and operation of land airports which serve scheduled or unscheduled air carrier passenger aircraft with seating capacity of more than 30 passengers. An airport serving scheduled air carriers would be required to operate under an Operating Certificate, where an airport serving unscheduled air carriers would be required to operate under at least a Limited Operating Certificate. The National Transportation Safety Board (NTSB) has recommended that the FAA seek legislative expansion of FAR Part 139 to include in the Airport Certification Program all airports served by air carriers that provide scheduled passenger service and revise FAR Part 139 to permit scheduled passenger operations only into airports certificated under the standards in FAR Part 139.

The Commuter Airport Certification Working Group of the Aviation Rulemaking Advisory Committee (ARAC) has been asked to develop recommendations concerning what FAR Part 139 requirements should be applicable to airports that have scheduled service with aircraft having a seating capacity of 10 to 30 seats. In conducting this review, the Working Group will consider the following issues:

1. Consider categorizing the requirements applicable to these airports by the size of the airport, or some other means to achieve specific safety objectives, while minimizing the operational and economic burden.

2. Consider alternatives to providing aircraft rescue and firefighting services for operations at these airports.

3. Consider conducting a survey of the airports that would be affected by this rule to determine what safety practices are already being conducted and the operational and economical impact of full certification.

4. Make a recommendation to the full ARAC Committee on what action should be taken, including time frames for implementation.

In accordance with Federal Register Document 93-10771, the Commuter Airport Certification Working Group will comply with the procedures adopted by ARAC and will perform the following tasks:

1. Develop a work plan for completion of the tasks, including the rationale supporting such a plan, for consideration at the meeting of the full ARAC Committee on Airport Certification Issues.

2. Give a detailed conceptual presentation of the proposed recommendations, prior to proceeding with the work stated in item three below.

3. Provide a status report at each meeting of the full ARAC Committee held to consider airport certification issues.

Currently there are no FAR Part 139 regulations pertaining to airports with commuter operations of 10-30 seating capacity. The following two phase Work Plan outlines the various steps that the ARAC Commuter Airport Certification Working Group will undertake in our process to develop recommendations concerning whether FAR Part 139 regulations or other measures should be applicable to airports with scheduled service with 10 to 30 seat aircraft.

PHASE 1

1. Abide by the three procedures outlined in Federal Register Document 95-10711 as filed on May 1, 1995, and as stated above.

2. Take into consideration the four items discussed in Federal Register Document 95-10711 and as stated above.

3. Develop a list of preliminary options for consideration and review by the Working Group.

4. Have the FAA economist immediately prepare a baseline cost/benefit analysis for a non-certified airport having to comply with full FAR Part 139 regulations. These costs should include capital, operating and maintenance, life/cycle, and training costs.

5. Have a briefing from a National Transportation Safety Board (NTSB) representative to explain why NTSB made the recommendation to change FAR Part 139 to include airports with 10-30 seat schedule commuter operators.

6. Review and comment on the General Accounting Office report to the Honorable Robert C. Byrd, U.S. Senate, "Aviation Safety-Commuter Airports Should Participate in the Airport Certification Program," GAO/RCED-88-41.

7. Request the following list of commuter operator accident/safety statistics from the FAA or appropriate organizations:

   - All Part 139 airport safety incidents and accidents for the past 10 years.
   - Scheduled commuter accidents and incidents that were caused by the airport for the past 10 years.
   - Airport Safety incidents and accidents for the past 10 years related to Part 135 airports.

8. Prepare a questionnaire survey to be issued to airports potentially affected by FAR Part 139 changes relating to commuter operators with 10-30 seats.

9. Identify potential affected airports and coordinate with state aviation representatives on the validity of the airport mailing list.

10. Distribute the questionnaire to the airports and analyze the data upon return.

11. Develop follow-up phone questionnaire and call airports for additional information.

PHASE 2

1. Refine options based on information/data received from the airport surveys.

2. Request that FAA economist perform a cost/benefit analysis on proposed options.

3. Develop preliminary recommendations regarding the application of FAR Part 139 regulations to airports serving commuter operations with 10-30 seats.

4. Evaluate impact of FAR Part 139 rule changes on international operations.

5. Ask that FAA counsel perform legal review of preliminary FAR Part 139 regulations.

6. Present preliminary FAR Part 139 regulation recommendations and time schedule for implementation to ARAC.

7. Assess ARAC comments on preliminary recommendations.

8. Make final recommendation to ARAC.

The Commuter Airport Certification Working Group is pleased to undertake the responsibilities that the ARAC has set-forth, and will perform the above Work Plan in an expeditious and cost effective manner. The ARAC will be kept abreast of the current status and any modification or delays incurred throughout the evaluation process.

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A. Certification Of Airports Served By Commercial Aircraft With 10-30 Seats Majority Viewpoint

IV. WORKING GROUP POSITION PAPERS

A. CERTIFICATION OF AIRPORTS SERVED BY COMMERCIAL AIRCRAFT WITH 10-30 SEATS

MAJORITY VIEWPOINT

This document presents to the Aviation Rulemaking Advisory Committee the majority position of this ARAC-WG. This working group has over the past two years, been striving to reach consensus concerning the aviation industries' goal of one level of safety and more specifically how the intent of that goal can be achieved at airports which are served on a scheduled basis by aircraft with 10 to 30 seats.

The majority position, representing a consensus of views from the American Association of Airport Executives, Airports Council International- North America, American Association of State Aviation Officials, the Regional Airline Association, the National Air Transportation Association, and the Aircraft Owners and Pilots Association are refered to the ARAC. A minority report representing the views of the Airline Pilots Association will be submitted.

It should be noted that the working group's most recent guidance was to review "line by line" FAR Part 139 and to identify any requirements which the working group felt would be applicable to those airports under discussion. Additional guidance was provided by Congress to the FAA to be cognizant of the economic considerations of any proposed rule. Further the FAA was to examine regulatory alternatives and to select from those alternatives the least costly, most cost-effective or the least burdensome alternative that will provide adequate safety at these airports.

This working group in its deliberations reviewed all facets of FAR Part 139. During initial fact finding, airport managers along with experts in the fields of aircraft rescue and firefighting, risk management, and airfield lighting were interviewed; the views of the industry representatives on the working group and accident records were also considered.

Based on our analysis, it is the majority opinion that no demonstrated need exists to support full certification of these airports. The working group did discover, however, that a professional airport management structure was absent at many of the airports. Consequently, it is recommended that more guidance and assistance be provided to the affected airports concerning basic operations and safety plans; and that a reasonable approach with achievable enhancements to safety and more structure will meet with intent of providing one level of safety.

Initially, it was the majority view that a non-regulatory program, based on industry standards, would meet the needs of these airports. In the interim, the FAA changed its position concerning a flexible program and asked the working group to re-focus its efforts and to make recommendation concerning a regulatory program, eliminating from further discussion a non-regulatory program.

Unfortunately, consensus could not be reached. ALPA has been unyielding in its position, resulting in the submission of a minority report. Consensus could not be achieved in those areas where the majority recognized that full compliance with a specific provision of FAR Part 139

would be too burdensome or costly for a small airport to implement. The majority position offers an achievable alternative.

The majority viewpoint differs from the minority in six (6) areas:

1) Marking and Lighting
2) Aircraft Rescue and Firefighting (ARFF)
3) Handling and Storage of Hazardous Materials
4) Airport Emergency Plan
5) Ground Vehicles
6) Wildlife Hazard Management

Only the 6 areas which lack consensus are further discussed. The majority opinion is presented as follows:

Section XYZ.311 Marking and Lighting

Par. a(3) The majority believes that taxi guidance signs should be provided and that airports who currently have retroreflective signs, those signs should continue to be considered acceptable. The majority believes when a currently unlighted taxiway becomes lighted then the signs on that taxiway should be illuminated as a part of that project. The majority believes that to unilaterally and immediately mandate that all taxi guidance signs are to be illuminated would be an undue economic burden. The costs for such a project go beyond the acquisition of signs alone. It may very well require an upgrade/replacement of a complete lighting circuit or an electric vault. Again, there is no demonstrated problem at these airports which warrants an immediate mandate of this kind. The recurrent O&M costs of lighted signs was also a consideration in the majority opinion.

The potential economic impact of this rule alone on small airport sponsors could be staggering. The majority believes the limited dollars available to these airport operators would be better spent elsewhere.

Section XYZ .315 , XYZ.317, XYZ.319
Aircraft Rescue and Firefighting

This, more than any other issue, defines the differences between the majority and the minority.

An FAA analysis of ten years of Part 135 aircraft accidents demonstrated there were no cases where the presence of ARFF equipment on an airport would have made a difference in saving lives. In each case, the unfortunate victims were killed from trauma related to impact or for causes which an ARFF response would have made no difference. The FAA's own cost/benefit analysis presented to the working group clearly shows that there is no economic justification for ARFF based at these airports.

The majority opinion is that emphasis should be placed on accident/incident preparedness with existing community resources. The majority believes the quality of the response (skills and training of the professional "off-airport" firefighters) would exceed those of an airport mechanic driving a pick-up truck with a skid-mounted ARFF unit as suggested by the minority. The very

real potential is for this individual to become an additional victim by attempting to do the right thing and getting hurt or worse in the process.

The majority recommends that both ARFF and the first responder medical response to the airport be specifically covered in Section XYX.325 Airport Emergency Plan . The majority believes it should be imperative that mutual aid agreements and response plans for these services be developed, signed and made a part of the emergency plan.

The minority believes a three (3) minute ARFF response time to the mid-point of the furthest runway is essential. We respectfully disagree for several reasons. First, as mentioned above, ARFF has not been proven to save lives in regional aircraft accidents, therefore, the arbitrary response time of three minutes is meaningless. Second, this response time would essentially mandate that an ARFF vehicle be positioned on the airport; a true and substantial economic burden to these small communities. The minority will make the case that they do not mandate that ARFF be on the field however, the three minute response time would essentially require the same. Third, the majority believes the response time for responding units will vary with the resources of the community served. We do not feel the regulation should mandate a specific response time but rather allow the FAA and the airport to define the response time on a case-by-case basis and then make it part of the Emergency Plan. Fourth, the relatively low level of operations by regional carriers at these airports and low annual enplanements would make landing fees (ergo, ticket prices) potentially prohibitive if the cost of ARFF is to be recovered. Let's not forget that many of these locations are Essential Air Service (EAS) locales with minimal operations per day and few passengers.

Having stated the above, the majority is in agreement with the minority that the equipment which responds to the airport should meet Index A requirements. Our differences lie as to where the equipment is housed and the response time.

Section XYZ.321 Handling and Storage of Hazardous Materials

The minority feels the existing language in Part 139.321 defines the minimum requirements related to this issue. The majority is of the opinion that this detail of sophistication is not necessary at these smaller facilities. Our opinion is that currently there may be nothing which formally addresses the handling of hazardous materials at these airports. We concur that the issue should not be ignored and that procedures should be established in conjunction with local fire codes.

The majority feels that mandating the equivalent of Part 139.321 tenant fueling agent training and certification requirements would be excessive for airports with this level of commercial activity. Again, there is no known problem which needs correcting. The majority feels our proposed language outlined in the attached as XYZ.321 addresses the preparedness and safety issues associated with hazardous material handling without being overly burdensome.

Section XYZ.325 Airport Emergency Plan

Par (c)(1) As discussed in the previous section, the majority believes ARFF coverage should be described in the Emergency Plan but does not have to be located on the airport.

Par (g)(4) and (g)(5) The majority believes the cost of a full scale airport emergency plan exercise is overly burdensome for this size airport. It was our intent to expand upon the current FAR Part 139 requirement for a "table top" exercise each year by requiring these airports to conduct an actual "walk through" with all parties having responsibilities under the plan. The walk through would include a field tour, identification of staging areas, perimeter security requirements, etc. as well as the scenario-based table top exercise under the present Part 139.

The majority believes the potential for an air carrier accident at these low use facilities is minimal. The majority believes, however, pre-planning is important for even such a rare incident and that familiarization with the airport environs is especially important for the off-airport responders. We believe requiring a full scale drill every third year is excessive.

This issue was the source of significant debate by the working group. The majority took the approach that the new regulation is defining minimum requirements for these airports. There is certainly no prohibition if an airport operator elects to conduct a full scale exercise, however, in developing minimum standards we believe an annual walk through should be an essential aspect for local emergency response preparedness.

Section XYZ.329 Ground Vehicles

The majority believes paragraphs .329 (e) and (f) of the existing Part 139 (we have renamed as XYZ.329 (a) and (b) in the attached) are necessary for the safe operation of ground vehicles at these essentially general aviation airports. Many of these airports do not have towers or the volume of vehicular traffic on movement areas to warrant the current Part 139 requirements.

The majority does feel it is important for an airport operator to familiarize employees, tenants and contractors with proper safety procedures while on movement areas, however, other current Part 139 requirements are operationally or economically excessive considering the limited commercial activity at these airports.

Section XYZ.337 Wildlife Hazard Management

The majority believes many of the provisions of the existing Part 139.337 would be economically burdensome for airports of this size. It is the majority opinion that 139.337 (f) and (g) (renamed XYZ.337 (a) and (b) in the attached) are sufficient for the safe operation of these airports. Many of these airports do not have complete perimeter fences or other measures which could be used to deter wildlife access to the Air Operations Area (AOA). The majority believes the immediate removal of the wildlife hazard whenever detected is a reasonable requirement on an airport operator.

To require an airport operator with limited financial resources to hire a consultant to study a potential wildlife "problem" and to begin establishing priorities for habitat modification etc. is, we believe, excessive. Again, any operator who elects to do a study of wildlife issues at their airport would be free to do so. But as a minimum, we feel it is essential the airport operator have a plan to remove the hazard whenever detected.

Conclusion

The majority view takes into account several known facts:

1) There is no demonstrated statistical (accidents) justification for certification of airports serving commercial carriers with 10-30 seats;

2) The cost of full Part 139 compliance at these facilities would be high and would create an economic burden to the small communities they serve ;

3) The enplanements at these facilities are nominal, in fact, several are served by Essential Air Service (EAS) carriers who are subsidized to provide air service. The cost of any certification efforts will certainly increase the cost of doing business for carriers serving these airports;

4) To significantly increase the cost of doing business at these facilities translates into higher airline ticket prices, which discourages people from flying, puts them on the highways and could lead to more deaths;

5) Airports serving commercial carriers with aircraft of 10-30 seats, however, should provide an adequate level of safety to its users. Further, it could be argued that some level of federal guidance and oversight is appropriate to ensure the public is adequately protected;

6) To this end, considering the minimal risk of injury or death at these airports today, any such federal regulation should be reasonable, sufficient to correct any known deficiency and the least costly to implement to achieve this level of safety.

The majority feels it has kept the above in mind during the ARAC-WG process. The majority recommendations enhance safety at these airports while not becoming overly burdensome economically. The minority (ALPA) has a difference of opinion in the scope and scale of these safety enhancements. Their opinion was clearly and openly stated as an attempt to maximize the safety of their union members.

The majority recognizes the union's efforts to protect its members is a noble one and that their recommendations are clearly based on existing Part 139 requirements. The majority feels the comparative low activity and minimal financial resources at these smaller airports will not support the type of infrastructure necessary to fully comply with the most burdensome aspects of the existing Part 139 requirements; nor are they justified under current cost/benefit analysis techniques.

The ARAC-WG mission was to investigate measures to ensure adequate airport safety at facilities served by commercial carriers with aircraft having 10-30 seats. This mission was taken seriously. Numerous volunteer hours and thousands of non-federal dollars were spent to analyze all aspects of the issue. The majority viewpoint attached clearly will enhance safety at these facilities. To go beyond these recommendations will provide additional burdens without any quantifiable increase in safety.

B. Certification Of Airports Served By Commercial Aircraft With 10-30 Seats Minority Viewpoint

ARAC COMMUTER AIRPORT CERTIFICATION WORKING GROUP

CERTIFICATON OF AIRPORTS SERVED BY COMMERCIAL AIRCRAFT WITH 10-30 SEATS

MINORITY POSITION

The Air Line Pilots Association (ALPA), representing 43,000 pilots who fly for 38 airlines, herewith submits its minority position documentation required per Operating Procedures for the ARAC, Section V, C., as pertains to the work of the ARAC Commuter Airport Certification Working Group (WG). ALPA is pleased that the majority of this working group is also submitting recommendations aimed at certification of these airports instead of a voluntary, non-regulatory industry standard, as it previously announced to the Airport Certification Issues Group. We have been a long-time proponent of creating one level of safety for airport standards and we encourage the FAA to complete this process by issuing a Notice of Proposed Rulemaking which will make this worthy goal a reality.

Also, we have received a copy of the Executive Summary submitted by the WG, with which we have substantial disagreement. As was explained to the WG's chair, instead of a concise explanation of the WG's actions and conclusions, the summary is largely constituted of arguments against airport certification and arguments favoring the majority position. It also contains some erroneous and misleading information and is, we believe, inappropriately and unnecessarily critical of the FAA. We asked that the summary be substantially amended to correct these problems or that a minority position on the summary be included in same, but neither request was honored. As a result, it should be understood that the minority cannot endorse the contents of the Executive Summary.

The certification of small airports serving scheduled air carriers is an important and necessary action which will help ensure that one level of safety is the goal of all involved in providing scheduled, regional airline transportation, regardless of the number of seats an aircraft may have. The FAA has previously developed requirements, which the regional airline community has embraced, that will bring 10-30 seat aircraft under the purview of the FAR Part 121 program. Part 121 requires that airports served by regulated air carriers be certificated; the recommendations of the ARAC-WG will be most helpful to the FAA in making a determination as to how this should be accomplished.

ALPA is pleased that the majority and minority positions are identical, or nearly so, in all but a few sections of the proposed recommendations. Following are our comments on areas of disagreement.

XYZ.311, Marking and Lighting -- The majority calls for a requirement for retro-reflective signs on taxiways and other movement areas. They believe that such a requirement is adequate to meet the needs of regional airline aircraft and they also point out the costs associated with a requirement to provide lighted signs on these areas.

ALPA, recognizing the potential costs associated with a requirement that all affected airports install lighted signs, is of the view that (1) lit taxiways should have lit taxiway signs and (2) unlit taxiways should install, at a minimum, retro-reflective signs with internally illuminated signs preferred. We take this position because of the fact that, depending on the aircraft and the placement of its taxi light(s) (e.g., on the nose wheel), retro-reflective signs may be not visible to pilots.

ALPA's position is superior to the majority's because (1) it would more nearly comply with the desired goal of standardizing airport accident prevention measures on all airports and (2) it would only require lit signs where a lighting system is already in place, giving airports the option to utilize retro-reflective signs until such a system is installed. We would also note that airfield improvements are capital expenditures which would be AIP-eligible at the 90% level.

XYZ.315, 317 and 319: Aircraft Rescue and Firefighting -- ALPA believes the majority's position on requiring an ARFF response per current FAR Part 139 may be summarized as follows:

1. From the perspective of someone involved in an aircraft accident, a timely, trained and well-equipped ARFF response to aircraft incidents and accidents is very desirable.

2. The provision of such a response has not always resulted in saving lives because survivors often extricate themselves from an accident aircraft prior to the arrival of an on-airport ARFF response.

3. Because the costs are deemed too high and the resultant benefits too low, the majority does not favor a requirement for ARFF at the affected airports.

The majority position calls for a requirement to include an ARFF response within the airport's emergency plan; however, the majority is opposed to any requirement that the ARFF response demonstrate a capability to arrive at the midpoint of the farthest runway serving air carrier operations within three minutes as required by the present Part 139. The majority is of the view that remotely located (e.g., 10 miles from the airport) ARFF equipment would be acceptable for the purpose of providing an ARFF response.

ALPA's position favors a requirement for an ARFF response with a demonstrated three-minute maximum response capability because the FAA's own tests have demonstrated that an aircraft fire

will normally produce an unsurvivable cabin environment in four minutes or less. However, we fully recognize the financial limitations of some, not all, affected airports and realize that providing full-time, professional firefighters at some of these airports may result in loss of airline service or an unreasonable financial burden. Obviously, a balanced approach to this problem is essential in order to realize improvements.

With respect to a cost-benefit analysis for small airport ARFF provisions, some representatives of the airport community, not affiliated with the ARAC-WG, have argued vociferously for many years that there is inadequate cost-benefit to provide ARFF at <u>any</u> certificated airports. We believe this rationale is flawed, in part because of demands by the public, flight crews and cabin crews that a serious effort be made to save their lives from burning aircraft regardless of how successful such actions may be. The majority, in our view, understands the human compassion element of this issue, but is unwilling to recommend the level of ARFF desired by ALPA because of concerns that doing so will "break the bank" and/or result in loss of airline service. Again, ALPA is sensitive to this concern, but the majority's position infers that if <u>any</u> of the affected airports cannot afford a full-time professional ARFF response, then <u>none</u> of them should be required to develop ARFF capabilities or improvements needed to meet current minimum FAA standards. We strongly disagree with this "all or nothing" approach.

The majority and ALPA agree that provision of ARFF-related capital costs (i.e., a truck, storage space and some equipment) is not a serious obstacle for most of the affected airports; ongoing, expensive and non-AIP eligible personnel costs may be an obstacle, however. Accordingly, provided below are several viable options of providing the personnel needed for an ARFF response at the affected airports which could be required by the FAA at the various airports based on the airport/community's individual resources:

1. ARFF provided by local fire station -- Some airports having a full or limited certificate use this option today. Fire fighting equipment and personnel "stand by" during air carrier operations in order to comply with FAR Part 139's ARFF requirements. This may be a low- or no-cost option to the airport, depending on local governance.

2. Site local community fire station at the airport -- Certain locales may be able to site the fire station at the airport to serve the needs of both the town/city and the airport. By doing so, a three-minute response time could be achieved, using professional fire fighters, with equipment and personnel dedicated to the airport's needs when airline operations are being conducted.

3. Full-time, paid professional fire fighters -- Carlsbad, California, may be an example of an airport that could afford to hire full-time ARFF personnel. The airport has an average 371 monthly departures and an estimated 40,000 annual enplanements, which is more than some currently-certificated airports.

4. Cross-trained and utilized airport-based employees -- Numerous airports train and use their employees to provide different types of services, including ARFF, police, emergency medical care, etc. Such employees would not necessarily be airport employees; they could be

employees of an FBO or the tenant air carrier. No additional personnel costs would be required if enough airport-based employees can be located to perform this work.

5. Part-time employees -- An airport could employ retired firefighters, off-duty firefighters, off-duty policemen or others who need a supplemental income. This option could be low-cost and not require provision of the normal benefits offered to full-time employees.

6. Trained auxiliary firefighters, paid or volunteer -- Small communities can field auxiliary fire departments based at an affected airport to meet ARFF personnel requirements in whole or in part. Such arrangements work well at many small communities throughout the country and utilize the services of people from all walks of life. Little or no additional personnel costs would be required.

7. Combination of options 1-6 -- Some airports may utilize some combination of the above options depending on individual needs and financial capabilities.

In summary, there are numerous options available to the affected airports other than a simple "yes" or "no" to the question of whether they can afford to hire professional, full-time ARFF personnel. We would also note that the FAA currently retains the right, via Part 139.111, to specifically exempt any airport from certain ARFF requirements which are deemed unreasonable at a particular location.

Following are other points we believe should be recognized by the FAA during its deliberations on the subject of ARFF service requirements for the affected airports:

- The victims of aircraft accidents and incidents at the affected airports are currently left to fend for themselves after such an event. The November 19, 1996 accident at Quincy, Illinois, involving the survivable collision of a regional airline's B1900 aircraft and a general aviation aircraft highlights that problem. In our view, there were needless fatalities as a result of that accident which very likely would have been avoided had the airport been required to provide an ARFF response to the accident. Conversations of ALPA representatives with officials there indicate that trapped occupants cried out for help after the accident, but perished because pedestrians who ran to the scene moments after the accident were not equipped to open the aircraft doors or suppress a fire. The circumstances of this accident shreds the assertion by the airport and regional airline community that airport safety at such small airports is already acceptable and that airport certification and ARFF requirements are solutions in search of a problem. ARFF provisions at small airports are clearly inadequate – in other words, we have been lucky to avoid more such accidents in the past, not good.

We would further note that shortly before the B1900 accident, a DC-9 charter operation was provided stand-by ARFF services to comply with FAA requirements – once the DC-9 departed, the ARFF equipment left also and was absent from the field at the time of the accident. The occupants of the regional airliner deserved the same level of ARFF capability provided to the occupants of the DC-9.

- Many of the scheduled aircraft using the affected airports are operated in a code-sharing arrangement with a national or major airline. As a result, the traveling public often does not know what type of equipment they are flying on, much less that flying into and out of the affected airports means that they will not be afforded an adequate ARFF response in the event of an accident or incident.

- The International Civil Aviation Organization (ICAO) Annex 14 contains a Standard on this subject which reads, "Rescue and fire fighting equipment and services shall be provided at an aerodrome." The U.S. does not currently enforce this standard at the affected airports. As a result, the U.S. lags numerous countries which provide ARFF for all airports serving scheduled air carrier aircraft including the U.K., Finland, Belgium, France, Japan, the Netherlands, Norway, Singapore and Sweden.

- The number of enplanements is not a good predictor of an airport's ability to afford full certification; the GAO found in 1987 that 33 certificated airports had fewer passenger enplanements than did 17 uncertificated airports. Relatedly, it was determined during the WG's study that 25 airports without scheduled airline service voluntarily maintain a "full" FAA airport certificate, including the provision of an adequate ARFF response per Part 139.

- ARFF equipment and personnel at currently-certificated airports are used for more than just aircraft accidents and any determination of cost-benefit should acknowledge that fact. Two examples:

  BWI Airport, which has never had an airliner crash, utilized its ARFF capabilities 1,906 times in 1995. Paramedics responded to 65 percent of the calls for personal medical problems; the firefighters were called 60 times to respond to a potential problem with an aircraft. BWI enplaned 13 million passengers in 1995.

  Huntington, WV -- In 1992, this airport had 10 ARFF stand-by's for potential problems, six occasions where ARFF vehicles followed an aircraft on the runway as a precaution, one assistance during an emergency and two medical calls. Huntington enplaned 115,000 passengers in 1992.

The ARAC-WG has produced preliminary ARFF-related costs, which are reproduced here for discussion purposes:

AIRORT-BORNE COSTS (all are averages and assume 90% federal and a 5% state match)

Initial Capital Costs

Truck --	$80,000 @ 5% =	$4,000
Equipment --	$ 2,000 @ 5% =	$ 100
Storage Facility --	$75,000 @ 5% =	$3,750
TOTAL		$7,850

Ongoing Annual Capital Costs (AIP-eligible)

Equipment -- $700 @ %5 = $ 35

Initial O&M Costs (Non-AIP Eligible)

Training --	= $ 6,440
Additional labor --	= $20,000*
TOTAL	$26,440

*(The majority calls for 2 individuals at $40,000 annually; we believe this figure can be greatly reduced, on average, using one of the no-cost/low-cost personnel options identified above.)

Ongoing Annual O&M Costs (Non-AIP Eligible)

Truck Maintenance --	= $ 5,000
Additional labor --	= $20,000
Training --	= $ 4,630
TOTAL	$29,630

Neither the majority nor ALPA has the resources to conduct a case-by-case analysis of the ability of the affected airports to fund a new ARFF requirement and for that reason, it has not been accomplished. In fact, airport-produced estimates of certification costs varied so widely as to be of little use to the WG. We believe that the affected airports and their municipalities, working with their carrier(s) and the FAA, are in the best position to develop a financial methodology for complying with an ARFF requirement. The small average amounts we believe are required for ARFF could be readily obtained by most airports through higher landing fees or other rates and charges.

ALPA's position is superior to the majority's because it recognizes that numerous small airports are already providing an adequate ARFF response and most, if not all, the others can and should be required to do so to protect the flying public. The ALPA position also recognizes that those airports which cannot reasonably provide or obtain ARFF services have available to them an exemption process which the FAA can utilize for the very purpose of precluding unreasonable and burdensome ARFF costs. This knowledge can then be transmitted to the pilots who would

then be aware of the inadequacies of the emergency equipment at this airport. The majority's proposal will merely codify the status quo by naming which off-airport fire station will be called in the event of an emergency.

XYZ.321, Handling and Storing of Hazardous Substances and Materials -- The majority proposes to strike all of the language in this section and replace it with very general language calling for establishment of hazmat handling procedures and meeting the local codes for aircraft refueling. The majority does so on the basis that the airport operators at the affected airports should not be burdened by complying with the regulation as written.

ALPA believes that this section should be retained in its entirety because (1) we believe that the requirements contained therein are good, common-sense procedures which any and all airports should comply with, (2) local fire codes may not address aircraft refueling or have the level of specificity needed for hazmat handling on aircraft, (3) the FAA economic analysis found that "there would be no compliance costs for the airport" as a result of compliance with this section, and (4) we disagree that compliance would be burdensome as airport operator comments attest.

We believe the ALPA position is superior to the majority's because it will not result in greater costs to the airport and it will ensure that proven safety procedures are utilized at the affected airports.

XYZ.329, Ground Vehicles -- The majority favors striking much of the regulatory requirements contained in this section on the basis that airports would shoulder an increased degree of liability and some small additional costs for two-way radios.

ALPA believes that the affected airports are long overdue for an increased degree of responsibility and liability since they are the only unregulated party within the National Airspace System. The costs associated with complying with this section are very minimal and many of the airports already perform the functions described herein, as the FAA's economist assigned to the WG discovered.

We believe the ALPA position is superior to the majority's because it will not result in much, if any, greater costs and will ensure that proven safety procedures are utilized at the affected airports.

XYZ.337, Wildlife Hazard Management --The majority favors deleting nearly all of the existing section and replacing it with a requirement to take immediate measures to alleviate wildlife hazards whenever they are detected. This position is based on concerns about the potential for expensive wildlife management studies and remedies dictated to them by state and federal agencies.

ALPA is cognizant of the potential costs involved with compliance with the section in question. However, it has been repeatedly demonstrated that airport personnel, whether at large or small airports, often do not have the expertise to develop effective measures for mitigating wildlife

hazards. The wildlife hazard to aviation is a difficult and burgeoning one which should be taken seriously by the small airport operator. For that reason, we recommend retaining the language in this section.

We believe that ALPA position is superior to the majority's because it will help ensure that professional wildlife management techniques are utilized to control wildlife problems at the affected airports.

C. Part XYZ-Certification And Operations: Land Airports Serving Certain Air Carriers

D. PART XYZ--CERTIFICATION AND OPERATIONS: LAND AIRPORTS SERVING CERTAIN AIR CARRIERS

Subpart A--General

Sec.

XYZ. 1	Applicability.
XYZ. 3	Definitions.
XYZ. 5	Standards and procedures for compliance with the certification and operations requirements of this part.

Subpart B--Certification

XYZ. 101	Certification requirements: General.
XYZ. 103	Application for certificate.
XYZ. 105	Inspection authority.
XYZ. 107	Issuance of certificate.
XYZ. 109	Duration of certificate.
XYZ. 111	Exemptions.
XYZ. 113	Deviations.

Subpart C--Airport Certification Manual and Airport Certification Specifications

XYZ. 201	Airport operating certificate: Airport certification manual.
XYZ. 203	Preparation of airport certification manual.
XYZ. 205	Contents of airport certification manual.
XYZ. 207	Maintenance of airport certification manual.
XYZ. 209	Limited airport operating certificate: Airport certification specifications.
XYZ. 211	Preparation of airport certification specifications.
XYZ. 213	Contents of airport certification specifications.
XYZ. 215	Maintenance of airport certification specifications.
XYZ. 217	Amendment of airport certification manual or airport certification specifications.

Subpart D--Operations

XYZ. 301	Inspection authority.
XYZ. 303	Personnel.
XYZ. 305	Paved areas.
XYZ. 307	Unpaved areas.
XYZ. 309	Safety areas.
XYZ. 311	Marking and lighting.
XYZ. 313	Snow and ice control.
XYZ. 315	Aircraft rescue and firefighting: Index determination.
XYZ. 317	Aircraft rescue and firefighting: Equipment and agents.
XYZ. 319	Aircraft rescue and firefighting: Operational requirements.
XYZ. 321	Handling and storing of hazardous substances and materials.
XYZ. 323	Traffic and wind direction indicators.
XYZ. 325	Airport emergency plan.
XYZ. 327	Self-inspection program.
XYZ. 329	Ground vehicles.
XYZ. 331	Obstructions.

XYZ. 333	Protection of navaids.
XYZ. 335	Public protection.
XYZ. 337	Wildlife hazard management.
XYZ. 339	Airport condition reporting.
XYZ. 341	Identifying, marking, and reporting construction and other unserviceable areas.
XYZ. 343	Noncomplying conditions.

PART XYZ--CERTIFICATION AND OPERATIONS: LAND AIRPORTS SERVING CERTAIN AIR CARRIERS

MAJORITY POSITION
Subpart A--General

Sec. XYZ.1 Applicability.

This part prescribes rules governing the certification and operation of land airports which serve any scheduled ~~or unscheduled~~ passenger operation of an air carrier that is conducted with an aircraft having a seating capacity of 10 to ~~more than~~ 30 passengers (excluding Alaskan airports). This part does not apply to airports at which air carrier passenger operations are conducted only by reason of the airport being designated as an alternate airport.

Sec. XYZ.3 Definitions.

The following are definitions of terms as used in this part:
AFFF means aqueous film forming foam agent.
Air carrier means a person who holds or who is required to hold an air carrier operating certificate issued under this chapter while operating aircraft having a seating capacity of 10 to ~~more than~~ 30 passengers.
Air carrier aircraft means an aircraft with a seating capacity of 10 to ~~more than~~ 30 passengers which is being operated by an air carrier.
Air carrier operation means the takeoff or landing of an air carrier aircraft and includes the period of time from 15 minutes before and until 15 minutes after the takeoff or landing.
Airport means an area of land or other hard surface, excluding water, that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any.
Airport operating certificate means a certificate, issued under this part, for operation of an airport serving scheduled operations of air carriers.
~~*Average daily departures* means the average number of scheduled departures per day of air carrier aircraft computed on the basis of the busiest 3 consecutive months of the immediately preceding 12 calendar months;~~

MINORITY POSITION
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MAJORITY POSITION

~~except that if the average daily departures are expected to increase, then "average daily departures" may be determined by planned rather than current activity in a manner acceptable to the Administrator.~~

Certificate holder means the holder of an airport operating certificate under this Part. ~~or a limited airport operating certificate, except that as used in Subpart D "certificate holder" does not mean the holder of a limited airport operating certificate if its airport certification specifications, or this part, do not require compliance with the section in which it is used.~~

~~*Heliport* means an airport or an area of an airport used or intended to be used for the landing and takeoff of helicopters.~~

~~*Index* means an airport ranking according to the type and quantity of aircraft rescue and firefighting equipment and agent required, determined by the length and frequency of air carrier aircraft served by the airport, as provided in Subpart D of this part.~~

~~*Limited airport operating certificate* means a certificate, issued under this part, for the operation of an airport serving unscheduled operations of air carriers.~~

Movement area means the runways, taxiways, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.

Regional Airports Division Manager means the airports division manager for the FAA region in which the airport is located.

Safety area means a designated area abutting the edges of a runway or taxiway intended to reduce the risk of damage to an aircraft inadvertently leaving the runway or taxiway.

Wildlife hazard means a potential for a damaging aircraft collision with wildlife on or near an airport. As used in this part, "wildlife" includes domestic animals while out of the control of their owners.

MINORITY POSITION

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MAJORITY POSITION

Sec. XYZ.5 Standards and procedures for compliance with the certification and operations requirements of this part.

Certain requirements prescribed by Subparts C and D of this part must be complied with in a manner acceptable to the Administrator. FAA Advisory Circulars contain standards and procedures that are acceptable to the Administrator for compliance with Subparts C and D. Some of these advisory circulars are referenced in specific sections of this part. The standards and procedures in them, or other standards and procedures approved by the Administrator, may be used to comply with those sections.

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MAJORITY POSITION

Subpart B--Certification

Sec. XYZ.101 Certification requirements: general.

(a) No person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any scheduled passenger operation of an air carrier operating an aircraft having a seating capacity of 10 to ~~more than~~ 30 passengers without an airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport certification manual for that airport.

~~(b) Unless otherwise authorized by the Administrator, no person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any unscheduled passenger operation of an air carrier operating an aircraft having a seating capacity of more than 30 passengers without a limited airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport specifications for that airport.~~

Sec. XYZ.103 Application for certificate.

(a) Each applicant for an airport operating certificate ~~or a limited airport operating certificate~~ must submit an application, in a form and in the manner prescribed by the Administrator, to the Regional Airports Division Manager.

(b) The application must be accompanied by two copies of an airport certification manual ~~or airport certification specifications, as appropriate,~~ as prepared in accordance with Subpart C of this part.

Sec. XYZ.105 Inspection authority.

Each applicant for an airport operating certificate ~~or a limited airport operating certificate~~ must allow the Administrator to make any inspections, including unannounced

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Each applicant for an airport operating certificate ~~or a limited airport operating certificate~~ must allow the Administrator to make any inspections, including unannounced

inspections, or tests to determine compliance with--

(a)~~ The Federal Aviation Act of 1958, as amended; and~~ Title 49,USC44708

(b) The requirements of this part.

Sec. XYZ.107 Issuance of certificate.

(a) An applicant for an airport operating certificate is entitled to a certificate if--

(1) The provisions of Sec. XYZ.103 of this subpart are met;

(2) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with--

(i) Subpart D of this part, and

(ii) Any limitations which the Administrator finds necessary in the public interest; and

(3) The Administrator approves the airport certification manual.

~~(b) An applicant for a limited airport operating certificate is entitled to a certificate if--~~

~~(1) The provisions of Sec. XYZ.103 of this subpart are met;~~

~~(2) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with--~~

~~(i) The provisions of Subpart D listed in Sec. XYZ.213(a) of this part, and~~

~~(ii) Any other provisions of this part and any limitations which the Administrator finds necessary in the public interest; and~~

~~(3) The Administrator approves the airport certification specifications.~~

Sec. XYZ.109 Duration of certificate.

An airport operating certificate~~ or a limited airport operating certificate~~ issued under this part is effective until it is surrendered by the certificate holder or is suspended or revoked by the Administrator.

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MAJORITY POSITION

Sec. XYZ.111 Exemptions.

(a) An applicant or a certificate holder may petition the Administrator under Sec. 11.25, Petitions for Rule Making or Exemptions, of this chapter for an exemption from any requirement of this part.
(b) An applicant or a certificate holder, enplaning annually less than one-
quarter of 1 percent of the total number of passengers enplaned at all air
carrier airports, may petition the Administrator under Sec. 11.25, Petitions for Rule Making or Exemptions, of this chapter for an exemption from all or part of the rescue and firefighting equipment requirements of this part on the grounds that compliance with those requirements is, or would be, unreasonably costly, burdensome, or impractical.
(c) Each petition filed under this section must be submitted in duplicate to the Regional Airports Division Manager.

Sec. XYZ.113 Deviations.

In emergency conditions requiring immediate action for the protection of life or property, involving the transportation of persons by air carriers, the certificate holder may deviate from any requirement of Subpart D of this part to the extent required to meet that emergency. Each certificate holder who deviates from a requirement under this paragraph shall, as soon as practicable, but not later than 14 days after the emergency, report in writing to the Regional Airports Division Manager stating the nature, extent, and duration of the deviation.

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MAJORITY POSITION

Subpart C--Airport Certification Manual ~~and Airport Certification Specifications~~

Sec. XYZ.201 Airport operating certificate: Airport certification manual.

(a) An applicant for an airport operating certificate must prepare, and submit with an application, an airport certification manual for approval by the Administrator. Only those items addressing subjects required for certification under this part shall be included in the airport certification manual.
(b) Except as provided in paragraph (c) of this section, each certificate
holder shall comply with an approved airport certification manual that meets
the requirements of Secs. XYZ.203 and XYZ.205.
~~(c) A certificate holder with an approved airport operations manual on December 31, 1987, may use the manual in lieu of the manual required by paragraph (b) of this section until December 31, 1988. Until the certificate holder has an approved airport certification manual, it shall comply with Sec. XYZ.207 as if that section applied to its airport operations manual.~~

Sec. XYZ.203 Preparation of airport certification manual.

(a) Each airport certification manual required by this part shall--
(1) Be typewritten and signed by the airport operator;
(2) Be in a form that is easy to revise;
(3) Have the date of initial approval or approval of the latest revision on each page or item in the manual and include a page revision log; and
(4) Be organized in a manner helpful to the preparation, review, and approval processes.
(b) FAA Advisory Circulars in the XYZ series contain standards and procedures for the development of airport certification manuals which are acceptable to the Administrator.

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(1) Be typewritten and signed by the airport operator;
(2) Be in a form that is easy to revise;
(3) Have the date of initial approval or approval of the latest revision on each page or item in the manual and include a page revision log; and
(4) Be organized in a manner helpful to the preparation, review, and approval processes.
(b) FAA Advisory Circulars in the XYZ series contain standards and procedures for the development of airport certification manuals which are acceptable to the Administrator.

MAJORITY POSITION

Sec. XYZ.205 Contents of airport certification manual.

(a) Each airport certification manual required by this part shall include operating procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with--

(1) The provisions of Subpart D of this part; and

(2) Any limitations which the Administrator finds necessary in the public interest.

(b) In complying with paragraph (a) of this section, the airport certification manual must include at least the following elements:

(1) Lines of succession of airport operational responsibility.

(2) Each current exemption issued to the airport from the requirements of this part.

(3) Any limitations imposed by the Administrator.

(4) A grid map or other means of identifying locations and terrain features on and around the airport which are significant to emergency operations.

(5) The system of runway and taxiway identification.

(6) The location of each obstruction required to be lighted or marked within the airport's area of authority.

(7) A description of each movement area available for air carriers and its safety areas and each ~~road described in Sec. XYZ.319(k) that serves it~~ emergency access road.

(8) A plan~~Procedures~~ for avoidance of interruption or failure during construction work of utilities serving facilities or navaids which support air carrier operations.

(9) A plan~~Procedures~~ for maintaining the paved areas as required by Sec. XYZ.305.

(10) A plan~~Procedures~~ for maintaining the unpaved areas as required by Sec. XYZ.307.

(11) A plan ~~Procedures~~ for maintaining the safety areas as required by Sec. XYZ.309.

MINORITY POSITION

Sec. XYZ.205 Contents of airport certification manual.

(a) Each airport certification manual required by this part shall include operating procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with--

(1) The provisions of Subpart D of this part; and

(2) Any limitations which the Administrator finds necessary in the public interest.

(b) In complying with paragraph (a) of this section, the airport certification manual must include at least the following elements:

(1) Lines of succession of airport operational responsibility.

(2) Each current exemption issued to the airport from the requirements of this part.

(3) Any limitations imposed by the Administrator.

(4) A grid map or other means of identifying locations and terrain features on and around the airport which are significant to emergency operations.

(5) The system of runway and taxiway identification.

(6) The location of each obstruction required to be lighted or marked within the airport's area of authority.

(7) A description of each movement area available for air carriers and its safety areas and each ~~road described in Sec. XYZ.319(k) that serves it~~ emergency access road.

(8) A plan~~Procedures~~ for avoidance of interruption or failure during construction work of utilities serving facilities or navaids which support air carrier operations.

(9) A plan~~Procedures~~ for maintaining the paved areas as required by Sec. XYZ.305.

(10) A plan~~Procedures~~ for maintaining the unpaved areas as required by Sec. XYZ.307.

(11) A plan ~~Procedures~~ for maintaining the safety areas as required by Sec. XYZ.309.

MAJORITY POSITION

(12) A description of, and plan ~~procedures~~ for maintaining, the marking and lighting systems as required by Sec. XYZ.311.
(13) A snow and ice control plan as required by Sec. XYZ.313.
~~(14) A description of the facilities, equipment, personnel, and procedures for meeting the rescue and firefighting requirements in Secs. XYZ.317 and XYZ.319.~~
(14~~15~~) A plan~~Procedures~~ for complying with the requirements of Sec. XYZ.321 relating to hazardous substances and materials.
(15~~16~~) A description of, and a plan ~~procedures~~ for maintaining, the traffic and wind direction indicators required by Sec. XYZ.323.
(16~~17~~) An emergency plan as required by Sec. XYZ.325.
(17~~18~~) A plan~~Procedures~~ for conducting the self-inspection program as required by Sec. XYZ.327.
(18~~19~~) A plan ~~Procedures~~ for controlling ground vehicles as required by Sec. XYZ.329.
(19~~20~~) A plan ~~Procedures~~ for obstruction removal, marking, or lighting as required by Sec. XYZ.331.
(20~~21~~) A plan ~~Procedures~~ for protection of navaids as required by Sec. XYZ.333.
(21~~22~~) A plan for ~~description of~~ public protection as required by Sec. XYZ.335.
(22~~23~~) ~~A wildlife hazard management plan as required by Sec. XYZ.337.~~ A listing of names and telephone numbers of the persons responsible for responding to wildlife hazards.
(23~~24~~) A plan ~~Procedures~~ for airport condition reporting as required by Sec. XYZ.339.
(24~~25~~) A plan ~~Procedures~~ for identifying, marking, and reporting construction and other unserviceable areas as required by Sec. XYZ.341.
(25~~26~~) Any other item which the Administrator finds is necessary in the public interest.

MINORITY POSITION

(12) A description of, and plan ~~procedures~~ for maintaining, the marking and lighting systems as required by Sec. XYZ.311.
(13) A snow and ice control plan as required by Sec. XYZ.313.
(14) A description of the facilities, equipment, personnel, and procedures for meeting the rescue and firefighting requirements in Secs. XYZ.317 and XYZ.319.
(15) A plan~~Procedures~~ for complying with the requirements of Sec. XYZ.321 relating to hazardous substances and materials.
(16) A description of, and a plan ~~procedures~~ for maintaining, the traffic and wind direction indicators required by Sec. XYZ.323.
(17) An emergency plan as required by Sec. XYZ.325.
(18) A plan~~Procedures~~ for conducting the self-inspection program as required by Sec. XYZ.327.
(19) A plan ~~Procedures~~ for controlling ground vehicles as required by Sec. XYZ.329.
(20) A plan ~~Procedures~~ for obstruction removal, marking, or lighting as required by Sec. XYZ.331.
(21) A plan ~~Procedures~~ for protection of navaids as required by Sec. XYZ.333.
(22) A plan for ~~description of~~ public protection as required by Sec. XYZ.335.
(23) ~~A~~ W~~w~~ildlife hazard management plan as required by Sec. XYZ.337.

(24) A plan ~~Procedures~~ for airport condition reporting as required by Sec. XYZ.339.
(25) A plan ~~Procedures~~ for identifying, marking, and reporting construction and other unserviceable areas as required by Sec. XYZ.341.
(26) Any other item which the Administrator finds is necessary in the public interest.

MAJORITY POSITION

Sec. XYZ.207 Maintenance of airport certification manual.

Each holder of an airport operating certificate shall--
(a) Keep its airport certification manual current at all times;
(b) Maintain at least one complete and current copy of its approved airport certification manual easily accessible ~~on the airport~~;
(c) Furnish the applicable portions of the approved airport certification
manual to the airport personnel responsible for their implementation;
(d) Make the copy required by paragraph (b) of this section available for
inspection by the Administrator upon request; and
(e) Provide the Administrator with one complete and current copy required
by paragraph (b) of this section.

~~**Sec. XYZ.209 Limited airport operating certificate: Airport certification specifications.**~~

~~(a) An applicant for a limited airport operating certificate must prepare, and submit with an application, airport certification specifications for approval by the Administrator. Only those items addressing subjects required for certification under this part shall be included in the airport certification specifications.~~
~~(b) Except as provided in paragraph (c) of this section, each certificate holder shall comply with the approved airport certification specifications that meet the requirements of Secs. XYZ.211 and XYZ.213.~~
~~(c) A certificate holder with an approved airport operations specification on December 31, 1987, may use those specifications in lieu of the specifications required by paragraph (b) of this section until December 31, 1988. Until the certificate holder has approved airport certification specifications, it shall comply with Sec. XYZ.215 as if that section applied to its airport operations specifications.~~

MINORITY POSITION

Sec. XYZ.207 Maintenance of airport certification manual.

Each holder of an airport operating certificate shall--
(a) Keep its airport certification manual current at all times;
(b) Maintain at least one complete and current copy of its approved airport certification manual easily accessible ~~on the airport~~;
(c) Furnish the applicable portions of the approved airport certification
manual to the airport personnel responsible for their implementation;
(d) Make the copy required by paragraph (b) of this section available for
inspection by the Administrator upon request; and
(e) Provide the Administrator with one complete and current copy required
by paragraph (b) of this section.

~~**Sec. XYZ.209 Limited airport operating certificate: Airport certification specifications.**~~

~~(a) An applicant for a limited airport operating certificate must prepare, and submit with an application, airport certification specifications for approval by the Administrator. Only those items addressing subjects required for certification under this part shall be included in the airport certification specifications.~~
~~(b) Except as provided in paragraph (c) of this section, each certificate holder shall comply with the approved airport certification specifications that meet the requirements of Secs. XYZ.211 and XYZ.213.~~
~~(c) A certificate holder with an approved airport operations specification on December 31, 1987, may use those specifications in lieu of the specifications required by paragraph (b) of this section until December 31, 1988. Until the certificate holder has approved airport certification specifications, it shall comply with Sec. XYZ.215 as if that section applied to its airport operations specifications.~~

MAJORITY POSITION

~~**Sec. XYZ.211 Preparation of airport certification specifications.**~~

~~(a) Each airport certification specifications required by this part shall~~
~~(1) Be typewritten and signed by the airport operator;~~
~~(2) Be in a form that is easy to revise;~~
~~(3) Have the date of initial approval or approval of the latest revision on each page or item in the specifications and include a page revision log; and~~
~~(4) Be organized in a manner helpful to the preparation, review, and approval processes.~~
~~(b) FAA Advisory Circulars in the XYZ series contain standards and procedures for the development of airport certification specifications which are acceptable to the Administrator.~~

~~**Sec. XYZ.213 Contents of airport certification specifications.**~~

~~(a) The airport certification specifications required by this part shall include operating procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with~~
~~(1) The following provisions of Subpart D of this part:~~
~~(i) Section XYZ.301 Inspection authority.~~
~~(ii) Section XYZ.303 Personnel.~~
~~(iii) Section XYZ.305 Paved areas.~~
~~(iv) Section XYZ.307 Unpaved areas.~~
~~(v) Section XYZ.309 Safety areas.~~
~~(vi) Section XYZ.311 Marking and lighting.~~
~~(vii) Section XYZ.339 Airport condition reporting.~~
~~(2) Any other provisions of Subpart D of this part, and any limitations, which the Administrator finds necessary in the public interest.~~
~~(b) In complying with paragraph (a) of this section, the airport certification specifications shall include at least the following elements:~~
~~(1) Lines of succession of airport operational responsibility.~~
~~(2) Each current exemption issued to the airport from the requirements of~~

MINORITY POSITION

~~**Sec. XYZ.211 Preparation of airport certification specifications.**~~

~~(a) Each airport certification specifications required by this part shall~~
~~(1) Be typewritten and signed by the airport operator;~~
~~(2) Be in a form that is easy to revise;~~
~~(3) Have the date of initial approval or approval of the latest revision on each page or item in the specifications and include a page revision log; and~~
~~(4) Be organized in a manner helpful to the preparation, review, and approval processes.~~
~~(b) FAA Advisory Circulars in the XYZ series contain standards and procedures for the development of airport certification specifications which are acceptable to the Administrator.~~

~~**Sec. XYZ.213 Contents of airport certification specifications.**~~

~~(a) The airport certification specifications required by this part shall include operating procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with~~
~~(1) The following provisions of Subpart D of this part:~~
~~(i) Section XYZ.301 Inspection authority.~~
~~(ii) Section XYZ.303 Personnel.~~
~~(iii) Section XYZ.305 Paved areas.~~
~~(iv) Section XYZ.307 Unpaved areas.~~
~~(v) Section XYZ.309 Safety areas.~~
~~(vi) Section XYZ.311 Marking and lighting.~~
~~(vii) Section XYZ.339 Airport condition reporting.~~
~~(2) Any other provisions of Subpart D of this part, and any limitations, which the Administrator finds necessary in the public interest.~~
~~(b) In complying with paragraph (a) of this section, the airport certification specifications shall include at least the following elements:~~
~~(1) Lines of succession of airport operational responsibility.~~
~~(2) Each current exemption issued to the airport from the requirements of~~

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~~this part.~~
~~(3) Any limitations imposed by the Administrator.~~
~~(4) The system of runway and taxiway identification.~~
~~(5) The location of each obstruction required to be lighted or marked within the airport's area of authority.~~
~~(6) A description of each movement area available for air carriers and its safety areas.~~
~~(7) Procedures for maintaining the paved areas as required by Sec. XYZ.305.~~
~~(8) Procedures for maintaining the unpaved areas as required by Sec. XYZ.307.~~
~~(9) Procedures for maintaining the safety areas as required by Sec. XYZ.309.~~
~~(10) A description of, and procedures for maintaining, the marking and lighting systems as required by Sec. XYZ.311.~~
~~(11) A description of the facilities, equipment, personnel, and procedures for emergency response to aircraft rescue and firefighting needs.~~
~~(12) Procedures for safety in storing and handling of hazardous substances and materials.~~
~~(13) A description of, and procedures for maintaining, any traffic and wind direction indicators on the airport.~~
~~(14) A description of the procedures used for conducting self inspections of the airport.~~
~~(15) Procedures and responsibilities for airport condition reporting as required by Sec. XYZ.339.~~
~~(16) Procedures for compliance with any other provisions of Subpart D of this part, and any limitations, which the Administrator finds necessary in the public interest.~~

~~**Sec. XYZ.215 Maintenance of airport certification specifications.**~~

~~Each holder of a limited airport operating certificate shall—~~
~~(a) Keep its airport certification specifications current at all times;~~

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~~this part.~~
~~(3) Any limitations imposed by the Administrator.~~
~~(4) The system of runway and taxiway identification.~~
~~(5) The location of each obstruction required to be lighted or marked within the airport's area of authority.~~
~~(6) A description of each movement area available for air carriers and its safety areas.~~
~~(7) Procedures for maintaining the paved areas as required by Sec. XYZ.305.~~
~~(8) Procedures for maintaining the unpaved areas as required by Sec. XYZ.307.~~
~~(9) Procedures for maintaining the safety areas as required by Sec. XYZ.309.~~
~~(10) A description of, and procedures for maintaining, the marking and lighting systems as required by Sec. XYZ.311.~~
~~(11) A description of the facilities, equipment, personnel, and procedures for emergency response to aircraft rescue and firefighting needs.~~
~~(12) Procedures for safety in storing and handling of hazardous substances and materials.~~
~~(13) A description of, and procedures for maintaining, any traffic and wind direction indicators on the airport.~~
~~(14) A description of the procedures used for conducting self inspections of the airport.~~
~~(15) Procedures and responsibilities for airport condition reporting as required by Sec. XYZ.339.~~
~~(16) Procedures for compliance with any other provisions of Subpart D of this part, and any limitations, which the Administrator finds necessary in the public interest.~~

~~**Sec. XYZ.215 Maintenance of airport certification specifications.**~~

~~Each holder of a limited airport operating certificate shall—~~
~~(a) Keep its airport certification specifications current at all times;~~

MAJORITY POSITION

~~(b) Maintain at least one complete and current copy of its approved airport certification specifications on the airport;~~
~~(c) Furnish the applicable portions of the approved airport certification specifications to the airport personnel responsible for their implementation;~~
~~(d) Make the copy required by paragraph (b) of this section available for inspection by the Administrator upon request; and~~
~~(e) Provide the Administrator with one complete and current copy required by paragraph (b) of this section.~~

Sec. XYZ.217 Amendment of airport certification manual~~or airport certification specifications~~.

(a) The Regional Airports Division Manager may amend any airport certification manual ~~or any airport certification specifications~~ approved under this part, either--
(1) Upon application by the certificate ~~certification~~ holder; or
(2) On the Regional Airports Division Manager's own initiative if the
Regional Airports Division Manager determines that safety in air transportation or air commerce and the public interest require the amendment.
(b) An applicant for an amendment to its airport certification manual ~~or its airport certification specifications~~ shall file its application with the Regional Airports Division Manager at least 30 days before the proposed effective date of the amendment, unless a shorter filing period is allowed by that office.
(c) At any time within 30 days after receiving a notice of refusal to approve the application for amendment, the certificate holder may petition the Administrator to reconsider the refusal to amend.
(d) In the case of amendments initiated by the Regional Airports Division Manager, the office notifies the certificate holder of the proposed amendment, in writing, fixing a reasonable period (but not less than 7 days) within which the certificate holder may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Regional Airports Division Manager notifies the certificate

MINORITY POSITION

~~(b) Maintain at least one complete and current copy of its approved airport certification specifications on the airport;~~
~~(c) Furnish the applicable portions of the approved airport certification specifications to the airport personnel responsible for their implementation;~~
~~(d) Make the copy required by paragraph (b) of this section available for inspection by the Administrator upon request; and~~
~~(e) Provide the Administrator with one complete and current copy required by paragraph (b) of this section.~~

Sec. XYZ.217 Amendment of airport certification manual~~or airport certification specifications~~.

(a) The Regional Airports Division Manager may amend any airport certification manual ~~or any airport certification specifications~~ approved under this part, either--
(1) Upon application by the certificate ~~certification~~ holder; or
(2) On the Regional Airports Division Manager's own initiative if the
Regional Airports Division Manager determines that safety in air transportation or air commerce and the public interest require the amendment.
(b) An applicant for an amendment to its airport certification manual ~~or its airport certification specifications~~ shall file its application with the Regional Airports Division Manager at least 30 days before the proposed effective date of the amendment, unless a shorter filing period is allowed by that office.
(c) At any time within 30 days after receiving a notice of refusal to approve the application for amendment, the certificate holder may petition the Administrator to reconsider the refusal to amend.
(d) In the case of amendments initiated by the Regional Airports Division Manager, the office notifies the certificate holder of the proposed amendment, in writing, fixing a reasonable period (but not less than 7 days) within which the certificate holder may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Regional Airports Division Manager notifies the certificate

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holder of any amendment adopted or rescinds the notice. The amendment becomes effective not less than 30 days after the certificate holder receives notice of it, except that prior to the effective date the certificate holder may petition the Administrator to reconsider the amendment, in which case its effective date is stayed pending a decision by the Administrator.

(e) Notwithstanding the provisions of paragraph (d) of this section, if the Regional Airports Division Manager finds that there is an emergency requiring immediate action with respect to safety in air transportation or air commerce that makes the procedures in this paragraph impractical or contrary to the public interest, the Regional Airports Division Manager may issue an amendment, effective without stay on the date the certificate holder receives notice of it. In such a case, the Regional Airports Division Manager incorporates the finding of the emergency, and a brief statement of the reasons for the finding, in the notice of the amendment. Within 30 days after the issuance of such an emergency amendment, the certificate holder may petition the Administrator to reconsider either the finding of an emergency or the amendment itself or both. This petition does not automatically stay the effectiveness of the emergency amendment.

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holder of any amendment adopted or rescinds the notice. The amendment becomes effective not less than 30 days after the certificate holder receives notice of it, except that prior to the effective date the certificate holder may petition the Administrator to reconsider the amendment, in which case its effective date is stayed pending a decision by the Administrator.

(e) Notwithstanding the provisions of paragraph (d) of this section, if the Regional Airports Division Manager finds that there is an emergency requiring immediate action with respect to safety in air transportation or air commerce that makes the procedures in this paragraph impractical or contrary to the public interest, the Regional Airports Division Manager may issue an amendment, effective without stay on the date the certificate holder receives notice of it. In such a case, the Regional Airports Division Manager incorporates the finding of the emergency, and a brief statement of the reasons for the finding, in the notice of the amendment. Within 30 days after the issuance of such an emergency amendment, the certificate holder may petition the Administrator to reconsider either the finding of an emergency or the amendment itself or both. This petition does not automatically stay the effectiveness of the emergency amendment.

MAJORITY POSITION

Subpart D--Operations

Sec. XYZ.301 Inspection authority.

Each certificate holder shall allow the Administrator to make any inspections, including unannounced inspections, or tests to determine compliance with this part.

Sec. XYZ.303 Personnel.

Each certificate holder shall maintain sufficient qualified personnel to comply with the requirements of its airport certification manual or airport certification specifications and the applicable rules of this part.

Sec. XYZ.305 Paved areas.

(a) Each certificate holder shall maintain, and promptly repair the pavement of, each runway, taxiway, loading ramp, and parking area on the airport which is available for air carrier use as follows:
(1) The pavement edges shall not exceed 3 inches difference in elevation between abutting pavement sections and between full strength pavement and abutting shoulders.
(2) The pavement shall have no hole exceeding 3 inches in depth nor any hole the slope of which from any point in the hole to the nearest point at the lip of the hole is 45 degrees or greater as measured from the pavement surface plane, unless, in either case, the entire area of the hole can be covered by a 5-inch diameter circle.
(3) The pavement shall be free of cracks and surface variations which could impair directional control of air carrier aircraft.
(4) Except as provided in paragraph (b) of this section, mud, dirt, sand, loose aggregate, debris, foreign objects, rubber deposits, and other contaminants shall be removed promptly and as completely as practicable.
(5) Except as provided in paragraph (b) of this section, any chemical solvent that is used to clean any pavement area shall be removed as soon as possible, consistent with the instructions of the manufacturer of the solvent.

MINORITY POSITION

Subpart D--Operations

Sec. XYZ.301 Inspection authority.

Each certificate holder shall allow the Administrator to make any inspections, including unannounced inspections, or tests to determine compliance with this part.

Sec. XYZ.303 Personnel.

Each certificate holder shall maintain sufficient qualified personnel to comply with the requirements of its airport certification manual or airport certification specifications and the applicable rules of this part.

Sec. XYZ.305 Paved areas.

(a) Each certificate holder shall maintain, and promptly repair the pavement of, each runway, taxiway, loading ramp, and parking area on the airport which is available for air carrier use as follows:
(1) The pavement edges shall not exceed 3 inches difference in elevation between abutting pavement sections and between full strength pavement and abutting shoulders.
(2) The pavement shall have no hole exceeding 3 inches in depth nor any hole the slope of which from any point in the hole to the nearest point at the lip of the hole is 45 degrees or greater as measured from the pavement surface plane, unless, in either case, the entire area of the hole can be covered by a 5-inch diameter circle.
(3) The pavement shall be free of cracks and surface variations which could impair directional control of air carrier aircraft.
(4) Except as provided in paragraph (b) of this section, mud, dirt, sand, loose aggregate, debris, foreign objects, rubber deposits, and other contaminants shall be removed promptly and as completely as practicable.
(5) Except as provided in paragraph (b) of this section, any chemical solvent that is used to clean any pavement area shall be removed as soon as possible, consistent with the instructions of the manufacturer of the solvent.

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(6) The pavement shall be sufficiently drained and free of depressions to prevent ponding that obscures markings or impairs safe aircraft operations.
(b) Paragraphs (a)(4) and (a)(5) of this section do not apply to snow and ice accumulations and their control, including the associated use of materials such as sand and deicing solutions.
(c) FAA Advisory Circulars in the 150 series contain standards and procedures for the maintenance and configuration of paved areas which are acceptable to the Administrator.

Sec. XYZ.307 Unpaved areas.

(a) Each certificate holder shall maintain and promptly repair the surface of each gravel, turf, or other unpaved runway, taxiway, or loading ramp and parking area on the airport which is available for air carrier use as
follows:
(1) No slope from the edge of the full-strength surfaces downward to the existing terrain shall be steeper than 2:1.
(2) The full-strength surfaces shall have adequate crown or grade to assure
sufficient drainage to prevent ponding.
(3) The full-strength surfaces shall be adequately compacted and sufficiently stable to prevent rutting by aircraft, or the loosening or buildup of surface material which could impair directional control of aircraft or drainage.
(4) The full-strength surfaces must have no holes or depressions which exceed 3 inches in depth and are of a breadth capable of impairing directional control or causing damage to an aircraft.
(5) Debris and foreign objects shall be promptly removed from the surface.
(b) Standards and procedures for the maintenance and configuration of unpaved full-strength surfaces shall be included in the airport certification manual or the airport certification specifications, as appropriate, for
compliance with this section.

Sec. XYZ.309 Safety areas.

(a) To the extent practicable, each certificate holder shall provide and maintain for each

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(6) The pavement shall be sufficiently drained and free of depressions to prevent ponding that obscures markings or impairs safe aircraft operations.
(b) Paragraphs (a)(4) and (a)(5) of this section do not apply to snow and ice accumulations and their control, including the associated use of materials such as sand and deicing solutions.
(c) FAA Advisory Circulars in the 150 series contain standards and procedures for the maintenance and configuration of paved areas which are acceptable to the Administrator.

Sec. XYZ.307 Unpaved areas.

(a) Each certificate holder shall maintain and promptly repair the surface of each gravel, turf, or other unpaved runway, taxiway, or loading ramp and parking area on the airport which is available for air carrier use as
follows:
(1) No slope from the edge of the full-strength surfaces downward to the existing terrain shall be steeper than 2:1.
(2) The full-strength surfaces shall have adequate crown or grade to assure
sufficient drainage to prevent ponding.
(3) The full-strength surfaces shall be adequately compacted and sufficiently stable to prevent rutting by aircraft, or the loosening or buildup of surface material which could impair directional control of aircraft or drainage.
(4) The full-strength surfaces must have no holes or depressions which exceed 3 inches in depth and are of a breadth capable of impairing directional control or causing damage to an aircraft.
(5) Debris and foreign objects shall be promptly removed from the surface.
(b) Standards and procedures for the maintenance and configuration of unpaved full-strength surfaces shall be included in the airport certification manual or the airport certification specifications, as appropriate, for
compliance with this section.

Sec. XYZ.309 Safety areas.

(a) To the extent practicable, each certificate holder shall provide and maintain for each

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runway and taxiway which is available for air carrier use--

(1) If the runway or taxiway had a safety area on ~~December 31, 1987,~~ (amend date to final rule date for airports with 10-30 seat services) and if no reconstruction or significant expansion of the runway or taxiway was begun on or after ~~January 1, 1988,~~(amend date to final rule date for airports with 10-30 seat services) a safety area of at least the dimensions that existed on ~~December 31, 1987; or~~ (amend date to final rule date for airports with 10-30 seat services).

(2) If construction, reconstruction, or significant expansion of the runway or taxiway began on or after ~~January 1, 1988,~~(amend date to final rule date for airports with 10-30 seat services) a safety area which conforms to the dimensions acceptable to the Administrator at the time construction, reconstruction, or expansion began.

(b) Each certificate holder shall maintain its safety areas as follows:

(1) Each safety area shall be cleared and graded, and have no potentially hazardous ruts, humps, depressions, or other surface variations.

(2) Each safety area shall be drained by grading or storm sewers to prevent water accumulation.

(3) Each safety area shall be capable under dry conditions of supporting snow removal equipment, and aircraft rescue and firefighting equipment, and supporting the occasional passage of aircraft without causing major damage to the aircraft.

(4) No object may be located in any safety area, except for objects that need to be located in a safety area because of their function. These objects shall be constructed, to the extent practical, on frangibly mounted structures of the lowest practical height with the frangible point no higher than 3 inches above grade.

(c) FAA Advisory Circulars in the 150 series contain standards and procedures for the configuration and maintenance of safety areas acceptable to the Administrator.

Sec. XYZ.311 Marking and lighting.

(a) Each certificate holder shall provide and maintain at least the following marking systems for air carrier operations on the airport:

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runway and taxiway which is available for air carrier use--

(1) If the runway or taxiway had a safety area on ~~December 31, 1987,~~ (amend date to final rule date for airports with 10-30 seat services) and if no reconstruction or significant expansion of the runway or taxiway was begun on or after ~~January 1, 1988,~~(amend date to final rule date for airports with 10-30 seat services) a safety area of at least the dimensions that existed on ~~December 31, 1987; or~~ (amend date to final rule date for airports with 10-30 seat services).

(2) If construction, reconstruction, or significant expansion of the runway or taxiway began on or after ~~January 1, 1988,~~(amend date to final rule date for airports with 10-30 seat services) a safety area which conforms to the dimensions acceptable to the Administrator at the time construction, reconstruction, or expansion began.

(b) Each certificate holder shall maintain its safety areas as follows:

(1) Each safety area shall be cleared and graded, and have no potentially hazardous ruts, humps, depressions, or other surface variations.

(2) Each safety area shall be drained by grading or storm sewers to prevent water accumulation.

(3) Each safety area shall be capable under dry conditions of supporting snow removal equipment, and aircraft rescue and firefighting equipment, and supporting the occasional passage of aircraft without causing major damage to the aircraft.

(4) No object may be located in any safety area, except for objects that need to be located in a safety area because of their function. These objects shall be constructed, to the extent practical, on frangibly mounted structures of the lowest practical height with the frangible point no higher than 3 inches above grade.

(c) FAA Advisory Circulars in the 150 series contain standards and procedures for the configuration and maintenance of safety areas acceptable to the Administrator.

Sec. XYZ.311 Marking and lighting.

(a) Each certificate holder shall provide and maintain at least the following marking systems for air carrier operations on the airport:

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(1) Runway markings meeting the specifications for the approach with the lowest minimums authorized for each runway.
(2) Taxiway centerline and edge markings.
(3) Signs identifying taxiing routes on the movement area shall be as a minimum retroreflective.

(4) Runway holding position markings and signs. Internally-illuminated mandatory signs are required to be installed on runways equipped with edge lighting. Internally-illuminated or retroflective mandatory signs shall be installed on runways not equipped with edge lighting.
(5) ILS critical area markings and signs.
(b) Each certificate holder shall provide and maintain, when the airport is open during hours of darkness or during conditions below VFR minimums, at least the following lighting systems for air carrier operations on the airport:
(1) Runway lighting meeting the specifications for the approach with the lowest minimums authorized for each runway.
(2) One of the following taxiway lighting systems:
(i) Centerline lights.
(ii) Centerline reflectors.
(iii) Edge lights.
(iv) Edge reflectors.
(3) An airport beacon.
(4) Approach lighting meeting the specifications for the approach with the lowest minimums authorized for each runway, unless otherwise provided and maintained by the FAA or another agency.
(5) Obstruction marking and lighting, as appropriate, on each object within its authority which constitutes an obstruction under Part 77 of this chapter. However, this lighting and marking is not required if it is determined to be unnecessary by an FAA aeronautical study.
(c) Each certificate holder shall properly maintain each marking or lighting system installed on the airport which is owned by the certificate holder. As used in this section, to "properly maintain" includes: To clean, replace, or repair any faded, missing, or nonfunctional item of lighting; to keep each

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(1) Runway markings meeting the specifications for the approach with the lowest minimums authorized for each runway.
(2) Taxiway centerline and edge markings.
(3) Internally-illuminated signs shall be installed to identify taxiing routes on the movement area where edge and/or centerline lighting is installed. Internally illuminated or retroflective signs shall be installed in areas not equipped with edge and/or centerline lighting.
(4) Runway holding position markings and signs. Internally-illuminated mandatory signs are required to be installed on runways equipped with edge lighting. Internally-illuminated or retroflective mandatory signs shall be installed on runways not equipped with edge lighting.
(5) ILS critical area markings and signs.
(b) Each certificate holder shall provide and maintain, when the airport is open during hours of darkness or during conditions below VFR minimums, at least the following lighting systems for air carrier operations on the airport:
(1) Runway lighting meeting the specifications for the approach with the lowest minimums authorized for each runway.
(2) One of the following taxiway lighting systems:
(i) Centerline lights.
(ii) Centerline reflectors.
(iii) Edge lights.
(iv) Edge reflectors.
(3) An airport beacon.
(4) Approach lighting meeting the specifications for the approach with the lowest minimums authorized for each runway, unless otherwise provided and maintained by the FAA or another agency.
(5) Obstruction marking and lighting, as appropriate, on each object within its authority which constitutes an obstruction under Part 77 of this chapter. However, this lighting and marking is not required if it is determined to be unnecessary by an FAA aeronautical study.
(c) Each certificate holder shall properly maintain each marking or lighting system installed on the airport which is owned by the certificate holder. As used in this section, to "properly maintain" includes: To clean, replace, or repair any faded, missing, or nonfunctional item of lighting; to keep each

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item unobscured and clearly visible; and to ensure that each item provides an accurate reference to the user.
(d) Each certificate holder shall ensure that all lighting on the airport, including that for aprons, vehicle parking areas, roadways, fuel storage areas, and buildings, is adequately adjusted or shielded to prevent interference with air traffic control and aircraft operations.
(e) FAA Advisory Circulars in the 150 series contain standards and procedures for equipment, material, installation, and maintenance of light systems and marking listed in this section which are acceptable to the Administrator.
(f) Notwithstanding paragraph (a) of this section, a certificate holder is not required to provide the identified signs in paragraph (a)(3) of this section until ~~January 1, 1995~~**(change date).** Each certificate holder shall maintain each—marking system that meets paragraph (a)(3) of this section. If installing a new lighting system or "rehabing" a lighting system, then the certificate holder must install illuminated signs. This does not apply to repaving projects.)

Sec. XYZ.313 Snow and ice control.

(a) Each certificate holder whose airport is located where snow and icing conditions regularly occur shall prepare, maintain, and carry out a snow and ice control plan.
(b) The snow and ice control plan required by this section shall include instructions and procedures prior to air carrier operations for--

(1) ~~Prompt~~ R~~r~~emoval or control, as completely as practical, of snow, ice, and slush on each movement area;
(2) Positioning snow off of movement area surfaces so that all air carrier aircraft propellers, engine pods, rotors, and wingtips will clear any snowdrift and snowbank as the aircraft's landing gear traverses any full
strength portion of the movement area;
(3) Selection and application of approved materials for snow and ice control to ensure that they adhere to snow and ice sufficiently to minimize engine ingestion;

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item unobscured and clearly visible; and to item ensure that each item provides an accurate reference to the user.
(d) Each certificate holder shall ensure that all lighting on the airport, including that for aprons, vehicle parking areas, roadways, fuel storage areas, and buildings, is adequately adjusted or shielded to prevent interference with air traffic control and aircraft operations.
(e) FAA Advisory Circulars in the 150 series contain standards and procedures for equipment, material, installation, and maintenance of light systems and marking listed in this section which are acceptable to the Administrator.
(f) Notwithstanding paragraph (a) of this section, a certificate holder is not required to provide the identified signs in paragraph (a)(3) of this section until ~~January 1, 1995~~**(change date).** Each certificate holder shall maintain each—marking system that meets paragraph (a)(3) of this section. If installing a new lighting system or "rehabing" a lighting system, then the certificate holder must install illuminated signs.

Sec. XYZ.313 Snow and ice control.

(a) Each certificate holder whose airport is located where snow and icing conditions regularly occur shall prepare, maintain, and carry out a snow and ice control plan.
(b) The snow and ice control plan required by this section shall include instructions and procedures prior to air carrier operations for--

(1) ~~Prompt~~ R~~r~~emoval or control, as completely as practical, of snow, ice, and slush on each movement area;
(2) Positioning snow off of movement area surfaces so that all air carrier aircraft propellers, engine pods, rotors, and wingtips will clear any snowdrift and snowbank as the aircraft's landing gear traverses any full
strength portion of the movement area;
(3) Selection and application of approved materials for snow and ice control to ensure that they adhere to snow and ice sufficiently to minimize engine ingestion;

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~~(4) Timely commencement of snow and ice control operations; and~~

(~~4~~5) Prompt notification, in accordance with Sec. XYZ.339, of all air carriers using the airport when any portion of the movement area normally available to them is less than satisfactorily cleared for safe operation by their aircraft.

(c) FAA Advisory Circulars in the 150 series contain standards for snow and ice control equipment, materials, and procedures for snow and ice control which are acceptable to the Administrator.

~~**Sec. XYZ.315 Aircraft rescue and firefighting: Index determination.**~~

~~(a) An Index is required by paragraph (c) of this section for each certificate holder. The Index is determined by a combination of--~~

~~(1) The length of air carrier aircraft expressed in groups; and~~

~~(2) Average daily departures of air carrier aircraft.~~

~~(b) For the purpose of Index determination, air carrier aircraft lengths are grouped as follows:~~

~~(1) Index A includes aircraft less than 90 feet in length.~~

~~(2) Index B includes aircraft at least 90 feet but less than 126 feet in length.~~

~~(3) Index C includes aircraft at least 126 feet but less than 159 feet in length.~~

~~(4) Index D includes aircraft at least 159 feet but less than 200 feet in length.~~

~~(5) Index E includes aircraft at least 200 feet in length.~~

~~(c) Except as provided in Sec. XYZ.319(c), the Index required by Sec. XYZ.319 is determined as follows:~~

~~(1) If there are five or more average daily departures of air carrier aircraft in a single Index group serving that airport, the longest Index group with an average of 5 or more daily departures is the Index required for the airport.~~

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~~(4) Timely commencement of snow and ice control operations; and~~

(~~4~~5) Prompt notification, in accordance with Sec. XYZ.339, of all air carriers using the airport when any portion of the movement area normally available to them is less than satisfactorily cleared for safe operation by their aircraft.

(c) FAA Advisory Circulars in the 150 series contain standards for snow and ice control equipment, materials, and procedures for snow and ice control which are acceptable to the Administrator.

Sec. XYZ.315 Aircraft rescue and firefighting: Index determination.

(a) An Index is required by paragraph (c) of this section for each certificate holder. The Index is determined by a combination of--

(1) The length of air carrier aircraft expressed in groups; and

(2) Average daily departures of air carrier aircraft.

(b) For the purpose of Index determination, air carrier aircraft lengths are grouped as follows:

(1) Index A includes aircraft less than 90 feet in length.

(2) Index B includes aircraft at least 90 feet but less than 126 feet in length.

(3) Index C includes aircraft at least 126 feet but less than 159 feet in length.

(4) Index D includes aircraft at least 159 feet but less than 200 feet in length.

(5) Index E includes aircraft at least 200 feet in length.

(c) Except as provided in Sec. XYZ.319(c), the Index required by Sec. XYZ.319 is determined as follows:

(1) If there are five or more average daily departures of air carrier aircraft in a single Index group serving that airport, the longest Index group with an average of 5 or more daily departures is the Index required for the airport.

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~~(2) If there are less than five average daily departures of air carrier aircraft in a single Index group serving that airport, the next lower Index from the longest Index group with air carrier aircraft in it is the Index required for the airport. The minimum designated Index shall be Index A.~~

Sec. XYZ.317Aircraft rescue and firefighting: Equipment and agents.

The following rescue and firefighting equipment and agents are the minimum required to meet ~~for the Indexes referred to in~~ Sec. XYZ._~~315~~ 325(c):

(a) Index A: One vehicle carrying at least--

(1) 500 pounds of sodium-based dry chemical or halon 1211; or

(2) 450 pounds of potassium-based dry chemical and water with a commensurate quantity of AFFF to total 100 gallons, for simultaneous dry chemical and AFFF foam application.

~~(b) Index B: Either of the following:~~

~~(1) One vehicle carrying at least 500 pounds of sodium-based dry chemical or halon 1211, and 1,500 gallons of water, and the commensurate quantity of AFFF for foam production.~~

~~(2) Two vehicles--~~

~~(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and~~

~~(ii) One vehicle carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by both vehicles is at least 1,500 gallons.~~

~~(c) Index C: Either of the following:~~

~~(1) Three vehicles--~~

~~(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and~~

~~(ii) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 3,000 gallons.~~

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(2) If there are less than five average daily departures of air carrier aircraft in a single Index group serving that airport, the next lower Index from the longest Index group with air carrier aircraft in it is the Index required for the airport. The minimum designated Index shall be Index A.

Sec. XYZ.317Aircraft rescue and firefighting: Equipment and agents.

The following rescue and firefighting equipment and agents are the minimum required for the Indexes referred to in Sec. XYZ.315:

(a) Index A: One vehicle carrying at least--

(1) 500 pounds of sodium-based dry chemical or halon 1211; or

(2) 450 pounds of potassium-based dry chemical and water with a commensurate quantity of AFFF to total 100 gallons, for simultaneous dry chemical and AFFF foam application.

(b) Index B: Either of the following:

(1) One vehicle carrying at least 500 pounds of sodium-based dry chemical or halon 1211, and 1,500 gallons of water, and the commensurate quantity of AFFF for foam production.

(2) Two vehicles--

(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(ii) One vehicle carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by both vehicles is at least 1,500 gallons.

(c) Index C: Either of the following:

(1) Three vehicles--

(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(ii) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 3,000 gallons.

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~~(d) Index D: Three vehicles--~~
~~(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and~~
~~(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 4,000 gallons.~~
~~(e) Index E: Three vehicles--~~
~~(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and~~
~~(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 6,000 gallons.~~
~~(f) Notwithstanding the provisions of paragraphs (a) through (e) of this section, any certificate holder whose vehicles met the requirements of this part for quantity and type of extinguishing agent on December 31, 1987, may comply with the Index requirements of this section by carrying the extinguishing agents to the full capacity of those vehicles. Whenever any of those vehicles is replaced or rehabilitated, the capacity of the replacement or rehabilitated vehicle shall be sufficient to comply with the requirements of the required Index.~~
~~(g) Foam discharge capacity. Each aircraft rescue and firefighting vehicle used to comply with Index B, C, D, or E requirements with a capacity of at least 500 gallons of water for foam production shall be equipped with a turret. Vehicle turret discharge capacity shall be as follows:~~
~~(1) Each vehicle with a minimum rated vehicle water tank capacity of at least 500 gallons but less than 2,000 gallons shall have a turret discharge rate of at least 500 gallons per minute but not more than 1,000 gallons per minute.~~
~~2) Each vehicle with a minimum rated vehicle water tank capacity of at least 2,000 gallons shall have a turret discharge rate of at least 600 gallons per minute but not more than 1,200 gallons per minute.~~

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(d) Index D: Three vehicles--
(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and
(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 4,000 gallons.
(e) Index E: Three vehicles--
(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and
(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 6,000 gallons.
(f) Notwithstanding the provisions of paragraphs (a) through (e) of this section, any certificate holder whose vehicles met the requirements of this part for quantity and type of extinguishing agent on December 31, 1987, may comply with the Index requirements of this section by carrying the extinguishing agents to the full capacity of those vehicles. Whenever any of those vehicles is replaced or rehabilitated, the capacity of the replacement or rehabilitated vehicle shall be sufficient to comply with the requirements of the required Index.
g) Foam discharge capacity. Each aircraft rescue and firefighting vehicle used to comply with Index B, C, D, or E requirements with a capacity of at least 500 gallons of water for foam production shall be equipped with a turret. Vehicle turret discharge capacity shall be as follows:
(1) Each vehicle with a minimum rated vehicle water tank capacity of at least 500 gallons but less than 2,000 gallons shall have a turret discharge rate of at least 500 gallons per minute but not more than 1,000 gallons per minute.
(2) Each vehicle with a minimum rated vehicle water tank capacity of at least 2,000 gallons shall have a turret discharge rate of at least 600 gallons per minute but not more than 1,200 gallons per minute.

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~~(3) Notwithstanding the requirements of paragraph (g) of this section, any certificate holder whose aircraft rescue and firefighting vehicles are not equipped with turrets or do not have the discharge capacity required in this section, but otherwise met the requirements of this part on December 31, 1987, need not comply with paragraph (g) of this section for a particular vehicle until that vehicle is replaced or rehabilitated.~~

~~(h) Dry chemical and halon 1211 discharge capacity. Each aircraft rescue and firefighting vehicle which is required to carry dry chemical or halon 1211 for compliance with the index requirements of this section must meet one of the following minimum discharge rates for the equipment installed:~~

~~(1) Dry chemical or halon 1211 through a hand line, 5 pounds per second.~~

~~(2) Dry chemical or halon 1211 through a turret, 16 pounds per second.~~

~~(i) Extinguishing agent substitutions. The following extinguishing agent substitutions may be made:~~

~~(1) Protein or fluoroprotein foam concentrates may be substituted for AFFF. When either of these substitutions is selected, the volume of water to be carried for the subsitute foam production shall be calculated by multiplyingthe volume of water required for AFFF by the factor 1.5.~~

~~(2) Sodium- or potassium-based dry chemical or halon 1211 may be substituted for AFFF. Up to 30 percent of the amount of water specified for AFFF production may be replaced by dry chemical or halon 1211, except that for airports where such extreme climatic conditions exist that water is either unmanageable or unobtainable, as in arctic or desert regions, up to 100 percent of the required water may be replaced by dry chemical or halon 1211. When this substitution is selected, 12.7 pounds of dry chemical or halon 1211 shall be substituted for each gallon of water used for AFFF foam production.~~

~~(3) Sodium- or potassium-based dry chemical or halon 1211 may be substituted for protein or fluoroprotein foam. When this substitution is~~

MINORITY POSITION

(3) Notwithstanding the requirements of paragraph (g) of this section, any certificate holder whose aircraft rescue and firefighting vehicles are not equipped with turrets or do not have the discharge capacity required in this section, but otherwise met the requirements of this part on December 31, 1987, need not comply with paragraph (g) of this section for a particular vehicle until that vehicle is replaced or rehabilitated.

(h) Dry chemical and halon 1211 discharge capacity. Each aircraft rescue and firefighting vehicle which is required to carry dry chemical or halon 1211 for compliance with the index requirements of this section must meet one of the following minimum discharge rates for the equipment installed:

(1) Dry chemical or halon 1211 through a hand line, 5 pounds per second.

(2) Dry chemical or halon 1211 through a turret, 16 pounds per second.

(i) Extinguishing agent substitutions. The following extinguishing agent substitutions may be made:

(1) Protein or fluoroprotein foam concentrates may be substituted for AFFF. When either of these substitutions is selected, the volume of water to be carried for the substitute foam production shall be calculated by multiplying the volume of water required for AFFF by the factor 1.5.

(2) Sodium- or potassium-based dry chemical or halon 1211 may be substituted for AFFF. Up to 30 percent of the amount of water specified for AFFF production may be replaced by dry chemical or halon 1211, except that for airports where such extreme climatic conditions exist that water is either unmanageable or unobtainable, as in arctic or desert regions, up to 100 percent of the required water may be replaced by dry chemical or halon 1211. When this substitution is selected, 12.7 pounds of dry chemical or halon 1211 shall be substituted for each gallon of water used for AFFF foam production.

(3) Sodium- or potassium-based dry chemical or halon 1211 may be substituted for protein or fluoroprotein foam. When this substitution is

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~~selected, 8.4 pounds of dry chemical or halon 1211 shall be substituted for one gallon of water for protein or fluoroprotein foam production.~~
~~(4) AFFF may be substituted for dry chemical or halon 1211. For airports where meteorological conditions, such as consistently high winds and precipitation, would frequently prevent the effective use of dry chemical or halon 1211, up to 50 percent of these agents may be replaced by water for AFFF production. When this substitution is selected, one gallon of water for foam production with the commensurate quantity of AFFF shall be substituted for 12.7 pounds of dry chemical or halon 1211.~~
~~(5) Potassium-based dry chemical may be substituted for sodium-based dry chemical. Where 500 pounds of sodium-based dry chemical is specified, 450 pounds of potassium-based dry chemical may be substituted.~~
~~(6) Other extinguishing agent substitutions acceptable to the Administrator may be made in amounts that provide equivalent firefighting capability.~~
~~(j) In addition to the quantity of water required, each vehicle required to carry AFFF shall carry AFFF in an appropriate amount to mix with twice the water required to be carried by the vehicle.~~
~~(k) FAA Advisory Circulars in the 150 series contain standards and procedures for AFFF equipment and agents which are acceptable to the Administrator.~~

~~Sec. XYZ.319 Aircraft rescue and firefighting: Operational requirements.~~

~~(a) Except as provided in paragraph (c) of this section, each certificate holder shall provide on the airport, during air carrier operations at the airport, at least the rescue and firefighting capability specified for the Index required by Sec. XYZ.317.~~
~~(b) Increase in Index. Except as provided in paragraph (c) of this section, if an increase in the average daily departures or the length of air carrier aircraft results in an increase in the Index required by paragraph (a) of this section, the certificate holder shall comply with the increased requirements.~~

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selected, 8.4 pounds of dry chemical or halon 1211 shall be substituted for one gallon of water for protein or fluoroprotein foam production.
(4) AFFF may be substituted for dry chemical or halon 1211. For airports where meteorological conditions, such as consistently high winds and precipitation, would frequently prevent the effective use of dry chemical or halon 1211, up to 50 percent of these agents may be replaced by water for AFFF production. When this substitution is selected, one gallon of water for foam production with the commensurate quantity of AFFF shall be substituted for 12.7 pounds of dry chemical or halon 1211.
(5) Potassium-based dry chemical may be substituted for sodium-based dry chemical. Where 500 pounds of sodium-based dry chemical is specified, 450 pounds of potassium-based dry chemical may be substituted.
(6) Other extinguishing agent substitutions acceptable to the Administrator may be made in amounts that provide equivalent firefighting capability.
(j) In addition to the quantity of water required, each vehicle required to carry AFFF shall carry AFFF in an appropriate amount to mix with twice the water required to be carried by the vehicle.
(k) FAA Advisory Circulars in the 150 series contain standards and procedures for AFFF equipment and agents which are acceptable to the Administrator.

Sec. XYZ.319 Aircraft rescue and firefighting: Operational requirements.

(a) Except as provided in paragraph (c) of this section, each certificate holder shall provide on the airport, during air carrier operations at the airport, at least the rescue and firefighting capability specified for the Index required by Sec. XYZ.317.
(b) Increase in Index. Except as provided in paragraph (c) of this section, if an increase in the average daily departures or the length of air carrier aircraft results in an increase in the Index required by paragraph (a) of this section, the certificate holder shall comply with the increased requirements.

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~~(c) Reduction in rescue and firefighting. During air carrier operations with only aircraft shorter than the Index aircraft group required by paragraph (a) of this section, the certificate holder may reduce the rescue and firefighting to a lower level corresponding to the Index group of the longest air carrier aircraft being operated.~~

~~(d) Any reduction in the rescue and firefighting capability from the Index required by paragraph (a) of this section in accordance with paragraph (c) of this section shall be subject to the following conditions:~~

~~(1) Procedures for, and the persons having the authority to implement, the reductions must be included in the airport certification manual.~~

~~(2) A system and procedures for recall of the full aircraft rescue and firefighting capability must be included in the airport certification manual.~~

~~(3) The reductions may not be implemented unless notification to air carriers is provided in the Airport/Facility Directory or Notices to Airmen (NOTAM), as appropriate, and by direct notification of local air carriers.~~

~~(e) Vehicle communications. Each vehicle required under Sec. XYZ.317 shall be equipped with two-way voice radio communications which provides for contact with at least--~~

~~(1) Each other required emergency vehicle;~~

~~(2) The air traffic control tower, if it is located on the airport; and~~

~~(3) Other stations, as specified in the airport emergency plan.~~

~~(f) Vehicle marking and lighting. Each vehicle required under Sec. XYZ.317 shall--~~

~~(1) Have a flashing or rotating beacon; and~~

~~(2) Be painted or marked in colors to enhance contrast with the background environment and optimize daytime and nighttime visibility and identification.~~

~~(g) FAA Advisory Circulars in the 150 series contain standards for painting, marking and lighting vehicles used on airports which are acceptable to the Administrator.~~

~~(h) Vehicle readiness. Each vehicle required under Sec. XYZ.317 shall be maintained as follows:~~

MINORITY POSITION

(c) Reduction in rescue and firefighting. During air carrier operations with only aircraft shorter than the Index aircraft group required by paragraph (a) of this section, the certificate holder may reduce the rescue and firefighting to a lower level corresponding to the Index group of the longest air carrier aircraft being operated.

(d) Any reduction in the rescue and firefighting capability from the Index required by paragraph (a) of this section in accordance with paragraph (c) of this section shall be subject to the following conditions:

(1) Procedures for, and the persons having the authority to implement, the reductions must be included in the airport certification manual.

(2) A system and procedures for recall of the full aircraft rescue and firefighting capability must be included in the airport certification manual.

(3) The reductions may not be implemented unless notification to air carriers is provided in the Airport/Facility Directory or Notices to Airmen (NOTAM), as appropriate, and by direct notification of local air carriers.

(e) Vehicle communications. Each vehicle required under Sec. XYZ.317 shall be equipped with two-way voice radio communications which provides for contact with at least--

(1) Each other required emergency vehicle;

(2) The air traffic control tower, if it is located on the airport; and

(3) Other stations, as specified in the airport emergency plan.

(f) Vehicle marking and lighting. Each vehicle required under Sec. XYZ.317 shall--

(1) Have a flashing or rotating beacon; and

(2) Be painted or marked in colors to enhance contrast with the background environment and optimize daytime and nighttime visibility and identification.

(g) FAA Advisory Circulars in the 150 series contain standards for painting, marking and lighting vehicles used on airports which are acceptable to the Administrator.

(h) Vehicle readiness. Each vehicle required under Sec. XYZ.317 shall be maintained as follows:

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~~(1) The vehicle and its systems shall be maintained so as to be operationally capable of performing the functions required by this subpart during all air carrier operations.~~
~~(2) If the airport is located in a geographical area subject to prolonged temperatures below 33 degrees Fahrenheit, the vehicles shall be provided with cover or other means to ensure equipment operation and discharge under freezing conditions.~~
~~(3) Any required vehicle which becomes inoperative to the extent that it cannot perform as required by Sec. XYZ.319(h)(1) shall be replaced immediately with equipment having at least equal capabilities. If replacement equipment is not available immediately, the certificate holder shall so notify the Regional Airports Division Manager and each air carrier using the airport in accordance with Sec. XYZ.339. If the required Index level of capability is not restored within 48 hours, the airport operator, unless otherwise authorized by the Administrator, shall limit air carrier operations on the airport to those compatible with the Index corresponding to the remaining operative rescue and firefighting equipment.~~
~~(i) Response requirements. (1) Each certificate holder, with the airport rescue and firefighting equipment required under this part and the number of trained personnel which will assure an effective operation, shall--~~
~~(i) Respond to each emergency during periods of air carrier operations; and~~
~~(ii) When requested by the Administrator, demonstrate compliance with the response requirements specified in this section.~~
~~(2) The response required by paragraph (i)(1)(ii) of this section shall achieve the following performance:~~
~~(i) Within 3 minutes from the time of the alarm, at least one required airport rescue and firefighting vehicle shall reach the midpoint of the farthest runway serving air carrier aircraft from its assigned post, or reach any other specified point of comparable distance on the movement area which is available to air carriers, and begin application of foam, dry chemical, or halon 1211.~~

MINORITY POSITION

(1) The vehicle and its systems shall be maintained so as to be operationally capable of performing the functions required by this subpart during all air carrier operations.
(2) If the airport is located in a geographical area subject to prolonged temperatures below 33 degrees Fahrenheit, the vehicles shall be provided with cover or other means to ensure equipment operation and discharge under freezing conditions.
(3) Any required vehicle which becomes inoperative to the extent that it cannot perform as required by Sec. XYZ.319(h)(1) shall be replaced immediately with equipment having at least equal capabilities. If replacement equipment is not available immediately, the certificate holder shall so notify the Regional Airports Division Manager and each air carrier using the airport in accordance with Sec. XYZ.339. If the required Index level of capability is not restored within 48 hours, the airport operator, unless otherwise authorized by the Administrator, shall limit air carrier operations on the airport to those compatible with the Index corresponding to the remaining operative rescue and firefighting equipment.
(i) Response requirements. (1) Each certificate holder, with the airport rescue and firefighting equipment required under this part and the number of trained personnel which will assure an effective operation, shall--
(i) Respond to each emergency during periods of air carrier operations; and
(ii) When requested by the Administrator, demonstrate compliance with the response requirements specified in this section.
(2) The response required by paragraph (i)(1)(ii) of this section shall achieve the following performance:
(i) Within 3 minutes from the time of the alarm, at least one required airport rescue and firefighting vehicle shall reach the midpoint of the farthest runway serving air carrier aircraft from its assigned post, or reach any other specified point of comparable distance on the movement area which is available to air carriers, and begin application of foam, dry chemical, or halon 1211.

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~~(ii) Within 4 minutes from the time of alarm, all other required vehicles shall reach the point specified in paragraph (i)(2)(i) of this section from their assigned post and begin application of foam, dry chemical, or halon~~

~~1211.~~

~~(j) Personnel. Each certificate holder shall ensure the following:~~

~~(1) All rescue and firefighting personnel are equipped in a manner acceptable to the Administrator with protective clothing and equipment needed to perform their duties.~~

~~(2) All rescue and firefighting personnel are properly trained to perform their duties in a manner acceptable to the Administrator. The training curriculum shall include initial and recurrent instruction in at least the following areas:~~

~~(i) Airport familiarization.~~

~~(ii) Aircraft familiarization.~~

~~(iii) Rescue and firefighting personnel safety.~~

~~(iv) Emergency communications systems on the airport, including fire alarms.~~

~~(v) Use of the fire hoses, nozzles, turrets, and other appliances required for compliance with this part.~~

~~(vi) Application of the types of extinguishing agents required for compliance with this part.~~

~~(vii) Emergency aircraft evacuation assistance.~~

~~(viii) Firefighting operations.~~

~~(ix) Adapting and using structural rescue and firefighting equipment for aircraft rescue and firefighting.~~

~~(x) Aircraft cargo hazards.~~

~~(xi) Familiarization with firefighters' duties under the airport emergency plan.~~

~~(3) All rescue and firefighting personnel participate in at least one live fire drill every 12 months.~~

~~(4) After January 1, 1989, at least one of the required personnel on duty during air carrier operations has been trained and is current in basic emergency medical care. This training shall include 40 hours covering at least the following areas:~~

~~(i) Bleeding.~~

~~(ii) Cardiopulmonary resuscitation.~~

~~(iii) Shock.~~

~~(iv) Primary patient survey.~~

~~(v) Injuries to the skull, spine, chest, and extremities.~~

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(ii) Within 4 minutes from the time of alarm, all other required vehicles shall reach the point specified in paragraph (i)(2)(i) of this section from their assigned post and begin application of foam, dry chemical, or halon

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(j) Personnel. Each certificate holder shall ensure the following:

(1) All rescue and firefighting personnel are equipped in a manner acceptable to the Administrator with protective clothing and equipment needed to perform their duties.

(2) All rescue and firefighting personnel are properly trained to perform their duties in a manner acceptable to the Administrator. The training curriculum shall include initial and recurrent instruction in at least the following areas:

(i) Airport familiarization.

(ii) Aircraft familiarization.

(iii) Rescue and firefighting personnel safety.

(iv) Emergency communications systems on the airport, including fire alarms.

(v) Use of the fire hoses, nozzles, turrets, and other appliances required for compliance with this part.

(vi) Application of the types of extinguishing agents required for compliance with this part.

(vii) Emergency aircraft evacuation assistance.

(viii) Firefighting operations.

(ix) Adapting and using structural rescue and firefighting equipment for aircraft rescue and firefighting.

(x) Aircraft cargo hazards.

(xi) Familiarization with firefighters' duties under the airport emergency plan.

(3) All rescue and firefighting personnel participate in at least one live-fire drill every 12 months.

(4) After January 1, 1989, at least one of the required personnel on duty during air carrier operations has been trained and is current in basic emergency medical care. This training shall include 40 hours covering at least the following areas:

(i) Bleeding.

(ii) Cardiopulmonary resuscitation.

(iii) Shock.

(iv) Primary patient survey.

(v) Injuries to the skull, spine, chest, and extremities.

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~~(vi) Internal injuries.~~
~~(vii) Moving patients.~~
~~(viii) Burns.~~
~~(ix) Triage.~~
~~(5) Sufficient rescue and firefighting personnel are available during all air carrier operations to operate the vehicles, meet the response times, and meet the miminum agent discharge rates required by this part;~~
~~(6) Procedures and equipment are established and maintained for alerting rescue and firefighting personnel by siren, alarm, or other means acceptable to the Administrator, to any existing or impending emergency requiring their assistance.~~
~~(k) Emergency access roads. Each certificate holder shall ensure that roads which are designated for use as emergency access roads for aircraft rescue and firefighting vehicles are maintained in a condition that will support those vehicles during all weather conditions.~~

Sec. XYZ.321 Handling and storing of hazardous substances and materials.

(a) ~~Each certificate holder which acts as a cargo handling agent shall establish and maintain procedures for the protection of persons and property on the airport during the handling and storing of any material regulated by the the Hazardous Materials Regulations (49 CFR Part 171, et seq.), that is, or is intended to be, transported by air. These procedures shall provide for at least the following:~~
Establish procedures for safety in storing and handling of hazardous substances and materials plus meet local code for aircraft refueling.
(1) ~~Designated personnel to receive and handle hazardous substances and materials.~~
Address the fire code of the public body having jurisdiction over the airport.
~~(2) Assurance from the shipper that the cargo can be handled safely, including any special handling procedures required for safety.~~
~~(3) Special areas for storage of hazardous materials while on the airport.~~
~~(b) Each certificate holder shall establish and maintain standards acceptable to the~~

MINORITY POSITION

(vi) Internal injuries.
(vii) Moving patients.
(viii) Burns.
(ix) Triage.
(5) 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 part;
(6) Procedures and equipment are established and maintained for alerting rescue and firefighting personnel by siren, alarm, or other means acceptable to the Administrator, to any existing or impending emergency requiring their assistance.
(k) Emergency access roads. Each certificate holder shall ensure that roads which are designated for use as emergency access roads for aircraft rescue and firefighting vehicles are maintained in a condition that will support those vehicles during all-weather conditions.

Sec. XYZ.321 Handling and storing of hazardous substances and materials.

(a) Each certificate holder which acts as a cargo handling agent shall establish and maintain procedures for the protection of persons and property on the airport during the handling and storing of any material regulated by the Hazardous Materials Regulations (49 CFR Part 171, et seq.), that is, or is intended to be, transported by air. These procedures shall provide for at least the following:

(1) Designated personnel to receive and handle hazardous substances and materials.

(2) Assurance from the shipper that the cargo can be handled safely, including any special handling procedures required for safety.
(3) Special areas for storage of hazardous materials while on the airport.
(b) Each certificate holder shall establish and maintain standards acceptable to the

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~~Administrator for protecting against fire and explosions in storing, dispensing, and otherwise handling fuel, lubricants, and oxygen (other than articles and materials that are, or are intended to be, aircraft cargo) on the airport. These standards shall cover facilities, procedures, and personnel training and shall address at least the following:~~

~~(1) Grounding and bonding.~~

~~(2) Public protection.~~

~~(3) Control of access to storage areas.~~

~~(4) Fire safety in fuel farm and storage areas.~~

~~(5) Fire safety in mobile fuelers, fueling pits, and fueling cabinets.~~

~~(6) After January 1, 1989, training of fueling personnel in fire safety in accordance with paragraph (e) of this section.~~

~~(7) The fire code of the public body having jurisdiction over the airport.~~

~~(c) Each certificate holder shall, as a fueling agent, comply with and, except as provided in paragraph (h) of this section, require all other fueling agents operating on the airport to comply with the standards established under paragraph (b) of this section and shall perform reasonable surveillance of all fueling activities on the airport with respect to those standards.~~

~~(d) Each certificate holder shall inspect the physical facilities of each airport tenant fueling agent at least once every 3 months for compliance with paragraph (b) of this section and maintain a record of that inspection for at least 12 months. The certificate holder may use an independent organization to perform this inspection if--~~

~~(1) It is acceptable by the Administrator; and~~

~~(2) It prepares a record of its inspection sufficiently detailed to assure the certificate holder and the FAA that the inspection is adequate.~~

~~(e) The training required in paragraph (b)(6) of this section shall include at least the following:~~

~~(1) At least one supervisor with each fueling agent shall have completed an aviation fuel training course in fire safety which is acceptable to the Administrator.~~

~~(2) All other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel~~

MINORITY POSITION

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(1) Grounding and bonding.

(2) Public protection.

(3) Control of access to storage areas.

(4) Fire safety in fuel farm and storage areas.

(5) Fire safety in mobile fuelers, fueling pits, and fueling cabinets.

(6) After January 1, 1989, training of fueling personnel in fire safety in accordance with paragraph (e) of this section.

(7) The fire code of the public body having jurisdiction over the airport.

(c) Each certificate holder shall, as a fueling agent, comply with and, except as provided in paragraph (h) of this section, require all other fueling agents operating on the airport to comply with the standards established under paragraph (b) of this section and shall perform reasonable surveillance of all fueling activities on the airport with respect to those standards.

(d) Each certificate holder shall inspect the physical facilities of each airport tenant fueling agent at least once every 3 months for compliance with paragraph (b) of this section and maintain a record of that inspection for at least 12 months. The certificate holder may use an independent organization to perform this inspection if--

(1) It is acceptable by the Administrator; and

(2) It prepares a record of its inspection sufficiently detailed to assure the certificate holder and the FAA that the inspection is adequate.

(e) The training required in paragraph (b)(6) of this section shall include at least the following:

(1) At least one supervisor with each fueling agent shall have completed an aviation fuel training course in fire safety which is acceptable to the Administrator.

(2) All other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel

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~~shall receive at least on-the-job training in fire safety from the supervisor trained in accordance with paragraph (e)(1) of this section.~~
~~(f) Each certificate holder shall obtain certification once a year from each airport tenant fueling agent that the training required by paragraph (e) of this section has been accomplished.~~
~~(g) Unless otherwise authorized by the Administrator, each certificate holder shall require each tenant fueling agent to take immediate corrective action whenever the certificate holder becomes aware of noncompliance with a standard required by paragraph (b) of this section. The certificate holder shall notify the appropriate FAA Regional Airports Division Manager immediately when noncompliance is discovered and corrective action cannot be accomplished within a reasonable period of time.~~
~~(h) A certificate holder need not require an air carrier operating under Part 121 or Part 135 of this chapter to comply with the standards required by this section.~~
~~(i) FAA Advisory Circulars in the 150 Series contain standards and procedures for the handling and storage of hazardous substances and materials which are acceptable to the Administrator.~~

Sec. XYZ.323 Traffic and wind direction indicators.

Each certificate holder shall provide the following on its airport:
(a) A wind cone that provides surface wind direction information visually to pilots. For each airport in a terminal control area, supplemental wind cones shall be installed at each runway end or at least at one point visible to the pilot while on final approach and prior to takeoff. If the airport is open for air carrier operations during hours of darkness, the wind direction indicators must be lighted.
(b) For airports serving any air carrier operation when there is no control tower operating, a segmented circle around one wind cone and a landing strip and traffic pattern indicator for each runway with a right-hand traffic pattern.

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shall receive at least on-the-job training in fire safety from the supervisor trained in accordance with paragraph (e)(1) of this section.
(f) Each certificate holder shall obtain certification once a year from each airport tenant fueling agent that the training required by paragraph (e) of this section has been accomplished.
(g) Unless otherwise authorized by the Administrator, each certificate holder shall require each tenant fueling agent to take immediate corrective action whenever the certificate holder becomes aware of noncompliance with a standard required by paragraph (b) of this section. The certificate holder shall notify the appropriate FAA Regional Airports Division Manager immediately when noncompliance is discovered and corrective action cannot be accomplished within a reasonable period of time.
(h) A certificate holder need not require an air carrier operating under Part 121 or Part 135 of this chapter to comply with the standards required by this section.
(i) FAA Advisory Circulars in the 150 Series contain standards and procedures for the handling and storage of hazardous substances and materials which are acceptable to the Administrator.

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(b) For airports serving any air carrier operation when there is no control tower operating, segmented circle around one wind cone and a landing strip and traffic pattern indicator for each runway with a right-hand traffic pattern.

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Sec. XYZ.325 Airport emergency plan.

(a) Each certificate holder shall develop and maintain an airport emergency plan designed to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. The plan must include--
(1) Procedures for prompt response to all of the emergencies listed in paragraph (b) of this section, including a communications network; and
(2) Sufficient detail to provide adequate guidance to each person who must implement it.
(b) The plan required by this section must contain instructions for response to--
(1) Aircraft incidents and accidents;
(2) Bomb incidents, including designated parking areas for the aircraft involved;
(3) Structural fires;
(4) Natural disaster;
(5) Radiological incidents;
(6) Sabotage, hijack incidents, and other unlawful interference with operations;
(7) Failure of power for movement area lighting; and
(8) Water rescue situations if applicable.
(c) The plan required by this section must address or include--
(1) ARFF response equal to Index A as defined in XYZ.317, and either located on or off-airport.
(2~~1~~) To the extent practicable, provisions for medical services including transportation and medical assistance for the maximum number of persons that can be carried on the largest air carrier aircraft that the airport reasonably can be expected to serve;
(3~~2~~) The name, location, telephone number, and emergency capability of each hospital and other medical facility, and the business address and telephone number of medical personnel on the airport or in the communities it serves, agreeing to provide medical assistance or transportation;
(4~~3~~) The name, location, and telephone number of each rescue squad, ambulance service, military installation, and government agency on

MINORITY POSITION

Sec. XYZ.325 Airport emergency plan.

(a) Each certificate holder shall develop and maintain an airport emergency plan designed to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. The plan must include--
(1) Procedures for prompt response to all of the emergencies listed in paragraph (b) of this section, including a communications network; and
(2) Sufficient detail to provide adequate guidance to each person who must implement it.
(b) The plan required by this section must contain instructions for response to--
(1) Aircraft incidents and accidents;
(2) Bomb incidents, including designated parking areas for the aircraft involved;
(3) Structural fires;
(4) Natural disaster;
(5) Radiological incidents;
(6) Sabotage, hijack incidents, and other unlawful interference with operations;
(7) Failure of power for movement area lighting; and
(8) Water rescue situations if applicable.
(c) The plan required by this section must address or include--
(1) ARFF response as defined in XYZ.317.

(2~~1~~) To the extent practicable, provisions for medical services including transportation and medical assistance for the maximum number of persons that can be carried on the largest air carrier aircraft that the airport reasonably can be expected to serve;
(3~~2~~) The name, location, telephone number, and emergency capability of each hospital and other medical facility, and the business address and telephone number of medical personnel on the airport or in the communities it serves, agreeing to provide medical assistance or transportation;
(4~~3~~) The name, location, and telephone number of each rescue squad, ambulance service, military installation, and government agency on

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the airport or in the communities it serves, that agrees to provide medical assistance or transportation;

(5~~4~~) An inventory of surface vehicles and aircraft that the facilities, agencies, and personnel included in the plan under paragraphs (c)(2) and (c)(3) of this section will provide to transport injured and deceased persons to locations on the airport and in the communities it serves;

(6~~5~~) Each hangar or other building on the airport or in the communities it serves that will be used to accommodate uninjured, injured, and deceased persons;

(7~~6~~) Crowd control, specifying the name and location of each safety or security agency agrees to provide assistance for the control of crowds in the event of an emergency on the airport; and

(8~~7~~) The removal of disabled aircraft including to the extent practical the name, location and telephone numbers of agencies with aircraft removal responsibilities or capabilities.

(d) The plan required by this section must provide for

(1) The provision of Index A ARFF response as defined in XYZ.317.

(2~~1~~) The marshalling, transportation, and care of ambulatory injured and uninjured accident survivors;

(3~~2~~) The removal of disabled aircraft;

(4~~3~~)Emergency alarm ~~system~~ or communication/ notification; and

(5~~4~~) Coordination of airport and control tower functions relating to emergency actions, where applicable.

(e) The plan required by this section shall contain procedures for notifying the facilities, agencies, and personnel who have responsibilities under the plan of the location of an aircraft accident, the number of persons involved in that accident, or any other information necessary to carry out their responsibilities, as soon as that information is available.

(f) The plan required by this section shall contain provisions, to the extent practicable, for the rescue of aircraft accident victims from significant bodies of water or marsh lands adjacent to the airport which are crossed by the approach and departure flight paths of air

MINORITY POSITION

the airport or in the communities it serves, that agrees to provide medical assistance or transportation;

(5~~4~~) An inventory of surface vehicles and aircraft that the facilities, agencies, and personnel included in the plan under paragraphs (c)(2) and (c)(3) of this section will provide to transport injured and deceased persons to locations on the airport and in the communities it serves;

(6~~5~~) Each hangar or other building on the airport or in the communities it serves that will be used to accommodate uninjured, injured, and deceased persons;

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(d) The plan required by this section must provide for

(1) The provision of Index A ARFF response as defined in XYZ.317.

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(f) The plan required by this section shall contain provisions, to the extent practicable, for the rescue of aircraft accident victims from significant bodies of water or marsh lands adjacent to the airport which are crossed by the approach and departure flight paths of air

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carriers. A body of water or marsh land is significant if the area exceeds one-quarter square mile and cannot be traversed by conventional land rescue vehicles. To the extent practicable, the plan shall provide for rescue vehicles with a combined capacity for handling the maximum number of persons that can be carried on board the largest air carrier aircraft that the airport reasonably can be expected to serve.

(g) Each certificate holder shall--

(1) Coordinate its plan with law enforcement agencies, rescue and fire fighting agencies, medical personnel and organizations, the principal tenants at the airport, and all other persons who have responsibilities under the plan;

(2) To the extent practicable, provide for participation by all facilities, agencies, and(2) To the extent practicable, provide for participation by all facilities, agencies, and personnel specified in paragraph (g)(1) of this section in the development of the plan;

(3) Ensure that all airport personnel having duties and responsibilities under the plan are familiar with their assignments and are properly trained;

(4) At least once every 12 months, review the plan and conduct a walk through with all of the parties with whom the plan is coordinated as specified in paragraph (g)(1) of this section, to ensure that all parties know their responsibilities and that all of the information in the plan is current;~~ and~~

~~(5) Hold a full scale airport emergency plan exercise at least once every 3years~~.

(h) FAA Advisory Circulars in the 150 Series contain standards and procedures for the development of an airport emergency plan which are acceptable to the Administrator.

Sec. XYZ.327 Self-inspection program.

(a) Each certificate holder or designee shall inspect the airport to assure compliance with this subpart--

(1) Daily, except as otherwise required by the airport certification manual or airport certification specifications;

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(g) Each certificate holder shall--

(1) Coordinate its plan with law enforcement agencies, rescue and fire fighting agencies, medical personnel and organizations, the principal tenants at the airport, and all other persons who have responsibilities under the plan;

(2) To the extent practicable, provide for participation by all facilities, agencies, and(2) To the extent practicable, provide for participation by all facilities, agencies, and personnel specified in paragraph (g)(1) of this section in the development of the plan;

(3) Ensure that all airport personnel having duties and responsibilities under the plan are familiar with their assignments and are properly trained;

(4) At least once every 12 months, review the plan with all of the parties with whom the plan is coordinated as specified in paragraph (g)(1) of this section, to ensure that all parties know their responsibilities and that all of the information in the plan is current; and

(5) Hold a full scale airport emergency plan exercise at least once every 3 years.

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Sec. XYZ.327 Self-inspection program.

(a) Each certificate holder or designee shall inspect the airport to assure compliance with this subpart--

(1) Daily, except as otherwise required by the airport certification manual or airport certification specifications;

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(2) When required by any unusual condition such as construction activities or meteorological conditions that may affect safe air carrier operations; and
(3) Immediately after an accident or incident.
(b) Each certificate holder shall provide the following:
(1) Equipment for use in conducting safety inspections of the airport;
(2) Procedures, facilities, and equipment for reliable and rapid dissemination of information between airport personnel and its air carriers;
(3) Procedures to ensure that qualified inspection personnel perform the inspections; and
(4) A reporting system to ensure prompt correction of unsafe airport conditions noted during the inspection.
(c) Each certificate holder shall prepare and keep for at least 6 months, and make available for inspection by the Administrator on request, a record of each inspection prescribed by this showing the conditions found and all corrective actions taken.
(d) FAA Advisory Circulars in the 150 series contain standards and procedures for the conduct of airport self-inspections which are acceptable to the Administrator.

Sec. XYZ.329 Ground vehicles.

Each certificate holder shall--
~~(a) Limit access to movement areas and safety areas only to those ground vehicles necessary for airport operations;~~
~~(b) Establish and implement procedures for the safe and orderly access to, and operation on, the movement area and safety areas by ground vehicles, including provisions identifying the consequences of noncompliance with the procedures by an employee, tenant, or contractor;~~
~~(c) When an air traffic control tower is in operation, ensure that each ground vehicle operating on the movement area is controlled by one of the following:~~
~~(1) Two way radio communications between each vehicle and the tower,~~

MINORITY POSITION

(2) When required by any unusual condition such as construction activities or meteorological conditions that may affect safe air carrier operations; and
(3) Immediately after an accident or incident.
(b) Each certificate holder shall provide the following:
(1) Equipment for use in conducting safety inspections of the airport;
(2) Procedures, facilities, and equipment for reliable and rapid dissemination of information between airport personnel and its air carriers;
(3) Procedures to ensure that qualified inspection personnel perform the inspections; and
(4) A reporting system to ensure prompt correction of unsafe airport conditions noted during the inspection.
(c) Each certificate holder shall prepare and keep for at least 6 months, and make available for inspection by the Administrator on request, a record of each inspection prescribed by this showing the conditions found and all corrective actions taken.
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(b) Establish and implement procedures for the safe and orderly access to, and operation on, the movement area and safety areas by ground vehicles, including provisions identifying the consequences of noncompliance with the procedures by an employee, tenant, or contractor;
(c) When an air traffic control tower is in operation, ensure that each ground vehicle operating on the movement area is controlled by one of the following;
(1) Two way radio communications between each vehicle and the tower;

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~~(2) An escort vehicle with two way radio communications with the tower to accompany any vehicle without a radio, or~~
~~(3) Measures acceptable to the Administrator for controlling vehicles, such as signs, signals, or guards, when it is not operationally practical to have two way radio communications with the vehicle or an escort vehicle;~~
~~(d) When an air traffic control tower is not in operation, provide adequate procedures to control ground vehicles on the movement area through prearranged signs or signals;~~
(a~~e~~) Ensure that each employee, tenant, or contractor who operates a ground vehicle on any portion of the airport that has access to the movement area is familiar with the airport's procedures for the operation of ground vehicles and the consequences of noncompliance; and
(b~~f~~) On request by the Administrator, make available for inspection any record of accidents or incidents on the movement areas involving air carrier aircraft and/or ground vehicles.

Sec. XYZ.331 Obstructions.

Each certificate holder shall ensure that each object in each area within its authority which exceeds any of the heights or penetrates the imaginary surfaces described in Part 77 of this chapter is either removed, marked, or lighted. However, removal, marking, and lighting is not required if it is determined to be unnecessary by an FAA aeronautical study.

Sec. XYZ.333 Protection of navaids.

Each certificate holder shall--
(a) Prevent the construction of facilities on its airport that, as determined by the Administrator, would derogate the operation of an electronic or visual navaid and air traffic control facilities on the airport;
(b) Protect, or if the owner is other than the certificate holder, assist in protecting, all navaids on its airport against vandalism and theft; and

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(2) An escort vehicle with two way radio communications with the tower to accompany any vehicle without a radio, or
(3) Measures acceptable to the Administrator for controlling vehicles, such as signs, signals, or guards, when it is not operationally practical to have two way radio communications with the vehicle or an escort vehicle;
(d) When an air traffic control tower is not in operation, provide adequate procedures to control ground vehicles on the movement area through prearranged signs or signals;
(e) Ensure that each employee, tenant, or contractor who operates a ground vehicle on any portion of the airport that has access to the movement area is familiar with the airport's procedures for the operation of ground vehicles and the consequences of noncompliance; and
(f) On request by the Administrator, make available for inspection any record of accidents or incidents on the movement areas involving air carrier aircraft and/or ground vehicles.
is necessary to address the responsibility of certificate holders with regard to ground vehicle operations.

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Each certificate holder shall ensure that each object in each area within its authority which exceeds any of the heights or penetrates the imaginary surfaces described in Part 77 of this chapter is either removed, marked, or lighted. However, removal, marking, and lighting is not required if it is determined to be unnecessary by an FAA aeronautical study.

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(a) Prevent the construction of facilities on its airport that, as determined by the Administrator, would derogate the operation of an electronic or visual navaid and air traffic control facilities on the airport;
(b) Protect, or if the owner is other than the certificate holder, assist in protecting, all navaids on its airport against vandalism and theft; and

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(c) Prevent, insofar as it is within the airport's authority, interruption of visual and electronic signals of navaids.

Sec. XYZ.335 Public protection.

(a) Each certificate holder shall provide--
(1) Safeguards acceptable to the Administrator to prevent inadvertent entry
to the movement area by unauthorized persons or vehicles; and
(2) Reasonable protection of persons and property from aircraft blast.
~~(b) Fencing meeting the requirements of Part 107 of this chapter in areas subject to that part is acceptable for meeting the requirements of paragraph (a)(1) of this section.~~

Sec. XYZ.337 Wildlife hazard management.

~~(a) Each certificate holder shall provide for the conduct of an ecological study, acceptable to the Administrator, when any of the following events occurs on or near the airport:~~
~~(1) An air carrier aircraft experiences a multiple bird strike or engine ingestion.~~
~~(2) An air carrier aircraft experiences a damaging collision with wildlife other than birds.~~
~~(3) Wildlife of a size or in numbers capable of causing an event described in paragraph (a) (1) or (2) of this section is observed to have access to any airport flight pattern or movement area.~~
~~(b) The study required in paragraph (a) of this section shall contain at least the following:~~
~~(1) Analysis of the event which prompted the study.~~
~~(2) Identification of the species, numbers, locations, local movements, and daily and seasonal occurrences of wildlife observed.~~
~~(3) Identification and location of features on and near the airport that attract wildlife.~~
~~(4) Description of the wildlife hazard to air carrier operations.~~
~~(c) The study required by paragraph (a) of this section shall be submitted to the Administrator, who determines whether or not there is a need for a wildlife hazard management plan. In reaching this determination, the Administrator considers--~~

MINORITY POSITION

(c) Prevent, insofar as it is within the airport's authority, interruption of visual and electronic signals of navaids.

Sec. XYZ.335 Public protection.

(a) Each certificate holder shall provide--
(1) Safeguards acceptable to the Administrator to prevent inadvertent entry
to the movement area by unauthorized persons or vehicles; and
(2) Reasonable protection of persons and property from aircraft blast.
~~(b) Fencing meeting the requirements of Part 107 of this chapter in areas subject to that part is acceptable for meeting the requirements of paragraph (a)(1) of this section.~~

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(b) The study required in paragraph (a) of this section shall contain at least the following:
(1) Analysis of the event which prompted the study.
(2) Identification of the species, numbers, locations, local movements, and daily and seasonal occurrences of wildlife observed.
(3) Identification and location of features on and near the airport that attract wildlife.
(4) Description of the wildlife hazard to air carrier operations.
(c) The study required by paragraph (a) of this section shall be submitted to the Administrator, who determines whether or not there is a need for a wildlife hazard management plan. In reaching this determination, the Administrator considers--

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~~(1) The ecological study;~~
~~(2) The aeronautical activity at the airport;~~
~~(3) The views of the certificate holder;~~
~~(4) The views of the airport users.~~
~~(5) Any other factors bearing on the matter of which the Administrator is aware.~~
~~(d) When the Administrator determines that a wildlife hazard management plan is needed, the certificate holder shall formulate and implement a plan using the ecological study as a basis. The plan shall—~~
~~(1) Be submitted to, and approved by, the Administrator prior to implementation; and~~
~~(2) Provide measures to alleviate or eliminate wildlife hazards to air carrier operations.~~
~~(e) The plan shall include at least the following:~~
~~(1) The persons who have authority and responsibility for implementing the plan.~~
~~(2) Priorities for needed habitat modification and changes in land use identified in the ecological study, with target dates for completion.~~
~~(3) Requirements for and, where applicable, copies of local, state, and Federal wildlife control permits.~~
~~(4) Identification of resources to be provided by the certificate holder for implementation of the plan.~~
~~(5) Procedures to be followed during air carrier operations, including at least~~
~~(i) Assignment of personnel responsibilities for implementing the procedures;~~
~~(ii) Conduct of physical inspections of the movement area and other areas critical to wildlife hazard management sufficiently in advance of air carrier operations to allow time for wildlife controls to be effective;~~
~~(iii) Wildlife control measures; and~~
~~(iv) Communication between the wildlife control personnel and any air traffic control tower in operation at the airport.~~
~~(6) Periodic evaluation and review of the wildlife hazard management plan for—~~
~~(i) Effectiveness in dealing with the wildlife hazard; and~~
~~(ii) Indications that the existence of the wildlife hazard, as previously described in the ecological study, should be reevaluated.~~

MINORITY POSITION

(1) The ecological study;
(2) The aeronautical activity at the airport;
(3) The views of the certificate holder;
(4) The views of the airport users; and
(5) Any other factors bearing on the matter of which the Administrator is aware.
(d) When the Administrator determines that a wildlife hazard management plan is needed, the certificate holder shall formulate and implement a plan using the ecological study as a basis. The plan shall--
(1) Be submitted to, and approved by, the Administrator prior to implementation; and
(2) Provide measures to alleviate or eliminate wildlife hazards to air carrier operations.
(e) The plan shall include at least the following:
(1) The persons who have authority and responsibility for implementing the plan.
(2) Priorities for needed habitat modification and changes in land use identified in the ecological study, with target dates for completion.
(3) Requirements for and, where applicable, copies of local, state, and Federal wildlife control permits.
(4) Identification of resources to be provided by the certificate holder for implementation of the plan.
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(iv) Communication between the wildlife control personnel and any air traffic control tower in operation at the airport.
(6) Periodic evaluation and review of the wildlife hazard management plan for--
(i) Effectiveness in dealing with the wildlife hazard; and
(ii) Indications that the existence of the wildlife hazard, as previously described in the ecological study, should be reevaluated.

MAJORITY POSITION

~~(7) A training program to provide airport personnel with the knowledge and skills needed to carry out the wildlife hazard management plan required by paragraph (d) of this section.~~

(a~~f~~) ~~Notwithstanding the other requirements of this section,~~ Eeach certificate holder shall take immediate measures to alleviate wildlife hazards whenever they are detected.

(b~~g~~) FAA Advisory Circulars in the 150 series contain standards and procedures for wildlife hazard management at airports which are acceptable to the Administrator.

Sec. XYZ.339 Airport condition reporting.

(a) Each certificate holder shall provide for the collection and dissemination of airport condition information to air carriers.

(b) In complying with paragraph (a) of this section, the certificate holder shall utilize the NOTAM system and, as appropriate, other systems and procedures acceptable to the Administrator.

(c) In complying with paragraph (a) of this section, the certificate holder shall provide information on the following airport conditions which may affect the safe operations of air carriers:

(1) Construction or maintenance activity on movement areas, safety areas, or loading ramps and parking areas.

(2) Surface irregularities on movement areas or loading ramps and parking areas.

(3) Snow, ice, slush, or water on the movement area or loading ramps and parking areas.

(4) Snow piled or drifted on or near movement areas contrary to Sec. XYZ.313.

(5) Objects on the movement area or safety areas contrary to Sec. XYZ.309.

(6) Malfunction of any lighting system required by Sec. XYZ.311.

(7) Unresolved wildlife hazards as identified in accordance with Sec. XYZ.337.

(8) Nonavailability of any rescue and firefighting capability required in Section~~s~~ XYZ.317 ~~and XYZ.319~~.

MINORITY POSITION

(7) A training program to provide airport personnel with the knowledge and skills needed to carry out the wildlife hazard management plan required by paragraph (d) of this section.

(f) Notwithstanding the other requirements of this section, each certificate holder shall take immediate measures to alleviate wildlife hazards whenever they are detected.

(g) FAA Advisory Circulars in the 150 series contain standards and procedures for wildlife hazard management at airports which are acceptable to the Administrator.

Sec. XYZ.339 Airport condition reporting.

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(6) Malfunction of any lighting system required by Sec. XYZ.311.

(7) Unresolved wildlife hazards as identified in accordance with Sec. XYZ.337.

(8) Nonavailability of any rescue and firefighting capability required in Sections XYZ.317 and XYZ.319.

MAJORITY POSITION

(9) Any other condition as specified in the airport certification manual or airport certification specifications, or which may otherwise adversely affect the safe operations of air carriers.
(d) FAA Advisory Circulars in the 150 series contain standards and procedures for using the NOTAM system for dissemination of airport information which are acceptable to the Administrator.

Sec. XYZ.341 Identifying, marking, and reporting construction and other unserviceable areas.

(a) Each certificate holder shall--
(1) Mark and, if appropriate, light in a manner acceptable to the Administrator--
(i) Each construction area and unserviceable area which is on or adjacent to any movement area or any other area of the airport on which air carrier aircraft may be operated;
(ii) Each item of construction equipment and each construction roadway, which may affect the safe movement of aircraft on the airport; and
(iii) Any area adjacent to a navaid that, if traversed, could cause derogation of the signal or the failure of the navaid, and
(2) Provide procedures, such as a review of all appropriate utility plans prior to construction, for avoiding damage to existing utilities, cables, wires, conduits, pipelines, or other underground facilities.
(b) FAA Advisory Circulars in the 150 series contain standards and procedures for identifying and marking construction areas which are acceptable to the Administrator.

Sec. XYZ.343 Noncomplying conditions.

Unless otherwise authorized by the Administrator, whenever the requirements of Subpart D of this part cannot be met to the extent that uncorrected unsafe conditions exist on the airport, the certificate holder shall limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.
of Subpart D of this part cannot be met to the extent that uncorrected unsafe conditions exist on the airport, the certificate holder shall limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

MINORITY POSITION

(9) Any other condition as specified in the airport certification manual or airport certification specifications, or which may otherwise adversely affect the safe operations of air carriers.
(d) FAA Advisory Circulars in the 150 series contain standards and procedures for using the NOTAM system for dissemination of airport information which are acceptable to the Administrator.

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(1) Mark and, if appropriate, light in a manner acceptable to the Administrator--
(i) Each construction area and unserviceable area which is on or adjacent to any movement area or any other area of the airport on which air carrier aircraft may be operated;
(ii) Each item of construction equipment and each construction roadway, which may affect the safe movement of aircraft on the airport; and
(iii) Any area adjacent to a navaid that, if traversed, could cause derogation of the signal or the failure of the navaid, and
(2) Provide procedures, such as a review of all appropriate utility plans prior to construction, for avoiding damage to existing utilities, cables, wires, conduits, pipelines, or other underground facilities.
(b) FAA Advisory Circulars in the 150 series contain standards and procedures for identifying and marking construction areas which are acceptable to the Administrator.

Sec. XYZ.343 Noncomplying conditions.

Unless otherwise authorized by the Administrator, whenever the requirements of Subpart D of this part cannot be met to the extent that uncorrected unsafe conditions exist on the airport, the certificate holder shall limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

V. MEETING MINUTES

The Working Group held five meetings between June 1995 and December 1996, and one tele-conference on September 8, 1995 (no recorded minutes). Minutes from the five meetings were recorded and are presented in this section. A brief summary of the key issues for these meetings is presented below.

June 26-27, 1995

- Kick-off meeting where Bob David gave an overview of the purpose of the Aviation Rulemaking Advisory Committee (ARAC) and FAR Part 139 regulations. He set forth the Working Group's task to recommend changes to FAR Part 139 to include those airports with scheduled commuter operations that have 10-30 seat aircraft operations.

- The Working Group prepared a preliminary list of possible options for modified Part 139 regulations.

- A preliminary two phase Working Plan was developed.

- The Working Group reviewed the FAR Part 139.213 requirements to see what would be applicable to these type airports.

October 10-11, 1995

- Review responses from the survey questionnaire and follow-up phone survey.

- The Working Group recommended that a non-regulatory Part 139 industry standard be proposed for those airport with 10-30 seat aircraft service. There was no objection to this proposal from the members present at the meeting.

- Presentations were made by Bill Wekenborg and Robert Belyea on ARFF response and equipment.

March 20, 1996

- Jerry Wright made a presentation regarding ALPA's opinion on where the Working Group is headed with the current "Industry Standard" recommendation.

- The FAA economist presented the capital and recurring cost results from the survey of airports.

- The Working Group discussed how the "industry standard" would be established and administered.

- Mark Brewer presented feedback he received from Sedgwick James Aviation, Inc. regarding the "industry standard" approach toward airport safety.

- The approved Work Plan was reviewed to determine if the Working Group was in compliance with its charter and if any issues needed further study.

September 26-27, 1996

- Ken Kenvin will replace John Duval as chairman of the ARAC.

- Loretta Scott gave a briefing of the events that had transpired since the last meeting. ALPA had taken issue with the "industry standard" direction and declared that the Working Group had gone outside or beyond its charter. In response, the Airport Issue Group determined that the Working Group was within its' charge and that non-regulatory considerations was a viable option. The Working Group was asked to review FAR Part 139 line-by-line to consider its applicability to those airports under question.

- An additional questionnaire was developed for the case study of airports that are voluntarily adhering to the FAR Part 139 regulations. The results of this case study were presented to the Working Group.

- Allen Winters of Sedwick James Aviation, Inc. gave a briefing about the airport insurance industry.

- The November 18, 1987 GAO Report was reviewed for additional guidance in making a recommendation.

- FAR Part 139 Subpart D was reviewed line-by-line to determine what would be applicable to airports with scheduled service from 10 to 30 seat commuter aircraft.

- Allen Mattes gave a briefing on the status of the cost/benefit analysis.

December 5-6, 1996

- Bruce Kirkendoll indicated that the Working Group has been given a new mission from the Issues Committee. There would be some form of "regulatory" requirements proposed by the Working Group and that they are to reach a consensus on Part 139 requirements relative to the airports under question. If there is no consensus, than each group will state there positions in the final report.

- The remainder of Part 139 was reviewed line-by-line and each member presented their opinion.

- It was clear that there would be no consensus on this issue and there would be a majority and minority opinion presented in the final report.

-FINAL-

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

MEETING MINUTES

June 26-27, 1995

Attendees:

Loretta Scott, Chairperson
Steve Pavish, NASAO
Bob David, FAA
Ron Roy, NASAO
Dean Cook, RAA
Bruce Kirkendoll, FAA
Andy Cebula, NATA
Russell Blanck, L&B
Teresa Kuto, AAAE
Bob Sanfilippo, L&B
Victor Hewes, ALPA
Jeff Cepuran, ALPA

Bob David opened the meeting with a brief overview of the purpose of the Aviation Rulemaking Advisory Committee (ARAC) and FAR Part 139. Our group is considered as a "Working Group" under ARAC. We are charged with formulating changes to FAR Part 139 regulations to include those airports with scheduled commuter operations that have 10-30 seating capacity. The FAA will make available an economist (Jeff Goode) to perform cost/benefit analysis, a lawyer for legal review, a drafter/CAD operator, and an FAA representative at each meeting for additional guidance (Bruce Kirkendoll). The new rules will only apply to scheduled commuter service as defined under FAR Part 119. Andy Cebula indicated that Congress is not acting on current legislation until the ARAC makes a recommendation on FAR Part 139 rules for 10-30 seat scheduled commuter operators.

Brenda Courtney of the FAA reviewed the Operating Procedures for the Aviation Rulemaking Advisory Committee and issued a copy of these operating procedures. Walt Coleman is the Chairman and John Duvale is the Assistant Chairman of ARAC. An approved "Work Plan" will be necessary prior to formulating any recommendations to the ARAC Chairman.

The FAA supplied a preliminary list of airports that will/may be affected by the ARAC recommendation for commuter FAR Part 139 regulations. This list was complied with input from the FAA, RAA and OAG, "Airports Receiving Service with 10 or More Seats Commuter Aircraft as of January 27, 1995." The Group inputted some additional airports to this list. An ARAC sub-working group met in Boston and prepared a draft questionnaire to be sent to the airports on the list. The Working Group reviewed the questionnaire and made various changes

where appropriate. Loretta Scott will prepare a cover letter on AAAE letter head and Landrum & Brown will distribute the questionnaire to the various airports.

Bruce Kirkendoll indicated that the General Accounting Office (GAO) made a FAR Part 139 rule recommendation for commuter operators with 10-30 seats in a November, 1987 report to Senator Robert Byrd, "Aviation Safety, Commuter Airports Should Participate in the Airport Certification Program, GAO/RCED-88-41." A copy of this report was distributed to the Working Group. The National Transportation Safety Board (NTSB) initiated this review for all scheduled airport commuter service. Larry Roman of the NTSB gave a briefing on their reasoning behind the recommendation. He indicated that there was no accident data to support their recommendation, however, they felt that a commuter passenger should have the same level of safety as air carrier operators and that there are no commuter operator requirements today. The NTSB has asked the FAA to receive legislative authority for the additional standards and that they are not asking for full commuter certification at this time. The main concern of the NTSB board members is the ARFF response time, safety areas, signage and lighting requirements. The NTSB is relying on this Working Group to develop reasonable and practical recommendations for commuter FAR Part 139 operators.

Loretta Scott prepared a list of three possible options on new FAR Part 139 rules for commuter operators with 10 to 30 seats.

- Option 1 - Change FAR Part 139 to read 10 passengers instead of 30. Exceptions to these rules would be required for some airports. The Working Group did not think this was a viable recommendation.

- Option 2 - This option recommends that no changes be made to FAR Part 139. The Working Group felt that this was a viable option, however it may not satisfy Congress or the FAA. Bruce Kirkendoll indicated that the FAA's Associate Administrator has indicated that the FAA is neutral on this issue and has no pre-decisions.

- Option 3 - This option recommends that FAR Part 139 be modified to read 10 passengers and to suggest changes in requirements to reduce the economic impact on airport sponsors. The Working Group felt that this was a viable option and warrants further discussion.

A preliminary two phase Work Plan was prepared for submission to the ARAC Chairman, which includes the following:

PHASE 1

1. Objective statement (list 4 issues).

2. Develop preliminary options for consideration.

3. Have FAA economist immediately prepare a cost/benefit analysis on Option 1.

4. Briefing from NTSB on why they made recommendation to change FAR Part 139 to include the 10-30 seat scheduled commuter operators.

5. Review and comment on the GAO November, 1987 Aviation Safety Report.

6. Request a list of commuter operator accident/safety statistics.

7. Prepare a questionnaire survey to be issued to airports potentially affected by FAR Part 139 changes.

8. Identify potential affected airports and coordinate with state aviation representatives on airport mailing list.

9. Issue and analyze questionnaire survey data.

10. Develop follow-up phone questionnaire.

11. Evaluate international implications.

PHASE 2

1. Refine options based on information/data received from airport surveys.

2. FAA perform cost/benefit analysis on remaining options.

3. Develop preliminary recommendations.

4. FAA perform legal review of preliminary recommendations.

5. Present preliminary recommendations to ARAC.

6. Assess and validate/incorporate ARAC comments.

7. Make final recommendations to ARAC.

It was recommended that the FAA economist immediately prepare a cost/benefit analysis for Option 1. This should include capital costs to meet FAR Part 139 requirements, operating and maintenance costs, life/cycle costs, and training costs. A baseline non-certified airport with no equipment should also be analyzed.

The following various issues were raised during the course of the meetings and need further discussion/resolution by the Working Group or other outside agencies:

- Should all airports have a Disaster Plan?
- Define what scheduled service means.
- Liability issues for compliance with recommended FAR Part 139 regulations.
- Cost/benefit of ARFF requirements may be a major issue.
- List of commuter aircraft accidents and their cause.
- U.S. airports do not comply with ICAO safety standards, and should they?
- Educational process needed if new regulations are proposed for commuter airports, and who will conduct/pay for this education.
- Alaska airports have special situations and may require special set of rules or exemptions to the proposed new regulations.

- Possible use of off-airport ARFF facilities.
- Frequency and cost of airport inspections due to reduced FAA staff and increase in FAR Part 139 airports.
- State wildlife mitigation measure as opposed to individual airport mitigation procedures.

The Working Group reviewed the FAR Part 139.213 requirements to see if they would be applicable to scheduled commuter operators with 10-30 seats. These requirements apply to applicants requesting a limited airport operating certificate. The following recommendations were noted:

(2)(b)(1) Lines of succession of airport operational responsibility. **(Applicable).**

(2)(b)(2) Each current exemption issued to the airport from the requirements of this part. **(Non-Applicable).**

(2)(b)(3) Any limitations imposed by the Administrator. **(Non-Applicable).**

(2)(b)(4) The system of runway and taxiway identification. **(Applicable) - (Use of reflective signs is adequate).**

(2)(b)(5) The location of each obstruction required to be lighted or marked within the airport's area of authority. **(Applicable).**

(2)(b)(6) A description of each movement area available for air carriers and its safety areas. **(Applicable).**

(2)(b)(7) Procedures for maintaining the paved areas as required by 139.305. **(Applicable).**

(2)(b)(8) Procedures for maintaining the unpaved areas as required by 139.307. **(Applicable).**

(2)(b)(9) Procedures for maintaining the safety areas as required by 139.309. **(Applicable) - (Grandfather current safety areas, use foam arresting systems, major cost issue, need further guidance on safety area requirements for runway overlay projects).**

(2)(b)(10) A description of, and procedures for maintaining, the marking and lighting systems as required by 139.311. **(New wording of this regulation is required).**

(2)(b)(11) A description of the facilities, equipment, personnel, and procedures for emergency response to aircraft rescue and firefighting needs. **(Create new index level, possible training of local fire department).**

(2)(b)(12) Procedures for safety in storing and handling of hazardous substances and materials. **(Applicable).**

(2)(b)(13) A description of, and procedures for maintaining, any traffic and wind direction indicators on the airport. **(Applicable).**

(2)(b)(14) A description of the procedures used for conducting self-inspections of the airport. **(Add provisions for individual air carrier to perform own inspection).**

(2)(b)(15) Procedures and responsibilities for airport condition reporting as required by 139.339. **(Provide wording to allow private airports to directly contact the individual airlines with appropriate information. They are not permitted to issue NOTAM's.)**

(2)(b)(16) Procedures for compliance with any other provisions of subpart D of this part, and any limitations, which the Administrator finds necessary in the public interest. **(Applicable, provided rules are flexible enough to minimize impact on airport capital costs and O&M costs).**

ACTION ITEMS

1. List of commuter accident information (Bob David).

2. Questionnaire cover letter (Loretta Scott).

3. Issue questionnaire to airport sponsors and analyze response data (Russell Blanck and Bob Sanfilippo).

4. Preparation of phone questionnaire (Loretta Scott, Bob Sanfilippo and Bruce Kirkendoll).

5. Perform cost/benefit analysis of Option 1 (Jeff Goode, FAA).

NEXT MEETINGS

1. Teleconference week of September 4-8, 1995 (Have phone questionnaire for review).

2. Meeting at DFW on October 10 and 11, 1995.

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-FINAL-

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

MEETING MINUTES

October 10-11, 1995

Attendees:	Affiliation	Phone No.
Loretta Scott, Chairperson	Grand Prairie Mun. Airport	214-988-3801
Bob Sanfilippo	Landrum & Brown	513-530-5333
Russell Blanck	Landrum & Brown	513-530-5333
Woody Davis	FAA, Attorney Advisor	202-267-3428
Bruce Kirkendoll	FAA, Airport Safety Specialist	202-267-8741
Jeffrey Goode	FAA, Aviation Policy/Economics	202-267-3103
George Rasmussan	Great Lakes Aviation, Ltd. (RAA)	612-767-7000
Deborah McElroy	Regional Airline Assoc. (RAA)	202-857-1170
Ron Roy	Maine DOT/NASAO	207-287-3186
Jeff Gilley	AOPA	301-695-2208
Andy Cebula	NATA	703-845-9000
Mark Brewer	Lehigh Valley Int. Airport	610-266-6001
Dana Batey	Oklahoma Aeronautics Commission	405-340-4626
Jeff Cepuran	ALPA	904-492-7261

Loretta Scott opened the meeting and asked if there were any comments regarding the June 26-27, 1995 meeting minutes. There were no comments received. A letter from DOT Administrator David Hinson to Paul Bowers of the Alaska DOT was distributed regarding Hinson's views on implementation of full Part 139 regulations at airports being served by 10-30 seat aircraft (see attachment).

Mr. Blanck reviewed the current status of the airport survey data response (see attachment). He indicated that there were a total of 371 airports surveyed (194 in the lower 48 states and 177 in Alaska). A total of 291 airports responded, for a return rate of 78 percent. Of those responding, 65 airports have full Part 139 certification, 49 have limited certification, and 176 have no Part 139 certification. Approximately 85 percent of the none certificated airports are in Alaska. One major area of concern is the amount of airports having Airport Rescue and Firefighting (ARFF) capability. Approximately 84 percent of the airports within the lower 48 states have ARFF capability, while only 15 percent of the Alaskan airports have ARFF capability. ARFF capability was provided by either the airport, local fire department or the National Guard. The majority of the limited certificated airports are in compliance with full Part 139 requirements, except for the ARFF requirements. The majority of the none certified airports have minimal or no ARFF capability (staff or equipment).

An additional phone survey was conducted consisting of ten questions (see attachment). The phone surveys indicated that the majority of the limited and none certified airports could not financially afford to purchase or staff the necessary ARFF associated with full Part 139 certification requirements. Many of the airports are under staffed and managed by the local municipality. Many of the airports staff had no idea what facilities were required under Part 139.

Mr. Sanfilippo asked who is more liable, an airport that does not have proper ARFF equipment, or an airport with full ARFF and non-adequate response training. Mr. Kirkendoll indicated that it depends on how the airport's certification manual is written and what the airport lists as their capabilities. An airport's liability will increase as the equipment and procedures are increased. Many of the airports only have ARFF capability from the local fire department, who do not have the proper aircraft firefighting training. Many airports that were surveyed questioned the safety benefits of full Part 139 ARFF certification, particularly since there is no accident data to support the increased ARFF capability. Ms. McElroy indicated that there are three areas where airport money can be allocated regarding safety; 1) accident prevention, 2) determine what caused the incident, and 3) respond to an incident. She felt that it would be more practical to spend the money on trying to prevent the incident from occurring, rather than on more ARFF equipment to respond to an accident.

It was a unanimous agreement that there needs to be more money spent on educating the airport managers/operators on airport operations and safety requirements. The FAA needs to establish some type of Part 139 industry standards and programs/seminars to assist the airports in educational training. Mr. Rasmussan stated that he does not see a safety problem at airports now, it is purely an economical issue regarding Part 139 requirements. Making all airports comply with full Index A ARFF requirements would be like staging an ambulance and wrecker every mile on the highway to respond to auto accidents. Mr. Rasmussan noted that the majority of the pilots feel just as safe flying into small airports as they do large airports, however, every situation is different. Mr. Gilley indicated that AOPA feels that the same level of passenger safety should be present at all airports, no matter their size.

Mr. Davis indicated that the FAA has no legal ability to change regulation requirements under Part 139. It was recommended in the 1984 GAO Report that the FAA pursue changing various Part 139 requirements. At that time the FAA felt that they did not have the legal authority to make such changes, and their position has not changed. Any recommendation from this Working Group would need to be a non-regulatory/voluntary program. However, the FAA may try again, with the help of the NTSB to gain the authority to change Part 139 regulations. The RAA and NATA noted that they would not support any form of regulatory Part 139 requirements, particularly increased ARFF equipment for airports with 10 to 30 seat aircraft. Mr. Kirkendoll stated that the FAA Southern Region has a GA safety program in which airport inspectors give advise during their yearly inspections. The airport operator is not required to implement any of the FAA's suggestions, it is strictly a voluntary process. Mr. Batey stated that the state of Oklahoma uses the 5010 yearly inspection program to assist the airports in complying with the 5010 requirements. If the airport is in noncompliance, the FAA is informed and action is taken where appropriate. The Working Group agreed that the 5010 inspection program would be a positive avenue to pursue in helping airports increase their awareness of safety on the airport and minimize the potential for accidents to occur due to inadequate personnel training and knowledge of operational issues. This program will only work if the FAA can require airports to comply with the 5010 regulations through the grant assurance program. Ms. McElroy noted that the 5010 form may need to be modified to include other inspection safety issues.

The Working Group agreed that the 5010 form inspection process could be used to establish Part 139 industry standards for airports with 10 to 30 seat aircraft operations. These voluntary standards must have FAA support or the airports will ignore all recommendations. Also, there must be adequate AIP funding available to help airports pay for implementation of these standards. It was suggested that the insurance companies be contacted to see if they would be willing to reduce airport rates if they were to comply with the recommended Part 139 industry standards developed by the Working Group.

Mr. Goode updated the Working Group on the regulatory process and current status of the economic analysis regarding the Part 139 impacts. He indicated that the FAA must perform an economic evaluation on the following:

- Background as to why the new ruling is being recommended
- Baseline risk reduction
- Benefits derived over a 10 year period
- Present value
- Effect on small businesses

He indicated that full Part 139 certification of 360 airports would cost $150-$200 million to enact over the next 10 years. This includes all capital costs and operating & maintenance costs. Based on the current aircraft accident statistics, he projected that one aircraft accident would occur per year for the next 10 years with no recorded fatalities. At this accident rate, the costs for full certification implementation would exceed any derived safety benefits and could not be justified. However, he anticipates that the amount of accidents and fatalities will increase over time, and some cost benefit will be derived from full certification regulations. The FAA uses a fatality cost of $2.8 million per person in performing their cost/benefit analysis. Mr. Goode noted that he will be receiving more accurate accident data from the past 20 year period to perform a more precise cost/benefit analysis. The FAA economist was tasked to develop a cost/benefit analysis associated with full Index A, ARFF requirements and to include the following information:

- Staffing requirements and salaries
- Capital costs
- Yearly operating and maintenance costs
- Other facility costs to comply with limited and full certification requirements
- Review the state of Maine and Alaska studies
- Review costs presented in the GAO report

The following list of preliminary Part 139 industry standards was developed for implementation at all airports with 10-30 seat scheduled aircraft service:

- Self inspection program
- NOTAM all deficiencies
- Develop operations plan
- Develop an emergency contingency plan
- Develop a snow removal plan

To help assist airports in this effort, the FAA and NASAO will provide education and training assistance through the use of inspection forms, advisory circulars, seminars, videos, and the FAA Internet. The FAA will establish a Certification Inspection Program as a means to promote and

disseminate these industry standards. The state's 5010 form inspection process can be used to monitor and enforce the program.

Mr. Batey stated that the Oklahoma 5010 inspection program includes 150 airports, in which three field representatives inspect the airports over a three month period at a cost of $300-$500 per airport. These inspections are performed on a yearly basis. Mr. Sanfilippo asked what the pilots do if they detect a safety problem at an airport. Mr. Gilley stated that the pilot will call the safety hot line and report the incident, and they will also report it to their company representative.

Mr. Bill Wekenborg of the Dallas Forth Worth International Airport Department of Public Safety briefed the Working Group on what he felt was required to effectively respond to an aircraft fire. He would like to see all airports equipped with a minimum of Index A equipment, and more if financially possible. Training is very costly and many airports have poorly trained staff. Dry chemicals are ineffective when there is a 3 m.p.h. or greater wind. A response time of more than 3-4 minutes is too long and many outside local fire departments can not meet this requirement. Many staff have a psychological problem going inside a closed aircraft after an accident. Mr. Roy indicated that Part 139 ARFF training would not certify a person as a firefighter in any state. They also need some form of structural fire training. Part 139 training money must be allocated to the most qualified fire department (on-airport or local public department) depending on their training, equipment and response time. There are various research and training materials available to ARFF personnel, such as: FAA videos, training course ($465), fire emergency network TV channel, and other state and local training programs.

Mr. Robert Relyea of Crash Rescue Equipment Service, Inc. was asked to talk about the ARFF equipment needs and costs. He noted that most small aircraft accidents have fatalities due to the size of the aircraft and the minimal structural framing around the passengers. He noted that the number of fatalities will dictate the amount of equipment needed for response. Minimum requirement Index A ARFF equipment costs $50,000-55,000 (see attachment) and O&M costs are dependent on the amount of equipment use. Other costs include staff salaries and storage facilities. An effective response time is critical to saving lives, however there is no data to support this issue due to poor record keeping. Mr. Kirkendoll stated that full Index A ARFF regulations will require many airports to cancel service of 10-30 seat aircraft.

Ms. Scott asked the Working Group if there was any comments regarding the Group's recommendation that a non-regulatory Part 139 industry standard be proposed for those airports with 10-30 seat aircraft service, pending the outcome of the FAA's cost/benefit analysis. There was no objection to this proposal and the meeting was adjourned.

ACTION ITEMS

1. Bruce Kirkendoll will verify the airports certification status.

2. Deborah McElroy will check the OAG to identify those airports with scheduled service and also identify those airports under the EAS.

3. Mark Brewer will contact an insurance broker to attend the next meeting to discuss possible insurance rate cuts for airports participating in the "Safe Airports Program".

4. Russell Blanck/Bob Sanfilippo will prepare a draft outline of the "Aviation Industry Standards for Airport That Have Scheduled Service With Aircraft Having 10 to 30 Seats" report.

5. Jeff Goode will conduct the cost/benefit analysis.

NEXT MEETING

The next ARAC Working Group meeting is tentatively scheduled for March 20, 1996 in Washington, DC.

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-FINAL-

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

MEETING MINUTES

March 20, 1996

Attendees:	Affiliation	Phone No.
Loretta Scott, Chairperson	Grand Prairie Mun. Airport	214-988-3801
Bob Sanfilippo	Landrum & Brown	513-530-5333
Russell Blanck	Landrum & Brown	513-530-5333
Woody Davis	FAA, Attorney Advisor	202-267-3152
Bruce Kirkendoll	FAA, Airport Safety Specialist	202-267-8741
Marilyn DonCarlos	FAA, Aviation Policy/Economics	202-267-3319
Deborah McElroy	Regional Airline Assoc. (RAA)	202-857-1170
Ron Roy	Maine DOT/NASAO	207-287-3186
Jeff Gilley	AOPA	301-695-2208
Andy Cebula	NATA	703-845-9000
Mark Brewer	Lehigh Valley Int. Airport	610-266-6001
Jerry Wright	ALPA	703-689-4197
Victor Hewes	ALPA	404-767-2947
Steven Lofgren	NATA	703-845-9000
Steve Pavish	Alaska DOT/NASAO	907-266-1661

Ms. Scott opened the meeting and asked if there were any comments on the November 10, 1995 meeting minutes. Jeff Cepuran (ALPA) was omitted from the attendance list and should be added. No other comments were received.

Mr. Wright made a presentation regarding ALPA's opinion on where the ARAC Working Group is headed with their current "Industry Standard" recommendation. ALPA feels that there should be one level of safety at all airports and that full Part 139 requirements should be implemented, with certain exceptions, to all airports with scheduled service from 10-30 seat aircraft. The Working Group has been tasked to review Part 139 and develop recommendations concerning what requirements are applicable to these airports. Mr. Davis noted that Congress has denied the FAA four times in the past eight years the ability to set federal regulations on this issue. Ms. McElroy stated that David Hinson has not committed the FAA to regulate airports as stated in Mr. Wright's presentation. The Working Group could recommend that there be no Part 139 requirements for these airports. Mr. Kirkendoll noted that the FAA is neutral on this issue and is not leading the Working Group in any one direction.

Mr. Sanfilippo noted that the accident data that ALPA presented reflects all airports throughout the world and not just those airports being served by 10-30 seat aircraft. This data paints a very skewed view of airport accidents for these types of airports. Mr. Brewer indicated that the NTSB accident data did not support a recommendation for full Part 139 certification. In fact, Mr. Larry Roman from NTSB stated in our June 27, 1995 meeting that there was no accident data to support their (NTSB) recommendation regarding full Part 139 certification at these airports. The NTSB recommendation was purely based on achieving one common level of safety at all airports.

Mr. Hewes stated that many airports defy FAA regulations set forth in the Advisory Circulars for political and financial reasons. Mr. Kirkendoll disagreed and indicated that the majority of the airports do comply with the AC's due to liability issues, and that they seriously care about safety on their airports. They also comply with the safety regulations through the 5010 program and grant assurance agreements.

Mr. Sanfilippo stated that most airports will be able to purchase the needed equipment (ARFF, lighting, etc.) with the limited amount of AIP funds available. However, they will not be able to afford the yearly operating and maintenance costs associated with this equipment. Many of these airports can not collect enough revenue to cover the needed operating costs. Many of these airports are not profitable and are funded through their local municipality. Ms. DonCarlos noted that it will cost approximately $40,000-$50,000 per year to maintain a two person ARFF facility operating 8 hours per day. Mr. Wright suggested that the Working Group survey those certified airports who supply ARFF capability and determine how they are financing their operation. The Working Group agreed to conduct such a survey at the direction of Mr. Sanfilippo.

Ms. DonCarlos presented the capital and recurring cost results from the survey of airports receiving commuter service. The costs varied so widely that it was necessary to take out the top and bottom one-third numbers. The report focused on the capital and recurring costs for the three airport groupings (full, limited and none certified). As the airport certification increases, so do the capital and recurring costs. The ARFF and pavement costs were the major expenses facing airports today. Mr. Pavish noted that it costs $70,000-$85,000 a year for a part-time ARFF person (includes training) in Alaska. Training costs are higher since the personnel must be flown-in to the site. Mr. Wright asked that the data in Table ES1 be verified since some of the cost figures appear low. Mr. Blanck indicated that a benefit analysis must also be prepared to determine the usefulness of implementing full or partial Part 139 certification at these airports. The Working Group agreed that more detailed cost information needs to be collected from a select group of airports in order to complete the cost/benefit analysis.

Ms. McElroy mentioned some of the downside issues of implementing full Part 139 certification standards.

- Increase passenger ticket prices with a PFC to finance facilities
- Potential loss of service and its economical impact
- Increased automobile traffic with loss of service (more auto accidents)

The Working Group discussed how the recommended industry standard would be established and administered. The following items were raised:

- Keep industry standard separate from the FAA documents
- Use AAAE as sponsor
- Identify the industry group (airlines, airports, State DOT)
- Outline all resources available in Advisory Circulars
- Prepare a document for the industry users (Institution of Standards)
- Tie into the 5010 and Grant Assurance Programs
- Who becomes liable for any accidents

It was agreed that the State or aviation community must adopt the industry standard for it to become enforceable.

Mr. Brewer presented his feedback from talking to Sedgwick James Aviation, Inc., an airport insurance broker, about the "Industry Standard" approach for airport safety. The insurance companies refer to the airport industry standard for safety as "Risk Management Program". The aviation insurance market consists of only seven companies and each one must be approached individually to prevent any inference of collusion. Aviation insurance premiums are competitively bid through brokers, therefore, underwriters can not give a direct discount if an airport voluntarily complies with the industry standards. The industry looks at several factors when evaluating an airport's premium quote, such as; passengers, operations, revenue, freight tonnage, etc. It may be possible to approach the underwriters and ask them to add "adoption of an approved risk management program (our industry standard)" to their list of requested information. All brokers nationwide would encourage their clients to adopt the standards to ensure the best possible premium quote. All airports pay for other airports accidents across the country through their insurance rates. Mr. Brewer suggested inviting 1-2 underwriters to a meeting when the Working Group begins developing the industry standards. The Working Group agreed with this recommendation.

Mr. Roy noted that the 5010 report and grant assurance process would work in the following manner:

- Trained FAA inspector will survey an airport for compliance (2-3 days).
- Inspector generates a report and issues it to the FAA regional office listing possible deficiencies.
- The report is given to the airport manager and asked to fix any deficiencies within a specific time period.
- If the airport is delinquent in complying with this request, the FAA will take the necessary action under the grant assurance agreement provisions or the State block grant agreement.

Ms. McElroy noted that more money needs to be spent on accident prevention (signage, lights, markings, etc.) as opposed to the mitigation of accidents (ARFF, emergency plans, disaster plans, etc.)

The Working Group reviewed the July 27, 1995 Work Plan to determine their progress. The following issues need further study:

- Assess alternative forms of ARFF
- Determine operational and economical impact of full certification (case study)
- Prepare baseline cost data for non-certified airport having to comply with full certification
- Review and comment on GAO report to Robert Byrd
- Conduct cost/benefit analysis
- Develop preliminary recommendations

Action Items

1. (Loretta Scott) - Develop questionnaire for case study.

2. (Bob Sanfilippo) - Call select group of certified airports for case study.

3. (Deborah McElroy) - Survey of airport users to determine what they look for in an airport to initiate air service.

4. (Jerry Wright) - Prepare a list of procedures that pilots go through to determine service into an airport.

5. (Bruce Kirkendoll) - Prepare a list of data that will help airport operators comply with the industry standard (advisory circulars, 5010s, grant agreement, etc.).

6. (New FAA Economist - Allen Mattes) - Conduct a cost/benefit analysis of airport complying with full Part 139 certification. Prepare baseline cost data for non-certified airport having to comply with full certification.

7. (Working Group) - Review GAO report to Robert Byrd for discussion at next meeting.

8. (Working Group) - Review Part 139 to determine which requirements can be applicable to airports receiving 10-30 seat aircraft service.

The next ARAC Working Group meeting is scheduled for September 26-27 at the DFW-Hyatt Hotel.

Prepared By:

Russell Blanck
Landrum & Brown

-FINAL-

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

MEETING MINUTES

September 26-27, 1996

Attendees:	Affiliation	Phone No.
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Steve Pavish	Alaska DOT/NASAO	907-266-1661

Ms. Scott opened the meeting and indicated that Ken Kenvin will replace John Duval as chairman of the ARAC. Ken is currently the Director of operations at Dallas Fort Worth International Airport. Also, Allen Mattes has taken the place of Marilyn DonCarlos as the FAA economist.

The draft 20 March 1996 meeting minutes were reviewed and no comments were received. These meeting minutes will be considered as final and will be distributed to each Working Group member.

Ms. Scott gave the group a briefing of the events that have transpired since the March 20th meeting. They are as follows:

- On April 24th ALPA issued a statement of dissent to the majority position of the ARAC Working Group and a minority position statement for the Working Group's consideration.

- ALPA has gotten approval of their position from the House and is under review by the Senate today (see attached copy of regulation).

- On 14 May 1996 Ms. Scott wrote to Bob David to determine: (1) whether or not the Working Group had gone outside or beyond its' charter in exploring non-regulatory means to accomplish the "one level of safety" for the commuter airports involved, and (2) whether or not the Working Group has followed the proper process.

- On 29 May 1996 Bob David informed Ms. Scott that the ARAC Airport Issue Group should meet and respond to the questions raised.

- On 27 June 1996 the ARAC Airport Issue Group met to consider Ms. Scott's inquiries. The Issues Group determined that the Working Group was within its' charge and that non-regulatory considerations was a viable option. The Working Group was further charged to consider line-by-line each item in FAR Part 139 to consider applicability to those airports with scheduled service with 10-30 seat aircraft.

Ms. Scott and Bob Sanfilippo developed a questionnaire for the case study of airports that are voluntarily adhering to the FAR Part 139 regulations. The questionnaire included eight questions, which are:

1. Are you still fully certified FAR Part 139?
2. How long has your airport been certified?
3. When was your last FAA certification inspection?
4. Why have you chosen to voluntarily meet full 139 standards?
5. What type of ARFF equipment are you presently utilizing?
6. When did you last stage your ARFF equipment for other than a scheduled flight?
7. What is your total airport budget?
8. What is your ARFF budget?

Seventeen airports were identified for the case study. Bob Sanfilippo conducted the phone survey and was able to contact sixteen airports. The attached memorandum dated 20 September 1996 is a summary of the survey results. Concurrent with this survey, Jerry Wright had Jeff Cepuran conduct an interview of twelve airports. He indicated that they all had some form of ARFF capability, but had different levels of training. The airports were also gearing up to purchase additional equipment due to the new Part 139 legislation coming out. He indicated that the majority of the airport responses were similar to that of the case study conducted by Bob. Mr. Sanfilippo indicated that these airports do not have one level of airport ARFF training and much of it is from FAA manuals and videos. Bruce Kirkendoll stated that all ARFF personnel must have a minimum of 40 hours of training in eleven subject areas. The FAA inspector will talk to the employees and review their records to assure proper training has occurred. Yearly reoccurring training is also required, however there is no requirement that the personnel be a licensed professional firefighter.

Ms. McElroy was asked at the last meeting to provide information on the procedures followed by regional airlines when they are considering new service to a non-certificated airport. Unfortunately no comments were received from the regional airlines, therefore Ms. McElroy prepared the attached memorandum dated 26 September 1996 for distribution to the group. Mr. Wright noted that we need to address how these additional costs will be funded. He suggested that the FAA ask Congress to reduce the ticket tax for flights into these airports and add a surcharge per leg into the airport. Also, PFC's can be used for O&M costs. Mr. Brewer noted that a $3 PFC would not be adequate to fully fund annual ARFF costs. Congress is backing away from EAS airports and will make it difficult to fund any new regulations. Ms. McElroy stated that the RAA would oppose any increase in PFC costs. Ms. Scott noted that some airports would rather increase landing fees than increase PFC's. Mr. Pavish noted that many certificated

airports will still experience increased operating costs to cover those hours outside the normal eight hour operating window.

Mr. Wright was asked to report on the procedures that ALPA goes through to determine service into an airport. He indicated that ALPA does not determine when an airline will initiate service into an airport. This decision is at the discretion of the individual airline. The pilots will fly where the airlines tell them. The pilots will look at NOTAMS, FMS and weather to determine if the airport and airspace is safe to fly into that airport on any particular day. All Part 121 carriers must fly into a certificated airport on its initial flight. Mr. Kirkendoll noted that it may take approximately six months for an airport to become fully certificated if it is not certificated today.

Mark Brewer invited Allen Winters of Sedwick to give a briefing about the airport insurance industry and how these new regulations will affect the airports premiums and liability. Mr. Winters noted that there are approximately seven underwriters that supply insurance to airports. They will typically ask an airport a series of questions about liability issues which will help determine their insurance premiums. Airports can still get insurance without the presence of on-airport ARFF. There is no reduction in their premiums with ARFF, however it will increase their liability and the potential for loss. The insurance premium is based on units and not accidents. Today the average claim is approximately $3 million. Mr. Winters indicated that if the airport can demonstrate that they have an emergency response plan, personnel training, daily inspections, etc. it may be possible to get the underwriters to reduce their insurance premiums. It would be possible to privatize the ARFF and have an independent agency fund the service. However, this is not a money making enterprise and the cost would be passed to the airlines and passengers. Mr. Winters indicated that the aviation industry is very safe based on the total number of passengers and operations. The major claims come from minor injuries in the terminal building (escalators, baggage belts, automatic doors, tile floors, etc.). The main issue is to promote risk reduction.

The Working Group reviewed the contents and recommendations contained in the 18 November 1987 GAO Report regarding commuter airports participation in the Airport Certification Program. Mr. Wright indicated that ALPA wants to apply one standard of safety at all airports. He noted that it would be impossible to achieve one level of safety at all airports. Risk reduction and accident mitigation are the main issues at stake. Mr. Brewer noted that he would condone that the airports under question should have as a minimum a limited certification, with some exemptions regarding ARFF and a full exemption for Alaskan airports. Much of the Working Group agreed with this position and decided that it would help to review the Part 139 regulations line-by-line.

The Working Group reviewed Subpart D - Operations of FAR Part 139 to determine what would be applicable to airports with scheduled service from 10 to 30 seat commuter aircraft. See the attached information for the Group's preliminary recommendations. Some of the Working Group members need to get further direction from their agency before rendering any formal decision on various sections. Also, there was no discussion on Sections 139.315, 139.317 and 139.319 due to its sensitivity and need for additional review time.

Mr. Mattes gave a briefing on the status of the cost/benefit analysis and noted that additional cost data will need to be collected for the list of airports in order to proceed with this analysis. Three scenarios will be developed for the ARFF costs, which are as follows:

- Scenario 1 - Full Index A (3 people)
- Scenario 2 - Full Index A (2 people)
- Scenario 3 - ARFF stage 15 min. before and after each aircraft operation (arrival & departure)

The Working Group reviewed the capital and O&M costs associated with various airport items, and recommended the following:

- Skid mounted truck is $50,000 (10 yr. life expectancy)
- Truck maintenance is $5,000/yr.
- Training for 3 people
  - 40 hrs/person initial training
  - 1 hr/wk recurring training
  - live fire training $350/person
  - EMS training $100/person
- Misc. equipment $2,000/3 yrs.
- Storage building $75,000
- Personnel (2 dedicated people) $40,000/person/yr.
- ARFF response $150/ea.

Mr. Mattes indicated that he will need to collect additional O&M costs on other airport items (pavement, airfield lighting, guidance signage, navaids, etc.). He indicated that it will take approximately one month to collect the additional data and one more month to prepare the cost/benefit analysis.

The next ARAC Working Group meeting is scheduled for December 5-6, 1996 at the DFW Airport.

Prepared By:

Russell Blanck
Landrum & Brown

-FINAL-

AVIATION RULEMAKING ADVISORY COMMITTEE
COMMUTER AIRPORT CERTIFICATION WORKING GROUP

MEETING MINUTES

December 5-6, 1996

Attendees:	Affiliation	Phone No.
Loretta Scott, Chairperson	Grand Prairie Mun. Airport	214-988-3801
Bob Sanfilippo	Landrum & Brown	513-530-5333
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Bruce Kirkendoll	FAA, Airport Safety Specialist	817-222-5619
Allen Mattes	FAA, Aviation Policy/Economics	202-267-3412
Woody Davis	FAA, Attorney Advisor	202-267-3152
Ron Roy	Maine DOT/NASAO	207-287-3318
Jeff Gilley	AOPA	301-695-2208
Mark Brewer	Lehigh Valley Int. Airport	610-266-6001
Jerry Wright	ALPA	703-689-4197
Vic Hewes	ALPA	404-767-2947
Steve Pavish	Alaska DOT/NASAO	907-266-1661

Ms. Scott opened the meeting and asked if there were any comments on the September 26-27, 1996 meeting minutes. No comments were received and these minutes will be considered as final.

Bruce Kirkendoll indicated that the ARAC Working Group (WG) has a new mission to reach a consensus on Part 139 requirements for airports with 10 to 30 seat commuter aircraft operations. If a consensus can not be reached, then each group will state there positions in the final report. Loretta Scott noted that the WG recommendations will be presented to the Issues Group on January 29, 1997. The WG has been asked to review Part 139 line-by-line and state our recommendations. Woody Davis indicated that an NPRM will be issued on the proposed recommendations and the WG will have the opportunity to submit their comments prior to becoming final regulation.

The WG continued to review the remaining sub-parts of Part 139 and presented their views, which are as follows:

139.315

Bruce Kirkendoll indicated that as a minimum the FAA would require Index A fire fighting capability at these airports. This would apply even if there are less than five flights per day. Also, if the airport will have Index C aircraft operations, the minimum ARFF requirement would be Index B for standby.

Ron Roy noted that he received responses from the State airports stating that the ARFF capital and O&M costs are significant and that they would have a difficult to impossible time finding dollars for this expense. He suggested that the ARFF response issue should be covered under the Emergency Plan and that the ARFF equipment does not need to be located on the airport. Jerry Wright indicated that ALPA is in agreement with having Index A as a minimum for ARFF, but believes that the facility should be located on airport property for all airports.

139.319

The majority group agreed that the ARFF did not need to be located on-airport property. This decision was made due to the minimal number of accidents at these type airports. Also, if the ARFF was manned by the local airport staff, the majority group felt that the staff would be insufficiently trained to handle an accident if it occurred. Most of the airports could not afford to provide a dedicated staff just for ARFF response. Jerry Wright indicated that ALPA is in agreement with having Index A as a minimum for ARFF and that such equipment could either stand by at the airport during airline operations or be based at the airport. Bruce Kirkendoll stated that ARFF crews function is to provide an escape route for passengers. Mutual Aid is relied upon to provide assistance to survivors and put out the fire.

Benefit Analysis

Allen Mattes indicated that based on his cost/benefit analysis with four flights per day, it would be more costly to have ARFF located off-airport. This is based on $150 per flight at two trips per day for seven days per week. Part 135 accident data which involved aircraft fires was collected since 1983. This data indicated that there has been 15 accidents and that the passengers evacuated the aircraft prior to arrival of the ARFF equipment. For those fatalities, the data shows that they all perished on impact and that the presence of ARFF would have made no difference. Vic Hewes noted that the mutual aid also responds to non-fire accidents and treats injuries such as, severed arteries. Ron Roy indicated that a total of 15 accidents with no ARFF credited with saving of lives, does not justify requiring the presence of ARFF on all airports. Most of the passengers evacuate the aircraft on their own, or with the help of other passengers or crew. Steve Pavish stated that in Alaska, the local community response is much better than the on-airport facilities due to the higher level of personnel training and budget dollars. The current federal structure does not always result in the best response or training for ARFF.

Cost Analysis

Allen Mattes stated that based on his phone survey, many of the airports had ARFF equipment but no personnel or proper training to adequately respond to accidents. Many of them would not meet the required three minute response time, have the adequate volume of fire agents, and their equipment is old and in need of upgrading. They also did not have an adequate budget for yearly O&M expenses. It would be less expensive to purchase new equipment rather than try to maintain older equipment. A cost of $50,000 was used for a new Index A skid mounted fire truck, with no turret. An average cost of $75,000 was used for a storage building and a minimum of three fully trained staff members. Based on $2.7 million per person's life, the historical loss of life for these airports does not justify the need for ARFF.

Loretta Scott noted that the FAA has made the decision to not require child safety seats on aircraft, even though it has been proven that they might save lives. The FAA decided that it would be too costly for the passengers to purchase an additional ticket to accommodate the safety

seat and that passengers would revert to driving as opposed to flying. Driving has a higher mortality rate than flying.

Vic Hewes indicated that the airports would fund the ARFF equipment through the ticket tax process. Bob Sanfilippo noted that these cost are minor compared to the yearly O&M, training, and salary costs that must come from the airports own budget. Many of them can not afford these yearly costs. Jerry Wright stated that there are 30 airports who voluntarily meet Part 139 certification, which voluntarily meet Part 139 certification requirements even without any airline revenues with which to pay for ARFF and other services. Those airports that can not afford these costs will ask for an exemption to these requirements. Bruce Kirkendoll noted that there is only one airport that has been approved for an exemption to Part 139, and that is Port Hyden in Alaska. Vic Hewes indicated that many of the airports will ask for an exemption and learn over the years how to finance the additional costs.

Bruce Kirkendoll noted that Part 139 does not require the EMT to be located with the airport firefighting. This can be provided by the local community fire service away from the airport. Allen Mattes stated that he would analyze the EMT separate from the ARFF requirements. Loretta Scott asked why should an airport be required to provide on-airport EMT, when a local shopping mall/center does not have this requirement. This can be handled in the airport Emergency Plan by calling 911 and have the local fire department supply EMT services.

Majority Position

Mark Brewer stated that the majority position is that there is no need for ARFF to be located on-airport. The accident and cost/benefit analysis does not justify the need or expense. Since Part 139 allows for EMT to respond from outside the airport, a similar arrangement can be provided for ARFF response from professionally trained personnel. There should be no specific response time required since the accident data does not justify the three minute response time. Jeff Gilley noted that 98 percent of operations at these airports are general aviation. If GA operating costs go towards funding these Part 139 requirements, they would reduce monies allocated for additional GA hangars, apron, and other services. AOPA can not recommend using these funds to support 3-4 daily commuter flights.

Minority Position

Jerry Wright indicated that ALPA feels that there are two levels of safety between air carrier and commuter airport operations. This inconsistency can be negated by implementation of full Part 139 requirements for all airports with commuter operations with 10 to 30 seats. ALPA feels that these airports should have a minimum of Index A ARFF capability which is required to respond within the three minute first-response time. The ARFF can be manned by trained airport employees for the first response. Other off-airport resources can be used for additional response vehicles. Vic Hewes noted that ICAO regulates full Part 139 at all of their airports to provide one level of safety. Bruce Kirkendoll noted that the three minute first response is a test time and is not required in an actual accident situation. Also, there is no response time specified for mutual aid. Bob Sanfilippo requested that the minority position include appropriate funding sources for implementation of ARFF requirements.

Review of Cost/Benefit Draft Report

The WG reviewed the draft cost/benefit report and recommended various changes. Allen Mattes recorded these comments and will make the appropriate changes to the report.

Final Report Production

It was indicated that the final Executive Summary must be submitted to the ARAC Issues Group by January 9, 1997. This will be officially presented to them on January 29, 1997. The following persons will be responsible for production of the report:

Executive Summary----------Loretta Scott
Chronology of Events----------Loretta Scott
Cost/Benefit Analysis----------Allen Mattes
Majority Position Paper----------Mark Brewer/Ron Roy
Minority Position Paper----------Jerry Wright
Membership Position Papers--------Steve Pavish (NASAO)
Debbie McElroy (RAA)
Jeff Gilley (AOPA)

All sections of the report will be issued to Russell Blanck or Bob Sanfilippo for coordination and distribution for review by the WG. At this time there are no further meetings scheduled for the WG. Loretta thanked all of the members for their participation and hard work that has gone into this effort. She regrets that the group could not come to a consensus on their final recommendations.

Minutes Prepared By:
Russell Blanck

VI. MEMBERSHIP LIST

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VII. REFERENCE AND PRESENTATION MATERIAL

1. "Commuter Airports Should Participate in the Airport Certification Program", United States General Accounting Office, GAO/RCED-88-41, November 1987.

2. "Airports Served by Scheduled Aircraft With 10 to 30 Passenger Seats", National Association of State Aviation Officials, July 27, 1995.

3. "FAR Part 139 Certification and Operations: Land Airports Serving Certain Air Carriers", Federal Aviation Administration, January 1, 1988.

4. "Accident and Incident for 10 to 30 Seat Aircraft at Non FAR Part 139 Airports", National Transportation Safety Board, FAA Memorandum, September 6, 1995.

5. "An Analysis of Data Associated With The Certification of Airports With Scheduled Commuter Operations", FAA Office of Aviation Safety, Flight Safety Division, January 1995.

6. "Survey For Airports Receiving Commuter Airline Service", ARAC Working Group.

7. "Phone Survey Questionnaire", ARAC Working Group.

8. "Report to Congress, National Plan of Integrated Airport Systems (NPIAS) 1993-1997", U.S. Department of Transportation, Federal Aviation Administration, Washington, DC, April 1995.

9. "Airport Improvement Program Grant Assurance Number One - General Federal Requirements", Advisory Circular 150/5100-16A, October 4, 1988, U.S. Department of Transportation, Federal Aviation Administration, Washington, DC.

10. Briefing from Larry Roman of NTSB on June 26, 1995.

11. Briefing from Bill Wekenborg of the Dallas Forth Worth International Airport Department of Public Safety on October 11, 1995.

12. Briefing from Robert Relyea of Crash Rescue Equipment Service, Inc. on October 11, 1995.

13. Briefing from Allen Winters of Sedgwick James Aviation, Inc. on September 26, 1996.

Airport Name	1 Landings on Scheduled Basis (Yes) / (No)	1A Aircraft Seating Capacity	2 1994 Annual Enplanements	3 Airport Federal Certification Status (Full, Limited, None)	4 Airport Staffed 24 Hrs/Day (Yes) / (No)	5 ARFF (Yes) / (No)	6 ARFF (24 Hrs/Day) (Yes) / (No)	7 Does Your Airport Have 1/ A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	8 Maintain NOTAMS (Yes) / (No)	9 Runway (R) and Taxiway (T) Data Marking	Reflectors	Lighting	Signage	A
New England Region																																	
Maine																																	
Augusta (AUG)	Yes	10-19	5,000	None	No	No	No	x	x	x		x	x	x	x	x	x	x	x	x						x	Yes	R,T	-	R,T	R,T	
Bar Harbor (BHB)	Yes	10-19	5,231	None	No	No	No	x		x	x	x													x		Yes	R,T	-	R,T	R,T	
Rockland (RKD)				None																													
Frenchville (FVE)	Yes	20-30	No Commuters	None	No	No	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Presque Isle (8S8)	Yes	10-19	26,178	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x	x	Yes	R,T	T	R,T	R,T	
New Hampshire																																	
Keene (EEN)	Yes	10-19	-	None	No	Yes (un-man)	No	x		x	x		x		x		x		x	x	x			x	x	x	Yes	R,T	T	R,T (part)	R,T	
Lebanon (LEB)	Yes	10-19	50,487	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Vermont																																	
Rutland (RUT)	Yes	10-19	6,253	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Eastern Region																																	
New York																																	
East Hampton (HTO)				None																													
Massena (MSS)	Yes	10-19	7,600	Limited	No	Yes	No	x		x	x	x	x		x	x	x		x	x	x		x	x	x	x	Yes	R,T	-	R,T	R,T	
Plattsburgh (PLB)	Yes	10-19	16,332	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Poughkeepsie (POU)	Yes	10-19	7,300	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T	
Saranac Lake (SLK)	Yes	10-19	5,335	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Ogdensburg (OGS)				Full																													
Watertown (ART)				Full																													
Maryland																																	
Cumberland (CBE)	Yes	10-19	-	None	No	No	No	x	x		x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	Yes	-	-	R,T	-	
Hagerstown (HGR)	Yes	10-19	34,497	Limited	No	No	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Salisbury (SBY)	Yes	30+	67,590	Full	No	Yes	No	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T	
Ocean City (N80)				None																													
West Virginia																																	
Beckley (BKW)	Yes	10-19	8,400	Limited	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Bluefield (BLF)	Yes	10-19	6,000	None	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Morgantown (MGW)	Yes	10-19	23,841	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Southern Region																																	
Florida																																	
Ft. Walton Beach (VPS)				Full																													
Key West (EYW)	Yes	30+	250,297	Full	Yes	Yes	No	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Marathon (MTH)				Full																													
Melbourne (MLB)				Full																													
Naples (APF)	Yes	30+	70,000	Full	Yes	Yes	Yes			x	x		x	x	x	x		x	x	x	x	x	x		x	x	Yes	R,T	T	R,T	R,T	
Panama City (PFN)	Yes	30+	154,000	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
North Carolina																																	
Greensboro (GSO)	Yes	30+	1,900,000	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x			x	x		Yes	R,T	R,T	R,T	R,T	
Mississippi																																	
Hattiesburg-Laurel (PIB)	Yes	10-19	6,217	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Columbus (GTR)	Yes	20-30	47,000	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Greenville (GLR)	Yes	20-30	10,740	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Gulfport/Biloxi (GPT)	Yes	30+	283,417	Full	No	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Jackson (HKS)	Yes	30+	408,418	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Meridian (MEI)	Yes	20-30	26,000	Full	No	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Tupelo (TUP)	Yes	10-19	22,355	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Bay St. Louis (66Y)				None																													
Clarksdale (CKM)	No	20-30	25	None	No	No	No		x	x		x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	-	
Natchez (HEZ)	No	-	None	Limited	Yes	Yes	Yes	x		x		x	x	x	x	x			x	x				x	x	x	Yes	R,T	-	R,T	-	
Pascagoula (M50)	No	-	None	None	No	No	No		x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Puerto Rico																																	
Isla De Culebra (CPX)				None																													
Isla De Vieques (VQS)				None																													
Fajardo (X95)				None																													
Isla Grande				None																													
Tennessee																																	
Jackson (MKL)				Full																													
Great Lakes Region																																	
Illinois																																	
Carbondale (MDH)	Yes	10-19	3,200	Limited	Yes	Yes	No	x		x	x					x	x	x		x	x	x				x	Yes	R,T	-	R,T	R,T	
Chicago-Meigs (CGX)				Limited																													
Marion (MWA)	Yes	10-19	14,300	Limited	Yes	Yes	No	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Mt. Vernon (MVN)				Limited																													
Quincy (UIN)				Limited																													
Sterling/Rock Falls (SQI)	Yes	10-19	1,250	Limited	No	Yes	No	x		x		x	x	x	x	x	x	x	x	x	x	x	x	x		x	Yes	R,T	-	R,T	R,T	
Danville (DNV)	Yes	10-19	-	Limited	No	Yes	No	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Mattoon (MTO)	Yes	10-19	1,575	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Indiana																																	
Anderson (AID)				Limited																													
Kokomo (OKK)	Yes	10-19	-	None	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x								Yes	R,T	-	R,T	R,T	
Muncie (MIE)	Yes	10-19	-	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x			x	Yes	R,T	-	R,T	R,T	
Bloomington (BMG)	Yes	10-19	2,500	Limited	No	Yes	Yes	x		x	x	x	x	x	x	x	x	x	x	x	x					x	Yes	R,T	-	R,T	R,T	
Gary (GYY)	No	30+	54,500	Limited	No	Yes	No	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x			x	Yes	R,T	-	R,T	R,T	
Elkhart (EKM)				Limited																													
Valparaiso (VPZ)	No	-	No Scheduled	Limited	No	No	No	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	Yes	R,T	T	R	R,T	
Mt. Comfort (MQJ)	No	-	-	Limited	No	Yes	Yes	x		x	x		x	x	x		x	x				x	x		x	x	Yes	R,T	-	R,T	R,T	
Michigan																																	
Alpena (APN)				Limited																													
Iron Mountain (IMT)				Limited																													
Ironwood (IWD)	Yes	10-19	4,330	Limited	No	Yes	No	x		x			x	x	x	x	x	x	x	x	x				x	x	Yes	R,T	R,T	R,T	R,T	
Manistee (MBL)				None																													
Menominee (MNM)				Limited																													
Sault Ste. Marie (CIU)				Limited																													
Wisconsin																																	
Wausau (AUW)				None																													
Minnesota																																	
Fairmont (FRM)	Yes	10-19	-	Limited	No	Yes	No			x	x	x	x	x	x	x	x	x	x					x	x	x	Yes	R,T	T	R,T	R,T	
Fergus Falls (FFM)				None																													
Grand Rapids (GPZ)	Yes	10-19	7,100	Limited	No	Yes	No	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
Mankato (MKT)				Limited																													
St. Cloud (STC)	Yes	10-19	10,014	Limited	No	No	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	-	T	R	R,T	
St. Paul Downtown (STP)				Limited																													
Thief River Falls (TVF)	Yes	10-19	2,911	Limited	No	Yes	No	x		x		x	x	x	x	x	x		x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Worthington (OTG)				Limited																													
Chisholm-Hibbing (HIB)	Yes	20-30	14,400	Full	yes	Yes	Yes	x	x	x		x	x	x	x	x	x	x	x	x		x	x	x	x	x	Yes	R,T	T	R,T	R,T	
International Falls (INL)				Full																													
Bemidji (BJI)				Full																													
North Dakota																																	
Devils Lake (DVL)	Yes	10-19	4,300	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Jamestown (JMS)	Yes	10-19	3,500	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	Yes	R,T	-	R,T	R,T	
Dickinson (DIK)				None																													
Williston (ISN)	Yes	10-19	6,000	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	
South Dakota																																	
Brookings (BKX)				Limited																													
Huron (HON)	Yes	10-19	4,588	Limited	No	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Mitchell (MHE)	Yes	10-19	1,390	Limited	No	No	No	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Yankton (YKN)	Yes	10-19	772	Limited	No	Yes	No	x		x	x	x		x	x	x	x	x		x	x	x	x		x	x	Yes	R,T	-	R,T	R,T	

MMUTER SERVICE BY AIRCRAFT WITH 10 TO 30 SEATS

	10																	
	Capital Costs						Recurring Costs						Capital & Maint./Installation & Operating Costs					
sts / signage	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement
R,T	$80,000	$0	$0	$0	$0	$0	$1,000	$25,000	$0	$0	$0	$20,000	$0	$25,000	$0	$0	$0	$20,000
R,T	$0	$0	$0	$0	$0	$0	$0	$2,000	$0	$0	$1,000	$5,000	$677,500	$0	$5,000	$20,000	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$30,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$400,000	$0	$0	$0	$0	$0	$10,000	$0	$0	$0	$20,000	$0	$0	$0	$0	$0	$0
R,T	$150,000	$300,000	$0	$0	$0	$5,000,000	$2,000	$1,000	$0	$0	$0	$10,000	$0	$0	$0	$0	$0	$0
R,T	$137,000	$0	$0	$0	$0	$0	$2,310	$2,760	$1,930	$2,635	$1,690	$15,817	$139,310	$10,910	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$10,000	$0	$0	$0	$0	$2,500,000	$1,500	$0	$50	$1,800	$50	$4,000	$1,200	$0	$0	$1,200	$0	$3,000
R,T	$250,000	$300,000	$0	$0	$0	$10,000,000	$2,000	$18,000	$1,715	$1,000	$500	$5,000	$5,000	$2,000	$100	$0	$0	$1,000,000
-	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$165,000	$800,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$3,000	$0	$0	$0	$0	$0	$0
R,T	$180,000	$500,000	$500	$45,000	$500	$5,000,000	$3,000	$12,000	$200	$4,000	$200	$18,000	$0	$0	$0	$0	$0	$0
R,T	$294,000	$199,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$10,000	$200,000	$0	$0	$0	$2,000,000	$300	$2,000	$0	$2,000	$0	$10,000	$10,300	$202,000	$0	$2,000	$0	$2,010,000
R,T	$140,000	$750,000	$0	$500	$0	$0	$1,000	$1,000	$5,000	$5,000	$0	$0	$0	$0	$0	$0	$0	$10,000
R,T	$500,000	$0	$0	$0	$0	$0	$25,000	$5,000	$20,000	$5,000	$10,000	$5,000	$0	$0	$0	$0	$0	$0
R,T	$13,750	$72,500	$0	$0	$0	$356,138	$11,675	$12,340	$11,440	$3,500	$2,200	$200	$0	$0	$0	$0	$0	$0
R,T	$1,500,000	$0	$0	$0	$0	$0	$5,500	$5,000	$1,000	$3,000	$0	$9,000	$0	$0	$0	$0	$0	$0
R,T	$1,000,000	$750,000	$0	$0	$0	$2,000,000	$15,000	$50,000	$0	$0	$0	$50,000	$0	$0	$0	$0	$0	$0
R,T	$850,000	$500,000	$5,000	$0	$0	$3,000,000	$30,000	$25,000	$5,000	$5,000	$5,000	$80,000	$30,000	$25,000	$5,000	$5,000	$5,000	$80,000
R,T	$280,000	$800,000	$0	$0	$0	$3,000,000	$120,000	$8,000	$0	$0	$0	$8,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$1,590,000	$2,100,000	$50,000	$15,000	$3,000	$16,000,000	$475,000	$85,000	$62,000	$11,000	$3,000	$65,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$5,604,091	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$800,000	$0	$0	$0	$45,000,000	$0	$5,000	$1,000	$500	$0	$5,000	$0	$0	$0	$0	$0	$0
R,T	$331,000	$350,000	$20,000	$35,000	$10,000	$7,000,000	$5,000	$2,800	$10,000	$5,000	$4,500	$450,000	$0	$0	$0	$0	$0	$0
-	$105,000	$40,000	$0	$350	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
-	$1,000	$2,000	$100	$500	$100	$1,000	$500	$1,000	$0	$200	$0	$4,000	$0	$0	$0	$0	$0	$0
R,T	$8,500	$70,000	$5,000	$2,500	$0	$0	$5,000	$5,000	$0	$0	$0	$0	$45,000	$90,000	$5,000	$2,500	$0	$2,000,000
R,T	$0	$0	$0	$0	$0	$0	$0	$5,000	$500	$10,000	$500	$10,000	$200,000	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$8,000,000	$1,500	$5,000	$0	$500	$0	$30,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$125,000	$150,000	$15,000	$5,000	$0	$0	$35,000	$4,000	$5,000	$2,500	$0	$10,000	$0	$0	$0	$0	$0	$0
R,T	$0	$250,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$7,000	$0	$0	$0	$0
R,T	$389,091	$30,000	$0	$0	$0	$22,000	$3,000	$3,800	$0	$20,000	$0	$3,000	$0	$0	$0	$0	$0	$0
R,T	$288,000	$0	$0	$0	$0	$0	$1,800	$0	$1,200	$1,800	$0	$5,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$40,000	$0	$0	$0	$20,000	$0	$0	$0	$0	$0	$0	$250,000	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$750,000	$0	$0	$0	$2,500,000	$0	$5,000	$0	$0	$0	$30,000	$0	$0	$0	$0	$0	$0
R,T	$85,000	$948,350	$0	$0	$0	$3,013,000	$0	$0	$0	$3,000	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$250,000	$320,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$30,000	$180,000	$3,500	$1,500	$500	$35,000	$1,500	$2,000	$1,000	$800	$100	$11,000	$800	$17,000	$850	$700	$100	$8,500
R,T	$40,000	$2,000,000	$16,000	$4,000	$0	$3,000,000	$1,500	$7,000	$16,000	$1,700	$0	$25,000	$2,500	$25,000	$5,000	$1,700	$0	$40,000
R,T	$100,000	$300,000	$1,000	$0	$500	$10,000,000	$500	$1,000	$500	$500	$500	$8,000	$0	$0	$0	$0	$0	$0
R,T	$300,000	$200,000	$0	$0	$0	$5,000,000	$80,000	$15,000	$0	$0	$0	$500,000	$0	$0	$0	$0	$0	$0
R,T	$0	$750,000	$0	$0	$0	$2,200,000	$0	$0	$3,650	$1,300	$0	$3,000	$0	$750	$0	$24,000	$0	$0
R,T	$30,000	$0	$0	$0	$0	$0	$500	$400	$800	$100	$400	$1,500	$0	$0	$0	$0	$0	$0

Airport Name	1 Landings on Scheduled Basis (Yes) / (No)	1A Aircraft Seating Capacity	2 1994 Annual Enplanements	3 Airport Federal Certification Status (Full, Limited, None)	4 Airport Staffed 24 Hrs/Day (Yes) / (No)	5 ARFF (Yes) / (No)	6 ARFF (24 Hrs/Day) (Yes) / (No)	7 Does Your Airport Have 1/ A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	8 Maintain NOTAMS (Yes) / (No)	9 Runway (R) and Taxiway (T) Data Marking	Reflectors	Lighting	Signage
Pierre (PIR)	Yes	10-19	-	Full	Yes	Yes	No	x	x	x		x	x			x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Central Region																																
Iowa																																
Ft. Dodge (FOD)	Yes	10-19	10,184	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Ottumwa (OTM)	Yes	10-19	2,700	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Spencer (SPW)				None																												
Mason City (MCW)	Yes	30+	16,500	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Burlington (BRL)	Yes	20-30	25,000	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T
Kansas																																
Goodland (GLD)	Yes	10-19	1,058	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Great Bend (GBD)				Limited																												
Hays (HYS)				Limited																												
Liberal (LBL)	Yes	10-19	4,532	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Manhattan (MHK)	Yes	10-19	23,000	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Missouri																																
Cape Girardeau (GGI)				Limited																												
Kirksville (IRK)	Yes	10-19	5,460	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R	R,T	R,T
Forney Army Airfield	Yes	10-19	9,600	Full	No	Yes	Yes	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	-
Nebraska																																
Alliance (AIA)				Limited																												
Chadron (CDR)	Yes	10-19	850	None	No	No	No	x	x	x			x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Grand Island (GRI)				Limited																												
Hastings (HSI)	Yes	10-19	950	Limited	No	Yes	No	x	x	x		x	x	x	x	x	x	x	x	x	x	x			x	x	Yes	R,T	-	R,T	R,T
Kearney (EAR)	Yes	10-19	3,345	None	No	No	No	x		x			x	x	x	x	x		x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
McCook (MCK)	Yes	10-19	2,111	Limited	No	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Norfolk (OFK)	Yes	10-19	3,854	Limited	No	No	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x				x	x	Yes	R,T	-	R,T	R,T
North Platte (LBF)	Yes	10-19	14,172	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x		x	x	Yes	R,T	-	R,T	R,T
Scotts Bluff (BFF)	Yes	10-19	21,000	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x			x	x		x	x	x	x	x	Yes	R,T	-	R,T	R,T
Southwest Region																																
Arkansas																																
El Dorado (ELD)	Yes	10-19	3,589	None	No	No	No	x		x		x	x	x	x	x		x	x	x	x	x		x	x	x	Yes	R,T	-	R,T	R,T
Harrison (HRO)				None																												
Hot Springs (HOT)	Yes	20-30	4,582	Limited	No	Yes	Yes	x	x	x		x	x	x	x		x	x	x	x	x		x	x	x	x	Yes	R,T	R	R,T	R,T
Jonesboro (JBR)	Yes	10-19	-	None	No	Yes	Yes	x		x			x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R
Mountain Home (BPK)	Yes	10-19	6,500	None	No	Yes	No	x	x	x	x		x	x		x	x	x	x	x		x		x			Yes	R,T	-	R,T	R,T
Springdale (ASG)				None																												
Oklahoma																																
Enid (WDG)	Yes	10-19	4,200	None	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	Yes	R,T	-	R,T	R,T
Ponca City (PNC)	Yes	10-19	4,000	None	No	Yes	Yes	x	x	x	x		x	x	x	x	x	x	x	x		x			x	x	Yes	R,T	T	R,T	R,T
Texas																																
Brownwood (BWD)	Yes	10-19	2,500	None	No	Yes	No	x		x			x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R	R,T
Sugar Land/Hull (SGR)	Yes	20-30	19,000	None	Yes	No	-	x	x	x			x	x	x	x		x	x	x	x	x	x		x	x	Yes	R,T	R,T	R,T	R,T
Galveston (GLS)				Limited																												
Del Rio (DRT)				None																												
Victoria (VCT)	Yes	20-30	20,000	Limited	No	Yes	No	x			x	x	x	x	x	x	x		x	x	x	x	x			x	x	Yes	R,T	R,T	R,T	R,T
New Mexico																																
Alamogordo (ALM)	Yes	10-19	3,294	Full	No	Yes	No	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Carlsbad (CNM)	Yes	10-19	11,291	None	No	Yes	No	x				x	x	x	x	x			x	x					x	x	Yes	R,T	T	R,T	R,T
Clovis (CVN)	Yes	10-19	4,800	None	No	Yes	No			x	x		x	x	x	x	x	x	x		x					x	Yes	R,T	-	R,T	R,T
Gallup (GUP)	Yes	10-19	6,800	None	No	Yes	Yes		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Las Cruces (LRU)	Yes	10-19	8,295	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Santa Fe (SAF)				None																												
Silver City (SVC)				None																												
Farmington (FMN)	Yes	30+	91,989	Full	No	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Roswell (ROS)	Yes	10-19	30,240	Full	No	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Hobbs (HOB)	Yes	20-30	4,500	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Albuquerque (AEG)				None																												
Ruidoso (SRR)	Yes	10-19	-	Limited	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T
Western-Pacific Region																																
California																																
Bermuda Dunes (UDD)				None																												
Bishop (BIH)				None																												
Carlsbad (CRQ)				None																												
Crescent City (CEC)	Yes	10-19	-	Limited	No	Yes	No	x	x	x		x	x	x	x	x		x	x	x	x	x	x		x	x	Yes	R,T	R,T	R,T	R,T
Imperial (ILP)				None																												
Inyokern (IYK)	Yes	10-19	24,003	None	No	No	No	x		x			x		x				x	x			x		x		Yes	R,T	T	R	R
Mammoth Lakes (MMH)	Yes	10-19	9,000	Limited	No	Yes	No		x	x	x		x	x	x	x			x	x				x		x	Yes	R,T	T	R	R,T
Merced (MCE)	Yes	10-19	7,638	Limited	No	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T
Oxnard (OXR)	Yes	10-19	39,989	Full	Yes	Yes	Yes	x		x		x			x			x		x	x	x			x	x	Yes	R,T	R,T	R,T	R,T
Santa Maria (SMO)				None																												
San Luis Obispo (SBP)	Yes	30+	121,000	Full	No	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Stockton (SCK)	Yes	10-19	27,159	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Visalia (VIS)	Yes	10-19	7,000	Limited	No	Yes	Yes	x	x	x	x	x	x		x	x		x	x	x		x	x		x	x	Yes	R,T	-	R,T	R,T
Arizona																																
Kingman (IGM)				Limited																												
Lake Havasu City (HII)	Yes	10-19	13,000	None	No	Yes (off-site)	No	x		x	x	x	x	x	x	x		x	x	x		x	x		x	x	Yes	R,T	T	R,T	R,T
Page (PGA)	Yes	10-19	19,000	Limited	No	Yes	No	x	x	x	x	x	x		x	x		x	x	x	x	x	x		x	x	Yes	R,T	R,T	R,T	R,T
Prescott (PRC)	Yes	10-19	13,000	Limited	No	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T
Sierra Vista (FHU)				Full																												
Show Low (SOW)				None																												
Bullhead (IFP)	Yes	30+	74,194	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Sedona (SEZ)	No	-	-	None	-	-	-						-														-	-	-	-	-
Flagstaff (FLG)	Yes	20-30	41,138	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T
Yuma (YIA)	Yes	30+	68,000	Full (U.S. Navy)	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T
Nevada																																
Ely (ELY)	Yes	10-19	2,265	Limited	No	Yes	No	x	x	x	x		x	x	x	x	x	x	x	x	x		x		x	x	Yes	R,T	T	R	R,T
L.V./Henderson (HSH)	Yes	10-19	-	None	No	No	No			x											x						No	R,T	-	R	-
American Samoa																																
Ofu Island (OFU)				None																												
Fitiuta (FAQ)				None																												
Hawaii																																
Hana, Maui (HNM)				None																												
Princeville, Kauai (H101)				None																												
Northwest Mountain Region																																
Colorado																																
Cortez (CEZ)	Yes	20-30	9,495	Limited	No	Yes	No	x	x	x		x	x	x	x	x	x	x	x	x			x	x	x	x	Yes	R,T	T	R	R,T
Lamar (LAA)				Limited																												
Idaho																																
Coeur D'Alene (COE)				None																												
Montana																																
Glasgow (GGW)				None																												
Glendive/Dawson (GDV)	Yes	10-19	1,500	None	No	Yes	No	x		x	x		x	x	x	x	x	x	x	x	x	x	x		x		Yes	R,T	R,T	R,T	R,T
Havre (HVR)				None																												
Kalispell(FCA)	Yes	30+	101,715	Full	Yes	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R	R,T
Lewiston (LWT)	Yes	10-19	-	None	No	No	Yes	x			x	x	x		x	x	x		x	x			x		x		Yes	R,T	-	R,T	R,T
Miles City (MLS)				None																												
Sidney (SDY)	Yes	10-19	-	None	No	Yes	No	x	x	x	x		x		x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T
Wolf Point (OLF)	Yes	-	1,689	None	No	Yes	No			x							x			x		x				x	No	R,T	R,T	R,T	R,T
Yellowstone (WYS)	Yes	20-30	2,700	Limited	No	Yes	No	x		x		x	x	x	x	x		x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T

OMMUTER SERVICE BY AIRCRAFT WITH 10 TO 30 SEATS

Data	10																	
	Capital Costs						Recurring Costs						Capital & Maint./Installation & Operating Costs					
Signage	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement
R,T	$400,000	$200,000	$0	$0	$0	$2,000,000	$5,000	$2,000	$500	$200	$0	$10,000	$0	$0	$0	$0	$0	$0
R,T	$125,000	$200,000	$0	$0	$0	$5,000,000	$5,000	$2,000	$0	$0	$0	$40,000	$1,000	$0	$0	$0	$0	$5,000
R,T	$0	$46,000	$10,000	$1,000	$30,000	$20,000	$0	$3,000	$1,000	$1,000	$30,000	$20,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$500	$0	$0	$21,950	$19,200	$22,000	$1,500	$22,000	$10,000	$0	$0	$0	$0	$0	$0
R,T	$300,000	$1,000,000	$0	$0	$0	$2,000,000	$5,000	$0	$10,000	$5,000	$0	$5,000	$0	$0	$0	$0	$0	$0
R,T	$79,238	$0	$0	$0	$0	$0	$0	$500,000	$0	$0	$0	$618,808	$0	$0	$0	$0	$0	$0
R,T	$25,000	$0	$0	$0	$0	$0	$0	$8,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$525,000	$1,500,000	$10,000	$8,000	$2,000	$3,500,000	$15,000	$8,000	$2,000	$1,000	$500	$75,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$2,500	$1,600	$200	$3,000	$0	$0	$2,500	$1,600	$0	$0	$0	$0
-	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$400	$5,000	$0	$200	$5,000	$45,000	$0	$0	$0	$0	$0
R,T	$21,000	$1,500,000	$0	$0	$0	$9,000,000	$500	$5,000	$0	$0	$0	$5,000	$100,000	$3,000,000	$0	$0	$0	$18,000,000
R,T	$300,000	$244,000	$0	$0	$0	$0	$100,000	$5,000	$3,000	$4,000	$5,000	$25,000	$0	$0	$0	$0	$0	$0
R,T	$250,000	$50,000	$0	$0	$0	$2,000,000	$5,000	$1,000	$5,000	$1,000	$1,000	$10,000	$0	$0	$0	$0	$0	$0
R,T	$0	$500,000	$0	$0	$0	$1,350,000	$0	$5,000	$1,000	$2,500	$1,000	$20,000	$400,000	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$8,000	$12,000	$1,000	$3,000	$1,000	$5,000	$0	$0	$0	$0	$0	$0
R,T	$300,000	$90,000	$1,000	$500	$100	$0	$5,000	$2,000	$1,000	$500	$300	$20,000	$0	$0	$0	$0	$0	$0
R,T	$260,000	$275,000	$0	$0	$0	$25,000,000	$215,000	$3,000	$1,000	$500	$500	$7,500	$0	$0	$0	$0	$0	$0
R,T	$350,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$150	$0	$0	$0	$0	$0	$150	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$5,800	$152,000	$800	$295	$20	$1,450,000	$1,800	$800	$500	$2,500	$20	$10,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$5,000	$4,000	$4,000	$8,000	$4,000	$5,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$300,000	$0	$0	$0	$0	$500,000	$145,000	$48,000	$10,000	$7,000	$5,000	$50,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$15,000	$200,000	$0	$0	$0	$2,051,000	$200	$800	$2,000	$1,500	$300	$15,000	$15,200	$200,800	$2,000	$1,500	$300	$2,066,000
R,T	$200,000	$0	$0	$0	$0	$0	$3,000	$5,000	$500	$4,000	$100	$10,000	$203,000	$5,000	$500	$4,000	$100	$10,000
R,T	$0	$0	$0	$0	$0	$0	$1,000	$1,200	$0	$0	$0	$40,000	$0	$0	$0	$0	$0	$0
R,T	$0	$315,000	$0	$0	$0	$0	$12,000	$8,000	$3,000	$0	$0	$0	$12,000	$323,000	$3,000	$0	$0	$0
R,T	$50,000	$300,000	$0	$0	$0	$4,500,000	$1,000	$5,000	$0	$1,000	$0	$100,000	$0	$0	$0	$0	$0	$0
R,T	$300,000	$400,000	$136,000	$0	$0	$0	$115,000	$10,000	$60,000	$0	$0	$10,000	$0	$0	$0	$0	$0	$0
R,T	$350,000	$2,000,000	$4,000	$4,500	$4,000	$5,000,000	$20,000	$0	$3,650	$4,500	$3,650	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$200,000	$0	$0	$0	$3,500,000	$75,000	$2,000	$0	$500	$0	$10,000	$21,000	$1,000	$0	$0	$0	$2,000
R,T	$200,000	$25,000	$0	$0	$0	$50,000,000	$500	$1,000	$0	$0	$0	$20,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$1,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$9,000	$14,500	$1,500	$0	$4,000	$0	$2,000	$0	$3,000	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$86,000	$200,000	$40,000	$25,000	$20,000	$1,181,000	$11,600	$25,000	$29,500	$12,000	$10,000	$50,000	$9,600	$25,000	$29,500	$29,500	$5,000	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$750,000	$1,000,000	$9,000	$9,000	$0	$0	$22,250	$61,000	$3,600	$1,000	$0	$75,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$23,500	$4,800	$2,100	$1,100	$380	$0	$1,300	$570	$1,400	$0	$200	$0	$2,800	$8,212	$9,800	$625	$0	$0
R,T	$50,000	$500,000	$20,000	$0	$0	$10,000,000	$1,000	$10,000	$20,000	$2,000	$5,000	$250,000	$0	$0	$0	$0	$0	$0
R,T	$15,000	$504,000	$0	$0	$0	$300,000	$2,400	$5,000	$0	$0	$0	$50,000	$0	$0	$0	$0	$0	$0
R,T	$500,000	$850,000	$0	$0	$0	$8,000,000	$230,000	$1,000	$2,500	$2,500	$2,500	$0	$730,000	$0	$2,500	$2,500	$2,500	$0
-	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$4,000	$0	$0	$0	*$0	$0	$27,000	$42,000	$30,000	$15,000	$12,000	$30,000	$0	$0	$0	$0	$0	$0
R,T	$800,000	$1,500,000	$30,000	$10,000	$2,000	$1,500,000	$250,000	$300,000	$10,000	$3,500	$1,500	$150,000	$850,000	$1,800,000	$40,000	$13,500	$3,500	$15,150,000
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
-	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$175,000	$400,000	$1,000	$5,000	$1,000	$4,800,000	$1,500	$500	$750	$500	$1,000	$3,500	$0	$0	$0	$0	$0	$0
R,T	$80,000	$100,000	$0	$0	$0	$100,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$275,000	$850,000	$10,000	$4,000	$0	$2,500,000	$2,000	$5,000	$5,000	$4,000	$0	$18,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$5,000	$0	$0	$0	$2,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$0	$103,000	$0	$0	$0	$250,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$180,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0

Airport Name	1 Landings on Scheduled Basis (Yes) / (No)	1A Aircraft Seating Capacity	2 1994 Annual Enplanements	3 Airport Federal Certification Status (Full, Limited, None)	4 Airport Staffed 24 Hrs/Day (Yes) / (No)	5 ARFF (Yes) / (No)	6 ARFF (24 Hrs/Day) (Yes) / (No)	7 Does Your Airport Have 1/ A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	8 Maintain NOTAMS (Yes) / (No)	9 Runway (R) and Taxiway (T) Data Marking	Reflectors	Lighting	Signage	ARFF
Utah																																	
Bryce Canyon (BCE)				None																													
Canyonlands Fields (CNY)	Yes	>9	5.759	None	No	No	No	x	x	x	x	x		x	x			x		x					x		Yes	R,T	R,T	R,T	R,T	
Cedar City (CDC)	Yes	20-30	6.017	Limited	No	Yes	No	x	x	x	x	x	x		x	x	x	x	x	x		x		x	x		Yes	R,T	R,T	R,T	R,T	
Green River (U34)				None																													
Logan-Cache (LGU)	No	N/A	N/A	None	No	Yes	No	x		x		x		x		x		x	x						x		Yes	R,T	-	R,T	R,T	
Monument Valley				None																													
St. George (SGU)				Limited																													
Vernal (VEL)				Limited																													
Wyoming																																	
Cheyenne (CYS)	Yes	20-30	34.000	Full	No	Yes (guard)	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	
Riverton (RIW)	Yes	10-19	16.990	Full	No	Yes	No		x	x	x	x	x		x	x	x	x	x	x	x	x	x	x	x		Yes	R,T	-	R,T	R,T	
Worland (WOR)	Yes	10-19	3.500	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	-	R,T	R,T	$1
Oregon																																	
Astoria (AST)	Yes	10-19	4.633	Limited	No	Yes	Yes	x	x	x		x	x	x	x	x	x	x	x	x			x	x	x	x	Yes	-	-	R,T	R,T	$2.0
North Bend (OTH)	Yes	10-19	19.346	Limited	Yes	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	T	R,T	R,T	$1
Aurora (3S2)				None																													
Pendleton (PDT)	Yes	20-30	11.265	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T	R,T	R,T	R,T	$3
Washington																																	
Anacortes (74S)				None																													
Friday Harbor (WA24)	Yes	<9	16.106	None	No	Yes	No	x		x	x		x	x	x	x	x	x	x	x				x		x	Yes	R,T	-	R,T	R,T	
Moses Lake (MWH)				Full																													
Wes Lupien (76S)	Yes	<9	-	None	No	No	No			x				x		x	x	x	x	x	x			x	x	x	Yes	-	-	R	R	
Orcas Island (ORS)				None																													
Pullman (PUW)				Full																													
Wenatchee (EAT)	Yes	30+	44.108	Full	Yes	Yes	Yes	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x		Yes	R,T	-	R,T	R,T	$3
Alaskan Region																																	
Alaska																																	
Akhiok (AKK)	Yes	10-19	1.036	None	No	No		x		x				x													No		R,T			
Alaschek (Z13)	Yes	10-19	3.041	None	No	No		x		x				x													No		R,T			
Akiak (AKI)	Yes	10-19	1.834	None	No	No		x		x				x													No		R,T			
Alakanuk (AUK)	Yes	10-19	889	None	No	No		x		x				x													No			R,T		
Aleknagik (5A8)	No			None																													
Aktak (ALZ)	No			None																													
Allakaket (AET)	Yes	10-19	1.711	None	No	No		x		x				x													No			R,T		
Ambler (Z69)	Yes	10-19	1.948	None	No	No		x		x				x													No			R,T		
Ammok (AK81)	No			None																													
Anaktuvik Pass (AKP)	Yes	10-19	2.866	None	No	No		x		x				x													No			R,T		
Anak (ANI)	Yes	>30	12.010	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$
Anvik (ANV)	Yes	10-19	768	None	No	No		x		x				x													No			R,T		
Arctic Village (ARC)	Yes	10-19	1.568	None	No	No		x		x				x													No			R,T		
Atka (AKB)	Yes	10-19	422	None	No	No		x		x				x													No			R,T		
Atmautluak (08AK)	Yes	10-19	2.132	None	No	No		x		x				x													No		R,T			
Atqasuk (Z46)	Yes	10-19	3.194	None	No	No		x		x				x													No			R,T		
Barrow (BRW)	Yes	>30	45.868	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$2
Beaver (WBO)	Yes	10-19	1.664	None	No	No		x		x				x													No			R,T		
Bethel (BET)	Yes	>30	97.257	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1
Bettles (BTT)	Yes	10-19	2.344	None	No	No		x		x				x													No			R,T		
Big Creek	No			None																													
Birch Creek (Z91)	Yes	<10	475	None	No	No		x		x				x													No			R,T		
Brevig Mission (KTS)	Yes	10-19	1.508	None	No	No		x		x				x													No			R,T		
Buckland (7K5)	Yes	10-19	2.898	None	No	No		x		x				x													No			R,T		
Chalkyitsik (CIK)	Yes	10-19	787	None	No	No		x		x				x													No			R,T		
Chefornak (CYF)	Yes	10-19	2.565	None	No	No		x		x				x													No			R,T		
Chevak (VAK)	Yes	10-19	3.234	None	No	No		x		x				x													No			R,T		
Chignik Bay (Z79)	Yes	10-19	811	None	No	No		x		x				x													No		R,T			
Chignik Lagoon (KCL)	Yes	10-19	703	None	No	No		x		x				x													No		R,T			
Chignik Lake (AK79)	Yes	10-19	81	None	No	No		x		x				x													No		R,T			
Chuathbaluk (9A3)	Yes	10-19	504	None	No	No		x		x				x													No		R,T			
Clarks Point (CLP)	Yes	10-19	2.430	None	No	No		x		x				x													No		R,T			
Coffee Point	No			None																													
Cold Bay (CDB)	Yes	>30	13.046	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1
Cordova (CKU)	Yes	>30	17.108	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$
Crooked Creek (CJX)	Yes	10-19	760	None	No	No		x		x				x													No		R,T			
Council (K29)	Yes	<10	74	None	No	No		x		x				x													No		R,T			
Deadhorse (SCC)	Yes	>30	33.492	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$
Deering (0Z0)	Yes	10-19	1.538	None	No	No		x		x				x													No			R,T		
Dillingham (DLG)	Yes	>30	38.826	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$2
Eagle (EAA)	Yes	10-19	1.101	None	No	No		x		x				x													No			R,T		
Eek (EEK)	Yes	10-19	1.186	None	No	No		x		x				x													No		R,T			
Egegik (69E)	Yes	10-19	2.154	None	No	No		x		x				x													No			R,T		
Eluk (KKU)	Yes	10-19	1.224	None	No	No		x		x				x													No					
Elwok (KEK)	Yes	10-19	744	None	No	No		x		x				x													No		R,T			
Elim (ELI)	Yes	10-19	2.004	None	No	No		x		x				x													No			R,T		
Emmonak (2ZO)	Yes	10-19	1.262	None	No	No		x		x				x													No			R,T		
English Bay (KEB)	Yes	10-19	1.499	None	No	No		x		x				x													No		R,T			
False Pass (KFP)	Yes	10-19	664	None	No	No		x		x				x													No		R,T			
Farewell (FWL)	No		26	None																													
Flat (FLT)	No		62	None																									R,T			
Ft. Yukon (FYU)	Yes	10-19	6.559	None	No	No		x		x				x													No			R,T		
Galena (GAL)	Yes	10-19	8.617	Limited	No	No		x		x				x													Yes	R,T		R,T	R,T	
Gambell (GAM)	Yes	10-19	3.828	None	No	No		x		x				x													No	R,T		R,T		
Golovin (GLV)	Yes	10-19	1.543	None	No	No		x		x				x													No			R,T		
Good News Bay (GNU)	Yes	10-19	1.711	None	No	No		x		x				x													No		R,T			
Grayling (KGX)	Yes	10-19	1.051	None	No	No		x		x				x													No		R,T			
Gustavus (GST)	Yes	>30	11.932	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T			R,T	$
Haines (HNS)	Yes	10-19	20.076	None	No	No		x		x				x													No	R,T		R,T		
Herendeen (AK33)	No			None																													
Holy Cross (AZ4)	Yes	10-19	1.648	None	No	No		x		x				x													No			R,T		
Hoonah (HNH)	Yes	10-19	10.049	None	No	No		x		x				x													No	R,T	R,T			
Hooper Bay (HPB)	Yes	10-19	4.198	None	No	No		x		x				x													No	R,T		R,T		
Homer (HOM)	Yes	>30	34.192	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	
Huges (HUS)	Yes	10-19	891	None	No	No		x		x				x													No			R,T		
Huslia (HSL)	Yes	10-19	2.531	None	No	No		x		x				x													No			R,T		
Igusgg (IGG)	Yes	10-19	791	None	No	No		x		x				x													No			R,T		
Ilamna (ILI)	Yes	>30	6.230	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes			R,T	R,T	
Illinos Creek	No			None																													
Kalskag (KLG)	Yes	10-19	3.094	None	No	No		x		x				x													No			R,T		
Kaltag (KAL)	Yes	10-19	1.864	None	No	No		x		x				x													No			R,T		
Karluk (KYK)	Yes	10-19	1.113	None	No	No		x		x				x													No		R,T			
Kasigluk (Z09)	Yes	10-19	2.775	None	No	No		x		x				x													No		R,T			
Kenai Municipal (ENA)	Yes	>30	106.426	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	
Ketchikan (KTN)	Yes	>30	146.414	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	
Kiana (IAN)	Yes	10-19	3.398	None	No	No		x		x				x													No			R,T		
King Cove (KVK)	Yes	10-19	3.995	None	No	No		x		x				x													No		R,T			
King Salmon (AKN)	Yes	>30	45.852	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$
Kipnuk (KPN)	Yes	10-19	4.704	None	No	No		x		x				x													No			R		
Kivalina (KVL)	Yes	10-19	3.182	None	No	No		x		x				x													No			R,T		
Klawock (9Z0)	Yes	10-19	3.103	None	No	No		x		x				x													No	R,T		R,T		
Kobuk (OBU)	Yes	10-19	808	None	No	No		x		x				x													No			R,T		
Kodiak (ADQ)	Yes	>30	79.434	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	
Koliganek (KGK)	Yes	10-19	1.124	None	No	No		x		x				x													No		R			

ıMUTER SERVICE BY AIRCRAFT WITH 10 TO 30 SEATS

	10																	
	Capital Costs						Recurring Costs						Capital & Maint./Installation & Operating Costs					
ta ıgnage	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement
R,T	$0	$30,000	$0	$0	$0	$1,000,000	$0	$1,000	$0	$0	$0	$5,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$5,000	$3,000	$0	$200	$0	$0	$0	$0	$0	$0	$0	$20,000
R,T	$0	$311,194	$0	$0	$0	$20,000	$0	$1,000	$0	$0	$0	$0	$0	$311,194	$0	$0	$0	$20,000
R,T	$0	$200,000	$0	$0	$0	$1,000,000	$0	$10,000	$10,000	$10,000	$5,000	$50,000	$0	$0	$0	$0	$0	$0
R,T	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$150,000	$300,000	$15,000	$2,000	$0	$8,000,000	$2,000	$1,000	$2,500	$3,000	$500	$15,000	$0	$0	$0	$0	$0	$0
R,T	$2,000,000	incl. in ARFF	incl. in ARFF	incl. in ARFF	incl. in ARFF	incl. in ARFF	$3,000,000	incl. in ARFF	incl. in ARFF	incl. in ARFF	incl. in ARFF	incl. in ARFF	$0	$0	$0	$0	$0	$0
R,T	$150,000	$2,000,000	$10,000	$0	$0	$4,000,000	$5,000	$10,000	$500	$2,000	$3,000	$60,000	$160,000	$2,020,000	$20,000	$2,000	$3,000	$4,100,000
R,T	$250,000	$25,000	$2,500	$10,000	$2,500	$1,000,000	$5,000	$10,000	$1,000	$2,500	$1,000	$7,500	$255,000	$35,000	$3,500	$12,500	$3,500	$1,007,500
R,T	$3,200	$125,000	$0	$11,000	$0	$3,508,844	$1,000	$4,000	$7,300	$0	$500	$1,000	$0	$0	$0	$0	$0	$0
R	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
R,T	$387,000	$150,000	$0	$500	$0	$0	$0	$15,000	$0	$2,500	$0	$15,000	$0	$0	$0	$0	$0	$0
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,000,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,000,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$800,000	$500,000				$3,400,000	$70,000	$35,000	$29,000	$10,000	$6,000	$52,000	$177,000	$18,000	$58,000	$19,000	$13,000	$30,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$2,667,000	$800,000				$4,000,000	$135,000	$68,000	$55,000	$18,000	$12,000	$50,000	$180,000	$33,000	$47,000	$26,000	$17,000	$24,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$1,300,000	$500,000				$4,000,000	$178,000	$71,000	$58,000	$19,000	$13,000	$51,000	$90,000	$35,000	$34,000	$11,000	$8,000	$26,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$1,100,000	$800,000				$7,000,000	$141,000	$56,000	$46,000	$15,000	$10,000	$41,000	$141,000	$108,000	$92,000	$30,000	$21,000	$20,000
R,T	$800,000	$500,000				$3,300,000	$94,000	$68,000	$55,000	$18,000	$12,000	$50,000	$188,000	$34,000	$78,000	$26,000	$18,000	$24,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$900,000	$700,000				$4,000,000	$94,000	$68,000	$55,000	$18,000	$12,000	$50,000	$188,000	$34,000	$78,000	$26,000	$18,000	$24,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$2,300,000	$500,000				$3,100,000	$94,000	$68,000	$55,000	$18,000	$12,000	$50,000	$188,000	$34,000	$78,000	$26,000	$18,000	$24,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$0	$450,000				$3,800,000	$0	$85,000	$69,000	$23,000	$15,000	$62,000	$318,000	$42,000	$97,000	$32,000	$22,000	$30,000
		$250,000				$2,000,000		$17,000				$18,000	$283,000		$2,000	$12,000	$4,000	
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$1,100,000	$50,000				$4,500,000	$30,000	$45,000	$20,000	$5,000	$3,000	$3,000	$7,000	$5,000	$1,000	$1,000	$1,000	$1,000
		$250,000				$2,000,000		$17,000				$18,000	$283,000		$2,000	$12,000	$4,000	
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
						$3,500,000						$18,000	$283,000	$217,000	$2,000	$12,000	$4,000	
		$250,000				$2,000,000		$17,000				$18,000	$283,000		$2,000	$12,000	$4,000	
R,T	$900,000	$500,000				$2,800,000	$167,000	$66,000	$54,000	$18,000	$12,000	$49,000	$55,000	$27,000	$22,000	$7,000	$5,000	$20,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$160,000	$450,000				$0	$96,000	$39,000	$32,000	$10,000	$7,000	$0	$195,000	$19,000	$64,000	$21,000	$14,000	$5,065,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T																		
R,T																		
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$2,057,000	$1,000,000				$5,200,000	$147,000	$50,000	$41,000	$14,000	$9,000	$37,000	$147,000	$25,000	$41,000	$14,000	$9,000	$18,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000				$1,500,000		$17,000				$18,000	$283,000		$2,000	$12,000	$4,000	
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$0	$1,100,000				$5,500,000	$12,000	$71,000	$58,000	$19,000	$13,000	$52,000	$0	$30,000	$24,000	$8,000	$6,000	$22,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000

	1	1A	2	3	4	5	6	7																		8	9				
	Landings on Scheduled Basis	Aircraft Seating	1994 Annual	Airport Federal Certification Status	Airport Staffed 24 Hrs/Day	ARFF	ARFF (24 Hrs/Day)	Does Your Airport Have 1/																		Maintain NOTAMS	Runway (R) and Taxiway (T) Data				
ort Name	(Yes) / (No)	Capacity	Enplanements	(Full, Limited, None)	(Yes) / (No)	(Yes) / (No)	(Yes) / (No)	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	(Yes) / (No)	Marking	Reflectors	Lighting	Signage	ARFF Equ
Kongiganek (DUY)	Yes	10-19	2,882	None	No	No		x		x				x													No		R			
Kotlik (KOT)	Yes	10-19	1,454	None	No	No		x		x				x													No		R,T			
Kotzebue (OTZ)	Yes	>30	60,738	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$950,0
Koyuk (KKA)	Yes	10-19	2,209	None	No	No		x		x				x													No			R,T		
Koyukuk (KYU)	Yes	10-19	1,329	None	No	No		x		x				x													No			R,T		
Kwethluk (KWT)	Yes	10-19	3,074	None	No	No		x		x				x													No		R			
Kwigillingok (AK85)	Yes	10-19	3,138	None	No	No		x		x				x													No		R,T			
Larsen Bay (09AK)	Yes	10-19	2,593	None	No	No		x		x				x													No		R			
Levelock (KLL)	Yes	10-19	812	None	No	No		x		x				x													No		R			
Lime Village (23AK)	Yes	<10	158	None	No	No		x		x				x													No		R			
McGrath (MCG)	Yes	10-19	5,688	None	No	No		x		x				x													No	R,T		R,T		
Manokotak (17Z)	Yes	10-19	4,482	None	No	No		x		x				x													No			R,T		
Marshall (MLL)	Yes	10-19	2,099	None	No	No		x		x				x													No		R			
Mekoryuk (MYU)	Yes	10-19	1,611	None	No	No		x		x				x													No			R,T		
Metlakatla (MTM)	No			None																												
Mountain Village (MOU)	Yes	10-19	2,987	None	No	No		x		x				x													No			R,T		
Napaskiak (WNA)	Yes	10-19	1,725	None	No	No		x		x				x													No		R			
Napaskiak (PKA)	Yes	10-19	1,111	None	No	No		x		x				x													No			R,T		
Nelson Lagoon (Z73)	Yes	<10	355	None	No	No		x		x				x													No		R,T			
New Stuyahok (KNW)	Yes	10-19	1,606	None	No	No		x		x				x													No		R,T			
Newtok (WWT)	Yes	10-19	1,813	None	No	No		x		x				x													No		R,T			
Nightmute (24AK)	Yes	10-19	1,442	None	No	No		x		x				x													No		R			
Nikolai (5NI)	Yes	<10	356	None	No	No		x		x				x													No		R,T			
Nikolski (L2F)	No		356	None																												
Noatak (WTK)	Yes	10-19	3,991	None	No	No		x		x				x													No			R,T		
Noorvik (ORV)	Yes	10-19	4,637	None	No	No		x		x				x													No			R,T		
Nome (OME)	Yes	>30	56,567	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,200,0
Nuiqsut (10AK)	Yes	10-19	2,211	None	No	No		x		x				x													No			R,T		
Nulato (NUL)	Yes	10-19	3,105	None	No	No		x		x				x													No			R,T		
Nunapitchuk (16A)	Yes	<10		None	No	No		x		x				x													No		R			
Old Harbor (6R7)	Yes	10-19	3,255	None	No	No		x		x				x													No		R,T			
Ouzinkie (4K5)	Yes	10-19	2,403	None	No	No		x		x				x													No		R			
Perryville (AK05)	Yes	10-19	701	None	No	No		x		x				x													No		R			
Petersburg (PSG)	Yes	>30	17,146	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,300,0
Pilot Point (PIP)	Yes	10-19	1,304	None	No	No		x		x				x													No		R,T			
Pilot Station (AK10)	Yes	10-19	2,844	None	No	No		x		x				x													No		R,T			
Platinum (PTU)	Yes	10-19	718	None	No	No		x		x				x													No		R,T			
Point Hope (PHO)	Yes	10-19	4,478	None	No	No		x		x				x													No	R,T		R,T		
Point Lay (PIZ)	Yes	10-19	1,815	None	No	No		x		x				x													No		R,T			
Port Heiden (PTH)	Yes	>30	1,297	Limited	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes			R,T	R,T	$1,100,0
Port Graham (PGM)	Yes	10-19	1,162	None	No	No		x		x				x													No		R			
Port Lions (ORI)	Yes	10-19	2,891	None	No	No		x		x				x													No		R,T			
Port Moller	No			None																												
Portage Creek (AK14)	Yes	<10	289	None	No	No		x		x				x													No		R,T			
Prudhoe Bay (PUO)				Limited										x													No					
Queen (5QN)	No		38	None										x													No					
Quinhagak (AQH)	Yes	10-19	1,868	None	No	No		x		x				x													No		R			
Red Devil (RDV)	Yes	10-19	525	None	No	No		x		x				x													No		R,T			
Ruby (RBY)	Yes	10-19	1,682	None	No	No		x		x				x													No			R,T		
Russian Mission (RSH)	Yes	10-19	2,241	None	No	No		x		x				x													No			R,T		
Savoonga (SVA)	Yes	10-19	3,472	None	No	No		x		x				x													No			R,T		
Sand Point (SDP)	Yes	>30	4,758	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$800,0
Scammon Bay (SCM)	Yes	10-19	2,395	None	No	No		x		x				x													No			R,T		
Selawik (91A)	Yes	10-19	4,130	None	No	No		x		x				x													No			R,T		
Seldovia (SOV)	Yes	10-19	3,036	None	No	No		x		x				x													No		R,T			
Seward (SWD)	Yes	<10	200	None	No	No		x		x				x													No	R,T		R,T		
Shageluk (SHX)	Yes	10-19	943	None	No	No		x		x				x													No		R,T			
Shaktoolik (38A)	Yes	10-19	1,902	None	No	No		x		x				x													No			R,T		
Sheldons Point (SXP)	Yes	10-19	371	None	No	No		x		x				x													No			R,T		
Shishmaref (K09)	Yes	10-19	3,375	None	No	No		x		x				x													No			R,T		
Shungnak (SHG)	Yes	10-19	1,610	None	No	No		x		x				x													No			R,T		
Sitka (SIT)	Yes	>30	57,781	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,000,0
Skagway (SGY)	Yes	10-19	24,678	None	No	No		x		x				x													No	R	R			
Sleetmute (SLQ)	Yes	10-19	680	None	No	No		x		x				x													No			R,T		
Soldotna (L85)	No	<10	485	None																												
South Naknek (AK35)	Yes	10-19	1,387	None	No	No		x		x				x													No			R,T		
Stevens Village (SVS)	Yes	10-19	872	None	No	No		x		x				x													No		R,T			
St. George Island (STG)	Yes	10-19	1,383	None	No	No		x		x				x													No			R,T		
St. Marys (KSM)	Yes	10-19	11,156	None	No	No		x		x				x													No			R,T	R,T	
St. Michael (SMK)	Yes	10-19	1,761	None	No	No		x		x				x													No			R,T		
St. Paul Island (SNP)	Yes	>30	5,494	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes			R,T	R,T	$1,000
Stebbins (WBB)	Yes	10-19	2,315	None	No	No		x		x				x													No			R,T		
Takotna (TCT)	Yes	10-19	559	None	No	No		x		x				x													No		R			
Tanana (TAL)	Yes	10-19	4,435	None	No	No		x		x				x													No			R,T		
Telida (AK52)	Yes	<10	52	None	No	No		x		x				x													No		R			
Teller (AK54)	Yes	10-19	1,339	None	No	No		x		x				x													No			R,T		
Togiak (TOG)	Yes	10-19	5,174	None	No	No		x		x				x													No			R,T		
Toksook Bay (OOK)	Yes	10-19	3,611	None	No	No		x		x				x													No		R			
Tuluksak (TLT)	Yes	10-19	3,099	None	No	No		x		x				x													No		R			
Tuntutuliak (AK81)	Yes	10-19	3,537	None	No	No		x		x				x													No			R		
Tununak (AK45)	Yes	10-19	2,371	None	No	No		x		x				x													No			R,T		
Twin Hills (AK63)	Yes	10-19	734	None	No	No		x		x				x													No		R			
Ugashik (9A8)	Yes	<10	380	None	No	No		x		x				x													No		R,T			
Umiat (UMT)	No			None																									R			
Unalakleet (UNK)	Yes	10-19	8,030	None	No	No		x		x				x													No			R,T		
Unalaska (DUT)	Yes	>30	40,400	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$550,0
Valdez (VDZ)	Yes	>30	28,834	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,100,
Venetie (YEE)	Yes	10-19	1,984	None	No	No		x		x				x													No		R			
Wainwright (5WW)	Yes	10-19	3,174	None	No	No		x		x				x													No			R,T		
Wales (IWK)	Yes	10-19	1,577	None	No	No		x		x				x													No			R,T		
White Mountain (WMO)	Yes	10-19	1,754	None	No	No		x		x				x													No			R,T		
Wrangell (WRG)	Yes	>30	14,825	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,100,
Yakutat (YAK)	Yes	>30	10,308	Full	No	Yes	No	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	Yes	R,T		R,T	R,T	$1,300,

- Lines of succession of airport operational responsibilities.
- A grid map or other means of identifying locations and terrain features on or around the airport which are significant to emergency operations.
- A system for runway and taxiway identification.
- Document listing of each obstruction required to be lighted or marked within the airport's area of authority.
- A description of each movement area and its safety area.
- Procedures for maintaining paved areas.
- Procedures for maintaining unpaved areas.
- Procedures for maintaining safety areas.

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1-Feb-97

I - Procedures for maintaining the marking and lighting systems for the runways and taxiways.
J - Snow and ice control plan.
K - Emergency plan.
L - Procedures for maintaining the traffic and wind direction indicators.
M - Procedures for performing airport inspections.
N - Controlling ground vehicles crossing runways and taxiways.
O - Procedures for obstruction removal, marking, or lighting.
P - Procedures for protection of navaids.
Q - Procedures for performing wildlife hazard management.
R - Procedures for identifying marking and reporting construction and other unserviceable areas.
S - Procedures for airport condition reporting.

OMMUTER SERVICE BY AIRCRAFT WITH 10 TO 30 SEATS

	10																	
	Capital Costs						Recurring Costs						Capital & Maint./Installation & Operating Costs					
) Data Signage	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement	ARFF Equip.	Marking & Lighting	Inspection Procedures	Staff Training	Discrepancy Reporting	Pavement
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$950,000	$500,000				$3,000,000	$147,000	$50,000	$41,000	$14,000	$9,000	$37,000	$147,000	$25,000	$41,000	$14,000	$9,000	$18,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000				$3,000,000		$17,000				$25,000	$283,000		$2,000	$12,000	$4,000	
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$1,200,000	$900,000				$14,000,000	$147,000	$50,000	$41,000	$14,000	$9,000	$37,000	$147,000	$25,000	$41,000	$14,000	$9,000	$18,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$1,300,000	$500,000				$2,900,000	$80,000	$52,000	$26,000	$8,000	$3,000	$7,000	$120,000	$6,000	$2,000	$1,000	$1,000	$1,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000				$2,000,000		$17,000				$18,000	$283,000		$2,000	$12,000	$4,000	
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
R,T	$1,100,000	$800,000				$0	$10,000	$5,000	$4,000	$1,000	$1,000	$0	$20,000	$3,000	$8,000	$3,000	$2,000	$8,000,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$800,000	$380,000				$3,000,000	$21,000	$10,000	$9,000	$3,000	$2,000	$8,000	$42,000	$5,000	$17,000	$8,000	$4,000	$3,500
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$1,000,000	$500,000				$2,500,000	$80,000	$64,000	$32,000	$8,000	$3,000	$6,000	$75,000	$7,000	$3,000	$1,000	$1,000	$1,000
						$800,000						$15,000	$283,000	$217,000	$2,000	$12,000	$4,000	
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T		$500,000				$0	$0	$44,000					$350,000	$22,000	$108,000	$36,000	$23,000	$5,000,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$1,000,000	$500,000				$0	$33,000	$16,000	$13,000	$4,000	$3,000	$0	$66,000	$8,000	$27,000	$9,000	$6,000	$4,000,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$550,000	$380,000				$3,000,000	$98,000	$46,000	$37,000	$12,000	$8,000	$33,000	$195,000	$20,000	$74,000	$25,000	$17,000	$16,000
R,T	$1,100,000	$500,000				$4,000,000	$170,000	$85,000	$69,000	$23,000	$15,000	$62,000	$237,000	$42,000	$97,000	$32,000	$22,000	$30,000
													$283,000	$217,000	$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
		$250,000						$17,000					$283,000		$2,000	$12,000	$4,000	$2,018,000
R,T	$1,100,000	$500,000				$3,000,000	$30,000	$50,000	$26,000	$8,000	$3,000	$7,000	$150,000	$6,000	$2,000	$1,000	$1,000	$1,000
R,T	$1,300,000	$900,000				$5,000,000	$90,000	$80,000	$26,000	$8,000	$3,000	$10,000	$150,000	$6,000	$2,000	$1,000	$1,000	$1,000

FAA Action

[Federal Register: June 21, 2000 (Volume 65, Number 120)]
[Proposed Rules]
[Page 38635-38682]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr21jn00-24]

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Part II

Department of Transportation

Federal Aviation Administration

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14 CFR Parts 121 and 139

Certification of Airports; Proposed Rule

[[Page 38636]]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 121 and 139

[Docket No. **FAA**-2000-7479; Notice No. 00-05]
RIN 2120-AG96

Certification of Airports

AGENCY: Federal Aviation Administration (**FAA**), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise the current airport certification regulation and to establish certification requirements for airports serving scheduled air carrier operations in aircraft with 10-30 seats. In addition, changes are proposed to address National Transportation Safety Board (NTSB) recommendations and petitions for exemptions and rulemaking. A section of an air carrier operation regulation also would be amended to conform with proposed changes to airport certification requirements. The **FAA** believes that these proposed revisions are necessary to ensure safety in air transportation and to provide a comparable level of safety at all certificated airports.

DATES: Comments must be submitted on or before September 19, 2000.

ADDRESSES: Comments on this proposed rulemaking should be mailed or delivered, in duplicate, to: U.S. Department of Transportation Dockets, Docket No. **FAA**-2000-7479, 400 Seventh Street, SW., Room Plaza 401, Washington, DC 20590. Comments may be filed and examined in Room Plaza 401 between 10 a.m. and 5 p.m. weekdays, except Federal holidays. Comments also may be sent electronically to the Dockets Management System (DMS) at the following Internet address: http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingFR.html&log=linklog&to=http://dms.dot.gov at
any time. Commenters who wish to file comments electronically, should follow the instructions on the DMS web site.

FOR FURTHER INFORMATION CONTACT: Linda Bruce, Airport Safety and Operations Division (AAS-300), Office of Airport Safety and Standards, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone: (202) 267-8553, or E-mail: linda.bruce@**faa**.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that might result from adopting the proposals in this document are also invited. Substantive comments should be accompanied by cost estimates. Comments should identify the regulatory docket or notice number and should be submitted in triplicate to the Rules Docket address specified above.

All comments received, as well as a report summarizing each substantive public contact with **FAA** personnel on this rulemaking, will be filed in the docket. The docket is available for public inspection before and after the comment closing date.

The Administrator will consider all comments received on or before the closing date before taking action on this proposed rulemaking. Comments filed late will be considered as far as possible without incurring expense or delay. The proposals contained in this rulemaking may be changed in light of the comments received.

Commenters wishing the **FAA** to acknowledge receipt of their comments submitted in response to this notice must include a pre-addressed, stamped postcard with those comments on which the following statement is made: ``Comments to Docket No. **FAA**-2000-7479.'' The postcard will be date stamped and mailed to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded using a modem and suitable communications software from the **FAA** regulations section of the FedWorld electronic bulletin board service (telephone: 703-321-3339), or the Government Printing Office's (GPO's) electronic bulletin board service (telephone: 202-512-1661).

Internet users may reach the **FAA**'s web page at http://www.**faa**.gov/avr/arm/nprm/nprm.htm or the GPO's web pages at http://www.access.gpo.gov/nara for access to recently published rulemaking documents.

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Communications must identify the notice number or docket number of this NPRM.

Persons interested in being placed on the mailing list for future NPRM's should request from the above office a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, that describes the application procedure.

Background

History

Since 1970, the **FAA** Administrator has had the statutory authority to issue airport operating certificates to airports serving certain air carriers and to establish minimum safety standards for the operation of those airports. This authority is currently found in Title 49, United States Code (U.S.C.) section 44706, Airport operating certificates. The **FAA** uses this authority to issue requirements for the certification and operation of certain land airports. These requirements are contained in Title14, Code of Federal Regulations part 139 (14 CFR part 139), Certification and Operations: Land Airports Serving Certain Air Carriers, as amended.

Until recently, this statutory authority was limited to those land airports serving passenger operations of an air carrier that is conducted with an aircraft having a seating capacity of more than 30 passengers. However, this authority was broadened by the Federal Aviation Administration Reauthorization Act of 1996. Section 44706 was amended to allow the **FAA** to certificate airports, with the exception of those located in the State of Alaska, that serve any scheduled passenger operation of an air carrier operating aircraft designed for more than 9 passenger seats but less than 31 passenger seats. **FAA**'s existing authority to certificate airports serving air carrier operations conducted in aircraft with more than 30 seats remained

unchanged.

This amendment was proposed by the Secretary of Transportation in response to a recommendation made by the NTSB that the **FAA** seek authority from Congress to issue certificates to airports serving commuter airlines. In November 1994, the NTSB released its findings resulting from a study of commuter airline safety.\1\ This study identified several safety improvements that the NTSB felt would improve the commuter airline safety record. While this study, and subsequent recommendations, focused on airline and aircraft operations, it also was critical of the **FAA** for not requiring airports serving commuter operations to maintain their facilities in the same manner as airports serving major air carriers.

\1\ Safety Study: Commuter Airline Safety, National Transportation Safety Board, NTSB/SS-94/02, November 1994.

This was not the first attempt to obtain the legislative authority to certificate commuter airports. In 1987, the General Accounting Office (GAO)

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issued a safety report on the certification of small airports.\2\ Similar to the NTSB findings, the GAO concluded that airport safety would be enhanced if all airports serving scheduled air carrier service were to be certificated and recommended the **FAA** include such facilities in its airport certification program. The **FAA** concurred with the GAO's findings, but determined its statutory authority to certificate airports was limited to airports that serve scheduled and unscheduled passenger operations of air carrier aircraft with more than 30 seats. A proposed amendment to broaden this authority was submitted to Congress, but the measure was not enacted.

\2\ Aviation Safety: Commuter Airports Should Participate in the Airport Certification Program, U.S. General Accounting Office, GAO/RCED-88-41, November 1987.

The 1996 amendment to the statute did not mandate the issuance of airport certificates to airports serving commuter air carriers. It only provides general authority under which the **FAA** may promulgate appropriate regulatory standards. The **FAA** proposes to use this authority to extend to airports its policy of one level of safety for all covered air carriers. In response to a series of commuter accidents and the NTSB's findings, the **FAA** established this policy of one level of safety, and comprehensively revised regulations pertaining to the air carrier operations, specifically 14 CFR parts 121 and 135, to ensure similar safety standards among air carriers. Similarly, this proposal would establish minimum safety standards among all covered airports (airports that the **FAA** has the authority to certificate)

served by air carriers.

Further, this proposal would revise and clarify several safety and operational requirements that have become outdated. The last major revision of part 139 occurred in November 1987, and since then, industry practices and technology have changed. In the subsequent years, the **FAA** has gathered data on the effectiveness of part 139 requirements, (primarily through joint industry/**FAA** working groups, field research and periodic airport certification inspections), and proposes to use this rulemaking opportunity to update part 139 requirements.

Current Requirements

Under existing part 139, the **FAA** requires airport operators to comply with certain safety requirements prior to serving operations of large air carrier aircraft (aircraft with more than 30 seats). When an airport operator satisfactorily complies with such requirements, the **FAA** issues to that facility an airport operating certificate that permits an airport to serve large air carriers. These safety requirements cover a broad range of airport operations, including the maintenance of runway pavement, markings and lighting; notification of air carriers of unsafe or changed conditions; and preparedness for aircraft accidents and other emergencies. The **FAA** periodically inspects these airports to ensure continued compliance with part 139 safety requirements.

Under existing rules, the **FAA** issues two types of airport operating certificates depending on the type of air carrier operations an airport serves. Operators of airports that serve scheduled operations of large air carrier aircraft are issued an Airport Operating Certificate (AOC), commonly referred to as a ``full'' certificate. As these airport operators regularly serve large air carrier operations, they must fully comply with all part 139 requirements. Of the approximately 660 certificated airports, approximately 430 airport operators hold a ``full'' certificate. Conversely, airport operators serving only unscheduled operations of large air carrier aircraft are required to have a Limited Airport Operating Certificate (LAOC), known as a ``limited'' certificate. Approximately 135 airport operators hold a ``limited'' certificate. Air carrier operations in large aircraft are so infrequent at these facilities that their operators are only required to comply with part 139 in a limited manner. For example, existing Sec. 139.213 requires airport operators holding a ``limited'' certificate to comply with only certain pavement, lighting, marking and emergency response requirements. Such airports are typically located in remote communities or support seasonal activities, such as skiing during winter months.

The remaining certificated airports (approximately 90) are Department of Defense (DOD) airports serving air carrier operations. These facilities are issued an airport operating certificate but are exempted from part 139 requirements under **FAA** Exemption No. 5750B.

The **FAA** requires all operators of certificated civilian airports to develop, and comply with, a written document that details how the airport operator will comply with the requirements of part 139. As every airport is unique and local circumstances vary, this written document sets forth the site-specific procedures, equipment, and personnel that each airport operator uses to comply with part 139 requirements. This document at an airport with a ``full'' certificate is called the Airport Certification Manual (ACM). At an airport with a

``limited'' certificate, it is known as Airport Certification Specifications (ACS).

Enforcement Action

The **FAA** can impose a civil penalty of $1,000 per day per violation on operators of airports that are currently certificated under part 139 (airports serving scheduled and unscheduled operations of large air carrier aircraft). If this proposal is adopted, the **FAA** also could impose monetary penalties on airport operators serving scheduled operations of small air carrier aircraft for any failure to comply with the requirements of their certification manual or part 139. However, the **FAA** does consider mitigating circumstances, including an airport operator's willingness to correct any deficiencies and ability to pay civil penalties.

In its inspection role, the **FAA** works with airport operators and encourages a cooperative relationship between the certificate holder and inspectors, and commonly uses administrative actions to have most discrepancies corrected. Civil penalties and in extreme cases, certificate action, are levied against airport operators only as a last resort to gain compliance.

New Certificate Holders

If this proposal is adopted, airport operators not currently certificated by the **FAA** would be required to apply for a certificate under part 139 in order to serve certain air carrier operations. Such airport operators would contact the appropriate **FAA** Regional Airports Division office to initiate the application process. Once contacted, the **FAA** Regional Airports Division office would interview the airport operator to obtain information about the airport and air carrier operations served (or anticipated to be served). If the **FAA** determines that a certificate is necessary, the airport operator would be provided an application for certification (**FAA** Form 5280-1, Airport Operating Certification Application) and guidance materials.

The airport operator would submit a completed application (as specified under proposed Sec. 139.103) to the **FAA** Regional Airports Division office for approval. As part of the application package, the airport operator would provide the **FAA** two copies of its proposed airport certification manual and written documentation as to when air carrier service will begin. The **FAA** would review the application and associated documentation to ensure that

they are complete and conduct an inspection of the airport for compliance with the requirements of part 139.

The **FAA** will issue an airport operating certificate if the application and other required documentation meets the provision of part 139, and the inspection reveals that airport is in compliance with part 139. The certificate may include other provisions the **FAA** finds necessary to ensure safety in air transportation (see discussion of proposed Sec. 139.103 Application for certificate and Sec. 139.105 Inspection authority).

Assistance is available for applicants applying for an airport operating certificate. **FAA** regional offices offer guidance and support to airport operators in complying with part 139. Access to the **FAA** is

available by telephone, e-mail, conventional mail, regional newsletters, and on-site visits. In addition, the **FAA** makes available to airport operating certificate applicants, free of charge, advisory circulars, informational brochures, and safety placards to assist the certificate holder in complying with the requirements of part 139. The **FAA** regional offices also will assist airport operators in applying for Federal funds that may be used to comply with the requirement of part 139.

The Role of the Aviation Rulemaking Advisory Committee

The **FAA** has established an Aviation Rulemaking Advisory Committee (ARAC) to provide advice and recommendations to the **FAA** Administrator concerning a range of **FAA**'s rulemaking activity, including air carrier operations, airman certification, aircraft certification, airports, security, and noise. The committee affords the **FAA** a forum to easily obtain direct, firsthand information and insight from affected interests through meeting together and exchanging ideas with respect to proposed rules and existing rules that should be revised or eliminated. While the activities of the ARAC do not circumvent the normal coordination process or the public rulemaking procedures, the committee's recommendations on a particular issue or proposed rule are taken under consideration by the **FAA** and fully disclosed in the public docket.

The ARAC consists of approximately 65 government, industry, labor, and consumer advocacy organizations selected by the **FAA** to represent various viewpoints of those impacted by **FAA** regulations. These members are organized into several issue areas to address specific technical subjects, including airport certification. The ARAC only undertakes those tasks requested by the **FAA**. Meetings of the ARAC are open to the public and interested persons with expertise in the subject matter are invited to participate.

To assist in the certification of airports serving smaller air carrier operations, the **FAA** requested the ARAC's advice and recommendations on what requirements should be applicable to airports that have scheduled service with aircraft having a seating capacity of 10-30 seats [60 FR 21582, May 2, 1995]. In developing these recommendations, the **FAA** asked the ARAC to consider alternatives to minimize the operational burden on smaller facilities, including options for aircraft rescue and firefighting (ARFF) services. The **FAA** also suggested the ARAC conduct a survey of affected airports to gauge the impact of any proposed requirement. At the time of this request, the **FAA** did not have the statutory authority to regulate airports serving scheduled operations of air carrier aircraft with 10-30 seats.

The ARAC accepted this task and established a Commuter Airport Certification Working Group to develop recommendations on this issue. Comprised of members of the main committee, the working group's membership included representatives from the following organizations:

1. Air Line Pilots Association
2. Aircraft Owners and Pilots Association
3. American Association of Airport Executives
4. National Air Transportation Association
5. National Association of State Aviation Officials
6. Regional Airline Association

The **FAA** and Landrum and Brown, an airport planning and engineering

consulting firm, also provided technical support.

Over the course of a year, the Commuter Airport Certification Working Group met five times to research the issue and develop recommendations for the ARAC. The working group initially endeavored to establish a voluntary industry standard consistent with the **FAA**'s lack of authority to regulate airports serving commuter operations. However, after the passage of Public Law 104-264, the **FAA** requested the working group to immediately finish its report and to take a regulatory approach to the certification of airports serving small air carrier aircraft. This action was based on the **FAA**'s decision to exercise its new authority to regulate airports serving small air carrier operations.

While the working group agreed on many issues, two members (primarily the Air Line Pilots Association (ALPA)) disagreed with several of the group's recommendations. This minority differed on six regulatory requirements, including marking and lighting; ARFF; and handling of hazardous substances and materials. Subsequently, the working group developed both a majority and minority position at the **FAA**'s request. Individual working group members also provided comments on issues when their respective organizations differed from the position taken by the ARAC working group.

In February 1997, both the majority and minority views of the working group, and those of individual work group members, were presented to the **FAA**. Overall, the working group majority recommended that a non-regulatory approach to improve commuter airport safety could accomplish the same level of safety as regulating these airports. In light of the proposed rulemaking, the majority suggested that such a regulation should focus on accident prevention rather than accident mitigation, particularly due to the limited public funds available to these small airports.

Despite its opposition to a rulemaking, the ARAC did provide, as requested by the **FAA**, proposed regulatory language for the certification of airports serving scheduled operations of small air carrier aircraft. The **FAA** considered this proposed regulatory language in this rulemaking and where possible, discusses ARAC's concerns for each proposed requirement in the following Section-by-Section analysis. As appropriate, both the majority and minority positions are discussed. However, the decisions in this document are the **FAA**'s. Neither the majority opposition to rulemaking, nor the minority support of rulemaking, was a deciding factor in the **FAA**'s decision to institute this rulemaking.

As requested by the **FAA**, the ARAC also conducted a survey of airports that might be affected to determine what safety practices are already being conducted and the potential operational and economic impact if these airports were to comply with existing part 139 requirements. This survey requested information on rescue and firefighting capabilities, airport staff, certification status, annual enplanements, existing marking, lighting and signs, and capital and recurring costs of certain equipment and procedures. The results of this survey are included with the ARAC final recommendations on commuter airport certification, filed in the public docket (see ADDRESSES). These survey

results also are discussed in the economic analysis associated with this rulemaking. Also, a copy of the economic analysis is filed in the

docket and a summary of it is included in this proposal.

Much of the work done by the ARAC was the result of its members' willingness to donate their time and resources to travel to meetings and conduct research. The **FAA** wishes to recognize this contribution and appreciates the working group's effort to develop recommendations that represent a balance of safety and economic considerations.

Alternatives

This NPRM addresses two issues: (1) the revision of certain requirements of 14 CFR part 139, and (2) certification requirements of airports serving scheduled air carrier operations with 10-30 seat aircraft under 14 CFR part 139.

The **FAA** considered alternatives for each of these issues. Based on this analysis, the **FAA** determined that it was necessary to revise 14 CFR part 139 and that the revised part 139 should include the certification of airports serving scheduled air carrier operations with 10-30 passenger seat aircraft. See a more detailed description of these alternatives in the ``Description of Alternatives'' section that follows the ``Section-by-Section Analysis.''

General Discussion of the Proposal

This proposal would comprehensively revise the airport certification process by including airports serving small air carrier aircraft to ensure these airports meet a minimum level of safety comparable to airports already certificated. Operators of airports serving small air carrier aircraft and currently not regulated under part 139 (approximately 40 airports) would be required to develop and implement an ACM, and to comply with certain safety and operational requirements. These airport operators, however, would be permitted some flexibility in complying with more burdensome requirements.

In addition to serving large, unscheduled air carrier aircraft, approximately 120 of the approximately 135 airports holding a LAOC also serve scheduled small air carrier aircraft. To address these additional operations, this proposal would require the operators of these 120 airports to implement existing safety measures (such as aircraft rescue and firefighting) on a more frequent basis and comply with additional safety requirements. The remaining 15 airport operators holding a LAOC would continue to comply with part 139 requirements as they do today.

Likewise, this proposal would require airport operators holding an AOC (or a ``full'' certificate), approximately 430 airports, to continue to comply with part 139 requirements as they do today. These airport operators would be required to revise their certification manuals and comply with proposed modifications to existing requirements. The operators of approximately 50 of these airports also may be required to implement certain safety measures on a more frequent basis if they serve small air carrier operations that do not occur concurrently with large air carrier aircraft operations.

In addition, this proposal would clarify that airports operated by the United States government, including DOD, are not subject to part 139. Subsequently, the 90 DOD airports currently certificated under part 139 would no longer need to request an exemption from part 139 requirements to continue serving air carrier operations.

To minimize confusion resulting from the inclusion of airports serving small air carrier aircraft operations into the **FAA**'s existing airport certification program, the **FAA** is proposing to reclassify

airport operating certificates and certification manuals. Instead of differentiating between an AOC and a LAOC, and creating additional types of airport operating certificates, this proposal would provide for only one type of certificate, an AOC, and no longer make a distinction between an ACM and an ACS. All airport certificate holders would be required to adopt and implement an ACM, regardless of size and type of air carrier operations.

All holders of airport operating certificates would be issued new certificates, including those existing airport operators holding ``full'' or ``limited'' certificates. Operators of currently certificated airports would not be required to reapply for an airport operating certificate. if this proposal is adopted, the **FAA** would convert existing certificates, as appropriate.

The **FAA** proposes to continue to distinguish between airports that serve different sizes or types of air carriers, and establish requirements appropriate for each type of airport. Under this proposal, similar airports would be grouped into four new classes, I-IV, and requirements are proposed for each new class of airport. This approach would ensure that airports serving small air carrier aircraft or unscheduled air carrier operations (e.g., charter flights) are not unduly burdened with requirements more appropriate for airports serving frequent operations of large air carriers. In addition, these new classes of airports address those airports that serve a mixture of air carrier operations.

Airports serving all types of scheduled operations of large air carrier aircraft, and any other type of air carrier operations, would be known as Class I airports. Operators of these airports would be required to comply with all part 139 requirements. Essentially, all airport operators holding an existing ``full'' certificate would become Class I airports.

Class II airports would be those airports that serve scheduled operations of small air carrier aircraft (10-30 seats) and unscheduled operations of larger air carrier aircraft (more than 30 seats). Airports that would be classified as Class II would be those existing ``limited'' certificate airports that serve scheduled operations by small air carrier aircraft.

Class III airports would be those airports that serve only scheduled operations of air carrier aircraft with 10-30 seats. Class III airports would be those facilities newly certificated as the result of this rulemaking.

Class IV airports would be those airports currently with a ``limited'' certificate serving only unscheduled air carrier operations in aircraft with more than 30 seats.

Airports in the State of Alaska that serve large air carrier operations would continue to be certificated under part 139, as Class I or Class IV airports. No requirements are proposed, as specified in the authorizing statute, for those airports in the State of Alaska that only serve scheduled operations of smaller air carrier operations.

The **FAA** currently requires operators of certificated airports to develop an ACM or ACS, depending on the type of certification, to detail how the airport operator will comply with the requirements of part 139. As every airport is unique, it is difficult to impose requirements that prescribe exacting technical standards that would work at every airport. Instead the **FAA** sets forth performance-based standards that airport operators implement in the manner best suited to their facilities.

In this manner, the **FAA** can vary requirements that airport

operators must comply with. For example, existing Sec. 139.213 requires operators of ``limited'' certificated airports to include in their ACS procedures to comply with seven operational requirements found in Subpart D, whereas operators of ``full'' certificated airports must provide for all part 139 requirements in their manual. This proposal takes a similar approach

and proposes different requirements and manual content for each new airport class.

Under this proposal, the requirements for manual content would vary between the airport classes, with the most comprehensive manual required of Class I airports. Operators of Class I airports would have to comply with more safety requirements than the operators of Class II, III, and IV airports as they serve more complex and varied air carrier operations.

As a consequence of these proposed changes, several existing sections of the regulation would be combined and the current numbering scheme of subparts C and D would be altered. The following chart illustrates these changes, comparing existing section titles and numbering against those proposed.

Comparison of Section Titles and Numbering Between Existing and Proposed Part 139

Existing part 139	Proposed part 139
Subpart A--General.....	Sec. 139.1 Applicability.....
Sec. 139.1 Applicability.....	Sec. 139.3 Definitions.....
Sec. 139.3 Delegation of authority (new section--Sec. 139.3 would be moved to proposed Sec. 139.5).	Sec. 139.5 Standards and procedures
Sec. 139.5 Definitions (section number change--Sec. 139.5 would be moved to proposed Sec. 139.7).	for compliance with the certification and operations requirements of this part. Sec. 139.7 Methods and procedures for compliance (title and section number change).
Subpart B--Certification.....	Sec. 139.101 Certification requirements: General. (title change).
Sec. 139.101 General requirements	

Sec. 139.103 Application for certificate. | Sec. 139.103 Application for certificate.

Sec. 139.105 Inspection authority... | Sec. 139.105 Inspection authority (revised section--Secs. 139.105 and .301 would be combined to form proposed Sec. 139.305).

Sec. 139.107 Issuance of certificate | Sec. 139.107 Issuance of certificate.

Sec. 139.109 Duration of certificate | Sec. 139.109 Duration of certificate.

Sec. 139.111 Exemptions..... | Sec. 139.111 Exemptions.

Sec. 139.113 Deviations..... | Sec. 139.113 Deviations.

Subpart C--Airport Certification

Sec. 139.201 Airport operating certificate: Airport certification manual. | 139.201 General requirements. (title change--Secs. 139.201, .203, .207, .209, .211, and .215 would be combined to form proposed Sec. 139.201).

Sec. 139.203 Preparation of airport certification manual. | Sec. 139.203 Contents of airport certification manual (new section--Secs. 139.205 and 139.213 would combined to form proposed Sec. 139.203).

Sec. 139.205 Contents of airport certification manual. | Sec. 139.205 Amendment of airport manual (section number change--Sec. 139.217 would be moved to proposed Sec. 139.205).

Sec. 139.207 Maintenance of airport certification manual.

Sec. 139.209 Limited airport operating certificate: Airport

certification specifications.
Sec. 139.213 Contents of airport certification specifications.
Sec. 139.215 Maintenance of airport certification specifications.
Sec. 139.217 Amendment of airport certification manual or airport certification specifications.

Subpart D--Operations..... Sec. 139.301 Inspection authority... Sec. 139.301 Records (new section--Sec. 139.301 would be moved to proposed Sec. 139.105).

Sec. 139.303 Personnel..... Sec. 139.303 Personnel.

Sec. 139.305 Paved areas..... Sec. 139.305 Paved areas.

Sec. 139.307 Unpaved areas..... Sec. 139.307 Unpaved areas.

Sec. 139.309 Safety areas..... Sec. 139.309 Safety areas.

Sec. 139.311 Marking and lighting... Sec. 139.311 Marking, signs, and lighting (title change).

Sec. 139.313 Snow and ice control... Sec. 139.313 Snow and ice control.

Sec. 139.315 Aircraft rescue and firefighting: Index determination. Sec. 139.315 Aircraft rescue and firefighting: Index determination.

Sec. 139.317 Aircraft rescue and firefighting: Equipment and agents. Sec. 139.317 Aircraft rescue and firefighting: Equipment and agents.

Sec. 139.319 Aircraft rescue and firefighting: Operational requirements. 139.319 Aircraft rescue and firefighting: Operational requirements.

139.321 Handling and storing of hazardous substances and materials. 139.321 Aircraft rescue and firefighting: Exemptions (new section--existing Sec. 139.321 would be moved to proposed Sec. 139.323).

Sec. 139.323 Traffic and wind direction indicators. Sec. 139.323 Handling and storing of hazardous substances and

materials (section number change).
Sec. 139.325 Airport emergency plan. Sec. 139.325 Traffic and wind direction indicators (section number change).
Sec. 139.327 Self-inspection program Sec. 139.327 Airport emergency plan (section number change).
Sec. 139.329 Ground vehicles..... Sec. 139.329 Self-inspection program (section number change).
Sec. 139.331 Obstructions..... Sec. 139.331 Ground vehicles (section number change).
Sec. 139.333 Protection of navaids.. Sec. 139.333 Obstructions (section number change).

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Sec. 139.335 Public protection..... Sec. 139.335 Protection of navaids (section number change).
Sec. 139.337 Wildlife hazard management. Sec. 139.337 Public protection (section number change).
Sec. 139.339 Airport condition reporting. Sec. 139.339 Wildlife hazard management (section number change).
Sec. 139.341 Identifying, marking, and reporting construction and unserviceable areas. Sec. 139.341 Airport condition other reporting (section number change).
Sec. 139.343 Noncomplying conditions Sec. 139.343 Identifying, marking, and reporting construction and other unserviceable areas (section number change).
Sec. 139.345 Noncomplying conditions (section number change).

As noted earlier, changes are proposed to operational and safety requirements. The specifics of these revisions are discussed in detail in the following section, ``Section-by-Section Analysis.'' The proposed revisions reflect changes to technology and industry practice. This action does not address runway friction measurement (both winter and maintenance), runway distance remaining signs, and certain requirements related to ARFF equipment, training, and extinguishing agents. The **FAA** is continuing to review these issues with industry representatives (primarily through the ARAC) and may propose rulemaking as a result of these efforts in a separate action.

Throughout the proposed rule, references are made to 49 U.S.C. 44706. This statute is the recodification of the **FAA**'s authority to prescribe airport certification regulations previously found in the Federal Aviation Act of 1958, 49 U.S.C. App. 1432 et seq.

Additionally, the **FAA** proposes to revise the title of 14 CFR part 139, ``Certification and Operations: Land Airports Serving Certain Air Carriers'' to ``Certification of Airports.''

Request for Additional Information

Throughout this proposal, the **FAA** is requesting economic and operational information on specific topics. As explained in the following Section-by-Section Analysis, the **FAA** intends to use this information to further analyze certain proposed requirements. Additional information is requested on the following subject areas:

1. Certification of heliports. Under the discussion of proposed Sec. 139.1, the **FAA** is requesting comments on the need to certificate heliports, including recommendations on certification requirements and any associated safety and economic considerations that should be addressed.

2. Reduction or revocation of an airport operating certificate. Under proposed Sec. 139.109, information is requested as to why it would be more costly for an airport operator to surrender an airport operating certificate and then later to regain it, than it is to maintain a certificate uninterrupted.

3. Retro-reflective runway and taxiway signs. The **FAA** is soliciting comments under proposed Sec. 139.311 on the use of retro reflective guidance and directional signs at airports serving small or unscheduled air carrier aircraft.

4. ARFF Exemption. The **FAA** requests comments on the new ARFF exemption process delineated under proposed Sec. 139.321.

5. Implementation. Finally, the **FAA** is requesting comments on various elements of the implementation schedule, should this proposal be adopted.

Section-by-Section Analysis

Subpart A--General

Section 139.1 Applicability

Section 139.1 establishes that part 139 prescribes rules for the certification and operation of airports serving certain air carrier operations. This proposal expands this section by amending and reorganizing existing language into new paragraphs (a) and (b).

New paragraph (a) would incorporate a new group of airports that would require an airport operating certificate

(AOC) before serving certain air carrier operations. In addition to those airports already certificated under part 139, airports serving scheduled operations of air carrier aircraft seating 10 to 30 passengers would require a certificate under this part. This expansion of the rule's applicability would reflect recent revisions to 49 U.S.C. 44706, that authorized the Administrator to issue an AOC to airports serving any scheduled operations of an air carrier operating aircraft designed for more than 9 passenger seats but less than 31 passenger seats.

Throughout paragraph (a), references to the term ``aircraft seating capacity'' would be changed to ``aircraft design.'' This proposal would more accurately reflect how the **FAA** and other civil aviation authorities certificate air carrier aircraft for passenger operations. This revision would have no effect on how aircraft passenger seating capacity is determined. An **FAA**-issued aircraft type certificate and its foreign equivalent specify passenger seating capacity and may only be changed by amendment to the aircraft type certificate.

Further, the **FAA** proposes to move language currently found in Sec. 139.101(a) to new paragraph Sec. 139.1(a). The phrase specifies that part 139 is applicable to land airports in the United States, the District of Columbia, or any U.S. territory or possession. This language is more appropriate in Sec. 139.1, Applicability.

Proposed paragraph Sec. 139.1(b) would group together the type of airports that would be exempt from part 139. As currently is the case, airports serving air carrier operations only because they have been designated as alternate airports (under Sec. 121.590) would not be certificated under part 139. The revised part 139 also would not be applicable, as specified in the authorizing statute, at airports in the State of Alaska that serve scheduled operations of air carrier aircraft seating 10-30 passengers. However, airports in the State of Alaska that serve scheduled and/or unscheduled operations of air carrier aircraft with more than 30 passenger seats and serve smaller scheduled air carrier operations must be certificated under part 139. Under this proposal, these airports would be certificated as a Class I or Class IV airport because they serve larger air carrier operations.

In addition, airports operated by U.S. government agencies would not be required to comply with part 139. The **FAA** has issued airport operating certificates, under **FAA** Exemption No.

5750, to Department of Defense (DOD) airports that serve civilian commercial carriers. Standards for military airports, and others operated by other branches of the Federal government (e.g., NASA, Dept. of Energy), differ from those prescribed under part 139.

The **FAA** does not have the statutory authority to regulate airports operated by U.S. government agencies. Since the continuance of commercial flights into these facilities is necessary to support federal government requirements, the **FAA** proposes to eliminate exemptions to U.S. government entities, (such as DOD's exemption to part 139) but will allow U.S. government entities to apply for an AOC for air carrier operations. Changes to part 121 are proposed to permit air carriers to use such airports (see discussion under proposed Sec. 121.590, Use of certificated land airports).

This does not address airports where civilian and military

operations commingle. These airports are known as either ``joint-use airports'' or ``shared-use airports.''

Joint-use airports are owned by the U.S. government, which leases or surpluses a portion of their facility to the local government for civilian air carrier operations. Shared-use airports are co-located U.S. and local government facilities at which portions of the movement areas, such as runways, taxiways, and ramps are shared. Under this proposal, civilian air carrier operations of either a joint-use airport or a shared-use airport will come under the purview of part 139.

Also, this proposal excludes heliports. The focus of this proposal is on the safety needs of airports serving fixed wing aircraft. While concerned with the safe operations of helicopters, the **FAA** believes certification of heliports should be handled separately and is considering how to certify these facilities. The **FAA** is requesting comments on the need to certificate heliports. The **FAA** requires specific recommendations on certification requirements and associated safety and economic considerations.

Section 139.3 Delegation of Authority

Under this proposal, existing Sec. 139.3, titled ``Definitions,'' would be moved to proposed Sec. 139.5. Proposed Sec. 139.3 would be titled ``Delegation of Authority.'' This section would be new.

This new section would set forth **FAA**'s existing delegation authority that allows **FAA** employees to act on behalf of the **FAA** Administrator in the oversight of the certification of airports. As proposed, the Administrator's delegation of authority has not changed, and the **FAA**'s Associate Administrator for Airports could act in the capacity of the Administrator.

Section 139.5 Definitions

In this proposal, existing Sec. 139.3 would be redesignated as proposed Sec. 139.5. Existing Sec. 139.3 establishes terms, and their definitions, used in part 139. The definitions contained in this revised section reflect proposed changes made throughout the rule. As such, several existing definitions have been modified or deleted and new definitions are proposed.

The **FAA** proposes to delete the existing term ``air carrier aircraft.'' Two new terms, ``large air carrier aircraft'' and ``small air carrier aircraft,'' have been added to part 139 to differentiate requirements of airports serving differing sizes of air carrier aircraft. Proposed exclusively for part 139, these new definitions are based on the number of passenger seats of an air carrier aircraft, and should not be confused with existing definitions for ``large aircraft'' and ``small aircraft'' found in 14 CFR part 1 that classify aircraft by weight.

The term ``air carrier'' would no longer be defined in part 139. Instead, the definition of ``air carrier,'' as set out in 14 CFR part 1 would apply in part 139. The term ``average daily departures'' would be revised slightly by changing the phrase ``consecutive months'' to read ``consecutive calendar months.'' Other references throughout the rule to duration of time using months would be similarly updated to ensure clarity and consistency.

The term ``airport operating certificate'' would be modified to make reference to four new classes of certificated airports. The term ``certificate holder'' likewise would be modified to correspond with new airport classifications. References to subpart D and LAOC would be deleted. Instead, the term ``certificate holder'' would be used generically to describe any airport operator issued an AOC under part 139.

As described earlier, the **FAA** proposes to modify part 139 to change the process by which airports are categorized, and establish four new types of airport classes. These four classifications--Class I, II, III, and IV airports--would be added to existing definitions.

A Class I airport would serve the most varied types of air carrier operations. A Class I operator would be authorized to serve air carrier operations of large and small air carrier aircraft. Under this proposal, airports already certificated under part 139 to serve scheduled operations of large air carrier aircraft would be reclassified as Class I airports. The **FAA** anticipates approximately 430 airports would be certificated as Class I airports.

A Class II airport would serve scheduled operations of small air carrier aircraft and unscheduled passenger operations of larger air carrier aircraft. A Class II airport would not serve scheduled large air carrier aircraft. Airports classified as Class II would be those existing airports with a LAOC (airports serving unscheduled large air carrier aircraft) that serve scheduled operations by small air carrier aircraft. The **FAA** anticipates approximately 120 airports would be certificated as a Class II airport.

A Class III airport would serve scheduled operations of small air carrier aircraft. A Class III airport would not serve scheduled or unscheduled large air carrier aircraft.

Under the current regulation, airports meeting this criteria are not certificated. The **FAA** anticipates approximately 40 airports would be newly-certificated as Class III airports.

A Class IV airport would serve unscheduled passenger operations of large air carrier aircraft but would not serve scheduled large or small air carrier aircraft. Airports currently holding a LAOC, but not serving scheduled small air carrier operations, would be certificated as Class IV airports. The **FAA** anticipates approximately 15 airports would be certificated as Class IV airports.

The following table illustrates the types of air carrier operations each proposed category of airport can serve:

Proposed airport class	Type of air carrier operation		
			Class I
Class II	Class III	Class IV	
Scheduled Large Air Carrier Aircraft.....			X
Unscheduled Large Air Carrier Airrcraft.....			X
X		X	
Scheduled Small Air Carrier Aircraft.....			X
X	X		

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To reflect the proposed deletion of heliports from part 139, the term ``movement area'' would be modified to remove any reference to

areas used by helicopters to hover or taxi.

The term ``clean agent'' would be added to specify a new type of aircraft fire extinguishing agent that an airport operator could use to comply with part 139 ARFF requirements. Clean agent is a term used by the firefighting community to describe a category of fire extinguishing agents that replace halon 1211 (see discussion of Sec. 139.317, Aircraft rescue and firefighting: Equipment and agents). The proposed definition is based on National Fire Protection Association (NFPA) 2001, Standards on Clean Agent Fire Extinguishing Systems (1996 Edition), that establishes standards for halon 1211 substitutes. The NFPA is an independent, nonprofit organization that advocates consensus codes and standards, research, and education for fire and related safety issues. Many NFPA codes and standards are used as the basis for legislation and regulations in federal, state, and local governments.

In addition to NFPA 2001, the **FAA** is proposing that a clean agent used to comply with part 139 requirements would need to have the equivalent extinguishing action as halon 1211, as defined in **FAA** Technical Report DOT/**FAA**/AR-95/87. This document establishes a test protocol to measure an extinguishing agent's equivalency to halon 1211 and its appropriateness for use on aircraft fires.

In addition, the terms ``scheduled operation'' and ``unscheduled operation'' would be added to distinguish the types of operations served by the four classes of airports. The definition of ``scheduled operation'' is also found in 14 CFR part 119, Certification: Air carriers and commercial operators. A scheduled operation is conducted by an air carrier or a commercial operator in accordance with a published schedule for passenger operations that includes dates or times, and the operation is openly advertised or made available to the general public. Conversely, the definition of an ``unscheduled operation'' would be an operation conducted by an air carrier or a commercial operator that is specifically negotiated with the customer or that meets the definition of a supplemental operation found in part 119, Certification: Air carriers and commercial operators, or the definition of a public charter found in part 380, Public charters.

All other existing definitions would remain unchanged.

Section 139.7 Methods and Procedures for Compliance

In this proposal, existing Sec. 139.5, titled ``Standards and procedures for compliance with the certification and operations requirements of this part,'' would be moved to proposed Sec. 139.7. Existing Sec. 139.5 specifies that an operator of a certificated airport must comply with the requirements of part 139 in a manner acceptable to the Administrator, and that methods and procedures contained in advisory circulars (AC's) are an acceptable means of compliance.

The relocated section would be titled, ``Methods and procedures for compliance,'' and would be clarified as described below. The **FAA** proposes to delete the language ``with the certification and operations requirements of this part'' from the title of existing Sec. 139.5. This editorial change would ensure consistent section titles throughout the part. In addition, the term ``standards'' would be replaced with the term ``methods'' so as not to confuse the means of compliance (the methods) with the requirements of the regulations (the standards) prescribed in proposed subparts C and D.

With the addition of new airports to the part 139 process, the **FAA** believes existing language of this section should be clarified to eliminate any confusion. Several sentences would be combined and revised to state clearly that the use of methods and procedures

provided in **FAA** AC's to comply with part 139 requirements are acceptable.

Advisory Circulars are developed in conjunction with the aviation industry to ensure consistent and reasonable means of complying with regulations. As technology and the aviation industry evolve the advisory circular process provides an expeditious means to revise guidance materials.

Certificate holders may comply with part 139 requirements by means other than those specified in the AC's. However, any alternative must be authorized by the **FAA**, and must provide the equivalent level of safety in meeting the requirements of part 139. This provision is repeated throughout this proposal in sections where advisory circulars are available to assist the certificate holder in meeting specific regulatory requirements proposed in the document.

Subpart B--Certification

Section 139.101 General Requirements

This NPRM proposes to retitle Sec. 139.101, ``Certification requirements: general,'' as ``General requirements,'' and combines the text of existing paragraphs (a) and (b) into a new paragraph (a). New paragraphs (b) and (c) would be added. Existing Sec. 139.101 specifies that no person may operate an airport in the U.S. and U.S. territories that serve certain types of air carrier operations without a part 139 certificate, or in violation of that certificate.

While proposed paragraph (a) combines existing Sec. 139.101(a) and (b) into one paragraph, the requirement that an airport subject to this part may not be operated without an operating certificate, or in violation of its certificate, remains unchanged. References to LAOC's and ACS's would be replaced with proposed changes to the certification process. As mentioned earlier, references to land airports located in the United States or its territories would be moved to a more appropriate location in proposed Sec. 139.1, Applicability.

The term ``except as otherwise authorized by the Administrator'' in existing paragraph (b) would be moved to new paragraph (a). This change would enable the **FAA** to authorize operations not covered by the regulation.

New paragraph (b) would require each airport operator to adopt, and comply with, an ACM in accordance with proposed requirements.

New paragraph (c) proposes that each airport class implement its ACM within a specified time. It is anticipated that under this proposal most airport operators will only need to document processes and procedures already in place. However, airport operators that would be required to develop an ACM for the first time, or to make extensive revisions to an existing manual, would have more time to comply than other airports. Staggering compliance dates also would permit adequate time for the **FAA** to process new and revised certification manuals.

Compliance with requirements for runway and taxiway signs, ARFF, and emergency plans would take additional time and corresponding sections of the ACM may not be completed within the timeframes specified in new paragraph (c). Certificated airport operators may need to seek Federal and local funding, order equipment, and train personnel. Consequently, additional time is proposed to implement these requirements (see discussions under proposed Sec. 139.311, Marking, signs, and lighting; Sec. 139.321, Aircraft rescue and firefighting: Exemptions; and Sec. 139.327, Airport emergency plan).

The **FAA** is requesting comments on the proposed implementation

schedules. If the commenter proposes alternative compliance dates, comments

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should include supporting operational and economic data.

Section 139.103 Application for Certificate

Existing Sec. 139.103 establishes requirements to apply for an airport operating certificate or an limited airport operating certificate. This proposal would amend existing Sec. 139.103 by revising paragraphs (a) and (b) and by adding a new sentence to the beginning of this section. Proposed changes are intended to incorporate application requirements also found in existing Secs. 139.201(a) and 139.209(a).

This section would continue to require an applicant for an AOC to prepare, and submit an application form and an airport certification manual to the Administrator for approval. References to LAOC and ACS also would be deleted in order to correspond to proposed changes to the certification process and classification of airports.

If this proposal is adopted, airport operators currently holding a certificate under part 139 would not be required to apply for a new AOC, but may need to amend an existing ACM or ACS.

Section 139.105 Inspection Authority

The **FAA** proposes to incorporate existing inspection authority provision of Secs. 139.105 and 139.301 into one paragraph. Language referencing statutory authority also would be updated.

Existing Sec. 139.105 states that an airport operator holding a certificate under part 139 must allow the **FAA** to make inspections to determine compliance with the regulation. This would not change. This new section would state that the Administrator may make inspections and tests to determine compliance with airport certification regulations.

References to the Federal Aviation Act of 1958 would also be removed and replaced with references to the current statutory authority. In addition, references to LAOC have been deleted.

Section 139.107 Issuance of Certificate

Existing Sec. 139.107 specifies standards that must be meet before the **FAA** can issue a certificate. This NPRM would revise existing language into new paragraphs (a), (b), and (c), propose new requirements an applicant must meet, and deletes references to LAOC.

New paragraph (a) would require applicants to provide written documentation that air carrier service would begin on a specific date. The **FAA** intends to limit applicants for part 139 certification to those facilities with planned air service.

As presently required under Sec. 139.107, new paragraph (b) would require an applicant for an AOC to meet the requirements for an ACM (as required under proposed Sec. 139.103 and 139.203) prior to issuance of a certificate.

New paragraph (c) combines the remaining requirements of existing Sec. 139.107. Also, the standard ``public interest'' would be replaced with the new standard ``safety in air transportation'' as required by the authorizing statute.

Section 139.109 Duration of Certificate

Existing Sec. 139.109 states that a certificate issued under part 139 is effective until surrendered by the certificate holder, or suspended or revoked by the Administrator. This NPRM proposes to modify this section by placing existing language into new paragraph (a). A new paragraph (b) also is proposed and references to LAOC would be deleted.

New paragraph (b) stipulates that the Administrator may revoke an AOC if air carrier operations have not occurred for 24 consecutive months. However, in deciding whether to revoke an AOC because of lack of service, the **FAA** would consider the airport's reasonable expectation of future air carrier service.

In previous proposals to part 139, airport operators have recommended that the reduction or revocation of an airport operating certificate should be at the option of the airport operator and not the **FAA**. These commenters were concerned that if an airport later needed to regain its certification, the cost to do so would prove burdensome. The **FAA** does not agree with this cost assessment. The **FAA** requests comments (to include economic and operational data) as to why it would be more costly to surrender a certificate and then later to regain it, than it is to maintain a certificate uninterrupted.

An airport operator that has lost its certification can continue to comply with the requirements of its certification manual and the requirements of part 139 until it regains its certificate. While the **FAA** does not inspect non-certificated airports, the operators of such airports are encouraged to use part 139 as a guide to ensure safety. Further, many such airport operators would be required by Federal grant assurances to continue to implement elements of their certification program even when not certificated under part 139.

Under various statutes, the Federal Government is authorized to grant property, funds, and other assistance to local communities for the development of airport facilities. In return, airport owners assume certain obligations, either by contract or by restrictive covenants in property deeds that require the airport operator to maintain and operate its airport facilities safely, efficiently, and in accordance with specified conditions. These conditions are known as ``grant assurances'' and require the airport owner to comply with certain maintenance and operational conditions similar to those found in the requirements of part 139. For example, grant assurances require the airport operator to maintain pavements constructed or repaired with Federal assistance. These airport operators must also make arrangements for promptly marking, lighting and reporting hazards and other conditions affecting aeronautical use of the airport.

This revised section also proposes language enabling a certificate holder to appeal an order revoking its AOC. The appeal process is found in 14 CFR part 13.

Section 139.111 Exemptions

Existing Sec. 139.111 establishes procedures for the certificate holder to petition for an exemption from the requirements of part 139. The **FAA** proposes to modify this section to reflect proposed changes to the format used for petitions for exemption from aircraft rescue and firefighting requirements.

Under revised paragraph (b), references to 14 CFR 11.25, Petitions for Rulemaking or Exemption, would be deleted. Instead, a new sentence would be added to the end of the paragraph that specifies that an applicant for, or holder of, an AOC desiring to petition from aircraft rescue and firefighting requirements must do so as prescribed under new Sec. 139.321 (see discussion under proposed Sec. 139.321, Aircraft rescue and firefighting: Exemptions).

Section 139.113 Deviations

This notice proposes to revise existing Sec. 139.113 language to permit the certificate holder more flexibility during emergencies requiring deviation from some of part 139 requirements. Existing Sec. 139.113 permits the certificate holder to deviate from

requirements of subpart D of the regulation during emergency conditions.

As proposed, the standard ``involving the transportation of persons by air carriers,'' would be deleted from the first sentence. This standard was originally included in part 139 to ensure that airport resources and services would not be routinely used to respond to emergencies in the local community. However, this section has been subsequently interpreted as prohibiting

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the certificate holder from deviating from part 139 requirements unless the emergency involves air carrier operations.

It was never the **FAA**'s intent to restrict airport emergency services from assisting with occasional catastrophic events because an air carrier was not involved. No amount of pre-planning can cover every emergency scenario, and the **FAA** believes emergency service providers are best suited during an emergency to determine the appropriate response.

When a deviation occurs, it would be considered permissible under proposed Sec. 139.113, so long as the certificate holder notifies the **FAA** within 14 days of the deviation. This change, however, is not meant to allow a certificate holder to take advantage of emergency situations to regularly deviate from the requirements of part 139. For instance, this proposed section is not intended to allow local municipalities to use the emergency services of a part 139 airport to routinely respond to emergencies in the surrounding community during air carrier operations. This section is intended only to allow a certificate holder to provide temporary assistance during occasional catastrophic or natural emergencies.

Certificate holders that are recipients of Federal funds also should note that this proposed section would not excuse them from any limitations or provision of their grant assurances that restrict the use of facilities and equipment purchased with Federal funds.

In addition, the term ``airport certification manual'' would be added to the first sentence of this paragraph to clarify that the certificate holder may, when responding to an emergency, deviate from both its certification manual and any requirements of subpart D.

The **FAA** further proposes to modify requirements of this section to allow the certificate holder to notify the **FAA** of deviations by telephone, or other means of electronic communications, rather than requiring an automatic written notification.

Subpart C--Airport Certification Manual

The **FAA** proposes to revise the title of this subpart by removing references to airport certification specifications. In general, the contents of subpart C would be clarified and requirements for airports serving scheduled operations of small air carrier aircraft have been included.

Section 139.201 General requirements

Existing Sec. 139.201 requires applicants for an AOC to develop, and submit for approval, a certification manual.

This section also requires certificate holders to comply with their approved ACM.

This NPRM proposes to retitle this section from ``Airport operating certificate: Airport certification manual,'' to ``General

requirements.'' In addition, the section would be revised to consolidate requirements of existing Secs. 139.201, 139.203, 139.207, 139.209, 139.211, and 139.215 into a single section.

The **FAA** proposes the same general requirements for preparation and maintenance of ACM's for all certificated airports. Existing part 139 provides separate sections for the preparation and maintenance of an ACM and ACS, although the requirements of these sections are essentially the same.

New paragraphs (b) and (c) would set forth manual preparation, maintenance, and distribution requirements. The proposed changes clarify signature responsibilities of the certificate holder, and the necessity to document manual changes. In addition, these changes would require that any revision to the certification manual contain the **FAA**'s approval, in addition to an approval date.

Also, the requirement that a certification manual be typewritten would be expanded to include any printed form. This change is intended to clarify that any type of printed form, whether produced on a typewriter, computer, etc., would be acceptable to the Administrator.

Existing Secs. 139.201(a) and 139.209(a) would be deleted as the language in both these paragraphs duplicates the language of proposed Sec. 139.103 (see the discussion of proposed Sec. 139.103, Application for certificate). Also, the 1988 dates in existing Secs. 139.201(c) and 139.209(c) would be deleted as these dates are no longer applicable.

Existing paragraph (b) provides guidance and an acceptable means of compliance with ACM requirements would be revised and moved to new paragraph (d). References to the specific series numbers within the AC system would be deleted. Instead, this new paragraph would make a general reference to the AC system. This will allow more flexibility in updating the AC numbering system, without requiring a subsequent revision to the regulation. References to specific AC series numbers would be similarly updated throughout subpart D.

Section 139.203 Contents of Airport Certification Manual

Under this proposal, existing Sec. 139.203, titled ``Preparation of airport certification manual,'' would be moved to proposed Sec. 139.201. Existing Sec. 139.203 establishes standards for maintaining an ACM.

The contents of Secs. 139.205 and 139.213 are combined in proposed new Sec. 139.203. Additional requirements are proposed to correspond to the new classifications of certificated airports and changes to subpart D.

Similar to existing Secs. 139.205(a) and 139.213(a), new paragraph (a) would require all classes of airports to include in their certification manual a description of procedures and equipment used to comply with subpart D and any other requirements of this section. However, existing language of Secs. 139.205(a) and 139.213(a) would be revised. Existing Secs. 139.205(a)(2) and 139.213(a)(2), specifying compliance with limitations imposed by the Administrator, would be moved to proposed new paragraph (b).

All certificate holders would be required to have an ACM, and new paragraph (b) would specify the manual contents for each class of airport. As noted above, the content of the manual would vary depending on the class of airport. The most comprehensive manual would be required for Class I airports because they serve more complex and varied air carrier operations.

A chart is proposed in new paragraph (b) to aid the certificate holder in determining the content of its manual. This chart lists the four proposed airport classifications and links each class to the

appropriate certification manual element.

In revised Sec. 139.203(b), proposed Class I airport certificate holders would be required to include in their ACM all elements that are currently required. In addition, this proposal would require the operators of these airports to incorporate into their ACM several new elements.

Class I airport certificate holders would include in their ACM a description of personnel training and equipment, and a system for maintaining records. This is intended to correspond to proposed new Sec. 139.301 and proposed changes to existing Sec. 139.303 (see the discussion under proposed section 139.301, Records; and 139.303, Personnel).

Airport operators currently holding a LAOC would be required to convert their existing ACS into an ACM. All elements that are presently required to

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be in an airport certificate holder's ACS would be transferred into the new ACM.

Manuals for airports certificated as Class II and IV airports would include procedures to ensure safety in storing and handling hazardous materials, traffic and wind indicators, and self-inspections, as specified in subpart D.

These airport operators currently address these safety issues differently . Under existing part 139, these safety issues must be addressed in the ACS, but not necessarily in the manner prescribed under subpart D.

The **FAA** has found that most certificate holders with an LAOC already provide for these elements in their ACS, as required under existing subpart D. Part 139 requirements related to the handling of hazardous materials, wind and traffic indicators, and self-inspections represent good general airport operating practices that many of these airports already have adopted.

In addition, operators of airports certificated as Class II and IV airports would be required to include in their ACM a grid map or other means of identifying locations and terrain on and around the airport that are significant to emergency operations. For many years, airports serving scheduled large air carrier operations have been required to include this grid map in their certification manual. This map assists airport personnel in maintaining the airport, and emergency personnel in responding to incidents at the airport. As such, the **FAA** proposes that all certificate holders include a grid map in their ACM.

Operators of proposed Class II and IV airports also would be required to include in their ACM an emergency plan and procedures for, and descriptions of, recordkeeping and personnel training. This is intended to correspond to other proposed changes in the regulation. Unlike proposed Class I certificate holders, Class II and IV certificate holders would not have to include in their certification manuals provisions to conduct triennial full scale emergency disaster drills. For more details on these proposed requirements, see the discussion under proposed Sec. 139.301, Records; Sec. 139.303, Personnel; and Sec. 139.327, Airport emergency plan.

A significant change for operators of proposed Class II and IV airports would be the requirement to include in the ACM a description of the procedures and equipment used for complying with the ARFF standards of proposed Secs. 139.317 and 139.319. While these airports

provide for ARFF coverage, the level of coverage may not meet standards prescribed under existing Secs. 139.317 and 139.319. The **FAA** proposes to require operators of Class II and IV airports to include ARFF procedures in their ACM, as specified in subpart D, and comply with at least Index A ARFF requirements. Airport operators could petition for an exemption from some or all ARFF requirements under proposed Sec. 139.321, Aircraft rescue and firefighting: Exemptions, provided conditions prescribed in proposed Sec. 139.321 are met.

Unlike Class IV airports, Class II airports would serve both unscheduled operations of large air carrier aircraft and scheduled small air carrier aircraft. As such, the **FAA** proposes additional safety requirements appropriate for Class II airports. These airports would most likely serve more total air carrier operations than proposed Class IV airports and would be required to comply with additional requirements. These additional requirements would be addressed in the ACM as follows:

1. Procedures for avoidance of interruption, or failure during construction work, of utilities serving facilities or navaids that support air carrier operations;
2. A snow and ice control plan as required under proposed Sec. 139.313;
3. Procedures for controlling ground vehicles as required under proposed Sec. 139.331;
4. Procedures for obstruction removal, marking, or lighting as required under proposed Sec. 139.333;
5. Procedures for protection of navaids as required under proposed Sec. 139.335;
6. A wildlife hazard management plan as required under proposed Sec. 139.339; and
7. Procedures for identifying, marking, and reporting construction and other unserviceable areas as required under proposed Sec. 139.343.

Class III airports would be newly certificated under this proposal. As such, operators of these airports would be required to develop an ACM. For some operators, this requirement would be minimal because it would only require documenting existing procedures. Other Class III airport operators would be required, for the first time, to develop new procedures. Still others would be required to establish manuals based on a combination of new and existing procedures.

Under new paragraph (b), proposed Class III airport operators would be required to include in their ACM a description of the following procedures and equipment--

1. Lines of succession of airport operational responsibility;
2. Each current exemption issued to the airport from the requirements of this part;
3. Limitations imposed by the Administrator;
4. A grid map or other means of identifying locations and terrain features on and around the airport which are significant to emergency operations;
5. The location of each obstruction required to be lighted or marked within the airport's area of authority;
6. A description of each movement area available for air carriers and its safety areas and each road described in Sec. 139.319(k) of this part that serves it;
7. Procedures for avoidance of interruption, or failure during construction work, of utilities serving facilities or navaids that support air carrier operations;
8. A description of the system for maintaining records as required

under Sec. 139.301 of this part;

9. A description of personnel training as required under Sec. 139.303 of this part;

10. Procedures for maintaining the paved areas as required under Sec. 139.305 of this part;

11. Procedures for maintaining the unpaved areas as required under Sec. 139.307 of this part;

12. Procedures for maintaining the safety areas as required under Sec. 139.309 of this part;

13. A sign plan depicting the runway and taxiway identification system and location and inscription of the signs as required under Sec. 139.311 of this part;

14. A description of, and procedures for maintaining, the marking, signs, and lighting systems as required under Sec. 139.311 of this part;

15. A snow and ice control plan as required under Sec. 139.313 of this part;

16. A description of the facilities, equipment, personnel, and procedures for meeting the rescue and firefighting requirements in accordance with Secs. 139.317 and 139.319 of this part;

17. A description of any approved exemption from the rescue and firefighting requirements as authorized under Sec. 139.321 of this part;

18. Procedures for handling fuel, lubricants and oxygen required under Sec. 139.323 of this part;

19. A description of, and procedures for maintaining, the traffic and wind direction indicators as required under Sec. 139.325 of this part;

20. An emergency plan as required under Sec. 139.327 of this part;

21. Procedures for conducting the self-inspection program as required under Sec. 139.329 of this part;

22. Procedures for controlling ground vehicles as required under Sec. 139.331 of this part;

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23. Procedures for obstruction removal, marking, or lighting as required under Sec. 139.333 of this part;

24. Procedures for protection of navaids as required under Sec. 139.335 of this part;

25. A description of public protection as required under Sec. 139.337 of this part;

26. A wildlife hazard management plan as required under Sec. 139.339 of this part;

27. Procedures for airport condition reporting as required under Sec. 139.341 of this part;

28. Procedures for identifying, marking, and reporting construction and other unserviceable areas as required under Sec. 139.343 of this part; and

29. Other requirements that the Administrator finds is necessary to ensure safety in air transportation.

While operators of proposed Class III airports would be required to include many of the same elements in their certification manual as Class I and II airports, the **FAA** can provide relief from some of these requirements that are too operational or economically burdensome. The operators of Class III airports may petition for an exemption from some or all ARFF requirements, and relief is proposed from certain sign and

emergency drill requirements.

In addition, this section would specify that operators of all proposed classes of airport would be required to develop a sign plan as part of their ACM that shows the location on the airport and inscription of each sign required by Sec. 139.311(b). During a review of airport sign systems [52 FR 44276, November 18, 1987; and 53 FR 40842, October 18, 1988], the **FAA** found that planning and diagramming appropriate signs and their location avoided unnecessary sign purchases or improper sign locations. Accordingly, the **FAA** believes the requirement for a sign plan would be beneficial to all certificated airports and that most currently certificated airports comply with this proposed requirement.

The following tables list both current part 139 requirements and proposed subject requirements that would be applicable to each airport classification should the **FAA** adopt this proposal. Proposed requirements would be in addition to current requirements as revised, unless otherwise noted in the table.

A. Current and Proposed Requirements for Class I Airports

Current requirements	Proposed requirements
1. Personnel provisions.....	A recordkeeping system and new personnel training standards.
2. Paved and unpaved surfaces	Unchanged.
3. Safety areas.....	Unchanged.
4. Marking, lighting and signs.	Unchanged.
5. Snow and ice control plan.	Unchanged.
6. ARFF.....	New recurrency training, fire extinguishing agent and HAZMAT response standards, and increase frequency of ARFF coverage (where ARFF is not provided for small air carrier operations).
7. HAZMAT handling/storage...	Standards for air carrier fueling operations, and additional fuel fire safety and personnel training standards.
8. Traffic/wind indicators...	New supplemental wind cone/segmented circle standards.
9. Airport emergency plan (AEP).	New requirement to plan for fuel storage fires.
10. Self-inspections.....	New training requirements for inspection personnel.
11. Ground vehicle operations	Unchanged.
12. Obstructions.....	Unchanged.
13. Navaids.....	Unchanged.
14. Public protection.....	Unchanged.
15. Wildlife hazard management.	New wildlife strike reporting, hazard assessment, and management plan standards.
16. Airport condition reporting.	New notification standard.
17. Construction/	Unchanged.

unserviceable areas.

B. Current and Proposed Requirements for Class II Airports

Current requirements	Proposed requirements
1.....	New requirements for a recordkeeping system and personnel training.
2. Paved and unpaved surfaces	Unchanged.
3. Safety areas.....	Unchanged.
4. Marking, lighting and signs.	Unchanged.
5.....	New requirement for snow and ice control plan.
6. ARFF (negotiated standard)	New ARFF standards per proposed 139.315-.321).
7. HAZMAT handling/storage (per (negotiated standard).	New HAZMAT handling/storage standard proposed 139.323).
8. Traffic/wind indicators (per (negotiated standard).	New traffic/wind indicators standard proposed 139.325)
9.....	New requirement for AEP (no triennial exercise required).
10. Self-inspections (negotiated standard).	New self-inspections standard (per proposed 139.329).
11.....	New requirement for ground vehicle operations.
12.....	New requirement for obstructions.
13.....	New requirement for Navaids.
14.....	New requirement for public protection.
15.....	New requirement for wildlife hazard management.
16. Airport condition reporting (negotiated standard).	New airport condition reporting standard (per proposed 139.341).
17.....	New requirement for construction/ unserviceable areas.

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C. Current and Proposed Requirements for Class III Airports

Current requirements	Proposed requirements:
1.....	A recordkeeping system and personnel

	training.
2	Paved and unpaved surfaces.
3	Safety areas.
4	Marking, lighting and signs.
5	Snow and ice control plan.
6	ARFF.
7	HAZMAT handling/storage.
8	Traffic/wind indicators.
9	AEP (no triennial exercise required).
10	Self-inspections.
11	Ground vehicle operations.
12	Obstructions.
13	Navaids.
14	Public protection.
15	Wildlife hazard management.
16	Airport condition reporting.
17	Construction/unserviceable areas.

D. Current and Proposed Requirements for Class IV Airports

Current requirements	Proposed requirements
1	New requirement for a recordkeeping system and personnel training.
2. Paved and unpaved surfaces	Unchanged.
3. Safety areas	Unchanged.
4. Marking, lighting and signs.	Unchanged.
5	
6. ARFF (negotiated standard)	Unchanged.
7. HAZMAT handling/storage (negotiated standard).	Unchanged.
8. Traffic/wind indicators (negotiated standard).	Unchanged.
9	New requirement for an AEP (triennial exercise not required).
10. Self-inspections (negotiated standard).	Unchanged.
11	
12	
13	
14	
15	
16. Airport condition reporting (negotiated standard).	Unchanged.
17	

Section 139.205 Amendment of Airport Certification Manual

Under this proposal, existing Sec. 139.205, titled ``Contents of

airport certification manual,'' would be moved to proposed Sec. 139.203. Existing Sec. 139.217, titled ``Amendment of Airport Certification Manual or Airport Certification Specifications,'' would be moved to proposed Sec. 139.205 and retitled. Existing Sec. 139.217 specifies procedures for amending the ACM or the ACS.

Minor editorial clarifications are proposed to existing Sec. 139.217, but existing amendment procedures and requirements would be unchanged. The title of the section would be revised to delete the term ``Airport Certification Specifications.'' Also, references to the Administrator have been changed to Associate Administrator for Airports. Action on petitions made under this section would be delegated to the Associate Administrator for Airports.

In addition, amendment procedures specified in existing paragraph (d) would be revised. Currently the **FAA** may initiate action to amend an ACM, but there is no time period specified when the certificate holder will be notified of the disposition of a proposed amendment. Under new paragraph (d), the certificate holder would be notified within 30 days after receipt of the notification as to whether the amendment has been adopted or rescinded.

Subpart D--Operations

Section 139.301 Records

Under this proposal, existing Sec. 139.301, titled ``Inspection authority,'' would be moved to proposed subpart B and consolidated with existing language of Sec. 139.105 to create a single section titled ``Inspection authority'' (see discussion under Sec. 139.105, Inspection authority). Proposed Sec. 139.301, titled ``Records,'' would be new and be applicable to all part 139 airports.

With the addition of new airports to the certification process, the **FAA** believes it is necessary to clarify certificate holders' recordkeeping responsibilities. While many certificated airports already keep records to show compliance with part 139, this proposed amendment would ensure more consistent recordkeeping and require that the **FAA** be given access to such records.

New paragraph (a) would stipulate that the certificate holders would make available to **FAA** inspectors records required under part 139 in a manner to facilitate their monitoring of an airport's compliance with part 139.

Proposed new paragraph (b) would require that a certificate holder make and maintain records of each scheduled

or unscheduled operation of large air carrier aircraft and scheduled operations of small air carrier aircraft, if the airport serves less than 10,000 annual air carrier operations during the previous 24 consecutive calendar months. This information will assist the **FAA** in determining whether the airport operator should continue to hold an AOC.

The **FAA** does not currently collect data on air carrier operations from airports with less than 10,000 annual operations, nor is data collected on unscheduled air carrier operations. Without this data, it is difficult for the **FAA** to properly allocate resources at airports serving small or unscheduled air carrier aircraft. The **FAA** does not believe this requirement is unduly burdensome as many airport operators already track air carrier operations for planning purposes and

collecting user fees.

Proposed paragraph (c) would require the certificate holder to maintain any additional records that the Administrator may require. This paragraph also identifies some new and existing recordkeeping requirements contained in proposed part 139.

Section 139.303 Personnel

Existing Sec. 139.303 requires certificate holders to maintain sufficient qualified personnel necessary to comply with the requirements of part 139. Under this proposal, this section would be revised to include additional requirements, organized into four new paragraphs. The requirements of this revised section would be applicable to all part 139 airports.

With the addition of new airports to the certification process, the **FAA** proposes to clarify in new paragraphs (a) and (b) a certificate holder's responsibilities to train and equip personnel performing duties required under the proposed part 139. This would include duties performed by airport personnel necessary to ensure the safe and efficient operation and maintenance of the airport. While many existing part 139 airports must comply with existing requirements of Sec. 139.303, this proposal would for the first time stipulate that certificate holders must ensure that their personnel have the available resources needed to properly perform their duties. For example, a certificate holder would be required to provide personnel responsible for the upkeep of runway lighting with any necessary electrical supplies and tools, as well as provide access to pertinent sections of the ACM, and appropriate AC's.

New paragraph (c) proposes that the certificate holder develop a personnel training program to ensure that all personnel have the specific knowledge to perform their required duties at their airport and can perform such duties. Similar to training required for ARFF personnel, this training would be required when personnel first assume their duties and again on a reoccurring basis, as specified in the ACM.

New paragraph (d) would require the certificate holder to maintain records of training given to personnel, as required under this new section. Training records for each individual would have to be kept for each employee a minimum of two years after completion of the training to ensure these records are available for the **FAA**'s annual inspection. The **FAA** has found that annual ARFF training records currently required have benefited the **FAA** and certificate holders in monitoring the quality and effectiveness of training. The **FAA** believes it would be beneficial to require training records of other employees that have duties prescribed in the ACM.

Section 139.305 Paved Areas, and Section 139.307 Unpaved Areas

Under this proposal, existing Secs. 139.305 and 139.307 would remain virtually unchanged. These sections prescribe standards for maintaining and repairing paved and unpaved areas.

The term ``Airport Certification Specifications'' would be deleted to reflect proposed certification changes, and language stating specific series numbers within the AC system would be changed to a general reference to the AC system.

Further, existing Sec. 139.305(a)(1) would be modified by deleting the terms ``full strength'' and ``shoulder.'' The terms ``full strength'' and ``shoulder'' have caused confusion as to what areas surrounding movement areas to apply the 3-inch abutting surface limitation. To minimize damage to an aircraft that inadvertently leaves a runway, taxiway or other movement areas, this standard ensures that the edges of such pavement do not exceed more than 3 inches in height

than the surrounding areas. This change clarifies that the standard is applicable to any area surrounding pavement used by air carrier aircraft, regardless of how these areas are used, or these areas' condition, strength, or composition.

Currently, all airports certificated under part 139 must comply with the provisions of Secs. 139.305 and 139.307. In addition, proposed manual requirements (proposed Sec. 139.205) would require operators of newly certificated airports to develop procedures for maintaining paved and unpaved areas, as required under these sections. Both the **FAA** and the ARAC Commuter Airport Certification Working Group agree that airports serving scheduled operations of small air carrier aircraft should be required to maintain paved and unpaved areas as prescribed by these sections. Paved and unpaved areas include loading aprons, parking areas, taxiways, and runways. The deterioration of pavements and other areas must be limited to ensure that these areas adequately support air carrier aircraft operations.

The requirements for paved and unpaved areas should not prove a hardship on proposed Class III airports. As mentioned earlier, many of these airports have received Federal funding for paving improvements or new construction (see discussion of Regulatory Evaluation). These airports already maintain paved areas in a manner authorized by the Administrator in order to comply with grant assurances (see discussion of proposed Sec. 139.109, Duration of certification). Pavement rehabilitation and expansion projects are eligible for further Federal funding and may be eligible for additional state or local funding.

Section 139.309 Safety Areas

Existing Sec. 139.309 prescribes standards for the establishment and maintenance of a safety area for each runway and taxiway available for air carrier use. Under this proposal, this section would remain the same, except for minor editorial changes to paragraphs (a) and (c). The requirements of this revised section would be applicable to all part 139 airports, including proposed Class III airports.

A safety area is a defined area surrounding a runway or taxiway that is prepared, or suitable, for reducing the risk of damage to aircraft in the event an aircraft undershoots, overshoots, or deviates from a taxiway or runway. Establishing a safety area may require filling of culverts, grading, and compacting the ground to remove depressions or high spots. Lights and signs may be reinstalled on frangible mountings. A well-maintained safety area can prevent injuries to passengers and limit damage to aircraft that depart from paved surfaces. The safety area would allow the aircraft to come to a rest on a graded, obstacle free surface. Safety areas also allow emergency response vehicles to more quickly reach troubled aircraft.

The language of existing paragraph (a) would be revised to require that certificate holders ensure runway safety

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areas are maintained in accordance with the standards of this section, unless otherwise approved in the ACM.

Dates listed in existing paragraphs (a)(1) and (2) that ``grandfather'' existing safety areas would remain effective. These dates were adopted when part 139 was revised in 1987 (52 FR 44276, November 18, 1987.) Prior to 1987, many airport operators invested resources to develop safety areas before standardized guidelines were established. Further, physical limitations of airports resulted in establishment of some safety areas that did not meet the standard due

to local circumstances. For example, available solid ground around runways located adjacent to bodies of water may have been inadequate to establish a safety area that meets the required dimensions.

Since 1988, the **FAA** has required any renovation or construction of safety areas to meet the requirements of Sec. 139.309 at most airports that would be effected by this proposed rule, including proposed Class III airports. Any newly certificated airport under this proposal that has renovated or constructed its safety areas since 1988 could apply for an exemption under proposed Sec. 139.111 if its safety areas do not comply with the requirements of this section.

Paragraph (c) would be revised to make a general reference to the availability of the AC system.

Section 139.311 Marking, Signs, and Lighting

Existing Sec. 139.311, titled ``Marking and lighting,'' specifies standards for runway and taxiway markings, signs, and lighting. Under this proposal, this section would be retitled and clarified. In addition, new paragraphs (b) and (g) would be added. The marking and lighting requirements would be revised to correspond to proposed Sec. 139.203 requiring all operators of certificated airports to comply with this section.

The addition of the word ``signs'' to the title of this proposed section reflects proposed changes to this section that would separate marking, signs, and lighting requirements into three distinct paragraphs. Paragraph (a) would contain marking requirements, new paragraph (b) would specify sign requirements, and paragraph (c) would detail movement area lighting requirements.

Revised paragraph (a) would contain existing marking requirements, with a minor clarification concerning taxiway edge markings. In addition, the word ``runway'' would be deleted from the term ``runway holding position markings'' to permit special operations that require holding position markings other than those prior to the runway. To accommodate such special aircraft operations, the **FAA** proposes to delete the word ``runway'' from both the phrase ``runway holding position markings'' in proposed paragraph (a) and the phrase ``runway holding position signs'' in proposed paragraph (b).

New paragraph (b) would include sign requirements currently found in Sec. 139.311(a) and specify signs that must be internally illuminated. Paragraph (b)(2) would require proposed Class I, II, and IV airports operators to internally illuminate taxiing route signs, holding position signs, and ILS critical area signs. Paragraph (b)(3) would require operators of proposed Class III airports to internally-illuminate only holding position and ILS critical area signs.

Due to cost associated with installing and maintaining internally-illuminated signs, the majority of the ARAC Commuter Airport Certification Working Group recommended use of retro-reflective runway signs (signs that reflect light back, similar to signs used on interstate highways) for runways not equipped with lighting. Internally-illuminated signs would be appropriate for runways that are equipped with lighting. The working group report recognized the cost to install internally-illuminated signs and suggested use of these signs only on runways that have a power source in place. The initial cost to supply electrical power to taxiways and/or runways was viewed as relatively high, and the working group hoped this approach would economize airport resources.

While the majority of the working group recommended retro-reflective signs identifying taxiing routes, representatives of ALPA recommended that newly certificated airports (proposed Class III

airports) install internally-illuminated signs on taxiing routes where edge or centerline lighting exists. ALPA opposes retro-reflective taxiway signs because it believes that retro-reflective signs may not be visible to pilots operating aircraft of varying size and configurations. Conversely, the majority of members believe that aircraft with fewer than 31 passenger seats (typically used at Class III airports) are lower to the ground, thereby validating use of retro-reflective signs. ALPA further argued that similar requirements for runway and taxiway signs would ensure standardization and, with the gradual conversion to internally illuminated signs, would present a minimal economic burden, noting that signs are eligible for Federal funding.

The **FAA** disagrees with ALPA's conclusion that use of internally-illuminated signs will present minimal impact on airports. While improvements to taxiway and runway signs are eligible for Federal funding, such improvements may not receive funds. Further, requiring installation of specific equipment on the assumption that the equipment is eligible for funds through the AIP would be misleading. AIP funds are allocated on a priority basis, and airport sign improvements would compete with other airport improvements and safety projects on a nationwide basis. Moreover, AIP funds do not cover all of an airport's costs local communities provide some matching funds.

However, the **FAA** is concerned about ALPA's contention that retro reflective signs may not be visible to all air carrier pilots because of differences in aircraft configurations and the location of taxi lights, and would like to use this rulemaking to invite comments on this issue. **FAA** also requests comments, including economic and operational data, on whether or not the installation of unlighted retro-reflective signs would provide an adequate sign system for Class III airports.

The term ``unless otherwise authorized by the Administrator'' also would be included in new paragraph (b) to provide for those instances where an airport has a runway that does not have edge or in-pavement lighting, thus a suitable power source may not be available to illuminate signs. In such cases, the **FAA** would work with the airport to develop acceptable alternative signs until funding is available for installing or improving power for runway lights and signs.

New paragraph (c) would contain existing lighting requirements for aircraft operations currently found in existing Sec. 139.311(b). The word ``darkness'' would be replaced with the word ``night,'' which is defined in 14 CFR part 1. Special criteria also would be included to address the unique environment of Alaska.

Also, references to 14 CFR part 77 concerning obstruction would be deleted. Part 77 is being revised and may be reorganized. New paragraph (c)(5) of proposed Sec. 139.311 would require the marking and lighting of objects determined by the **FAA** to be an obstruction.

The phrase ``authorized by the Administrator'' also would be added to existing language of proposed paragraphs (a), (b), and (c). This change would ensure that the requirements of this section are implemented in a manner satisfactory to the **FAA**. This change corresponds to those in proposed Sec. 139.7 (see discussion under

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Sec. 139.7 Methods and procedures for compliance).

In addition, language in paragraphs (a), (b), and (c) pertaining to lowest minimums authorized for a runway would be modified. This revised

language would clarify that the **FAA** authorizes landing and takeoff minimums for runways. This does not change how such minimums are currently determined; the revised language clarifies that **FAA** is responsible for making such determinations.

With changes to other paragraphs in this section, existing paragraph (c) would become new paragraph (d) and continue to require certificate holders to properly maintain marking, sign and lighting systems. Existing (d), requiring certificate holders to prevent light interference with air traffic control and aircraft operations, would become new paragraph (e). Consequently, existing paragraph (e) would become new paragraph (f) and continue to specify that advisory circulars (AC's) contain marking, sign, and lighting standards that are acceptable to the Administrator. Existing paragraph (f) would be deleted as it addresses an implementation date that has already passed.

A new paragraph (g) proposes a compliance date for marking and lighting requirements by operators of proposed Class III airports. These airport operators would be provided adequate time to develop a sign plan, order, and take delivery of signs, and install signs required by this part. Operators of proposed Class II and IV airports currently holding an LAOC should already comply with this section's requirements.

Section 139.313 Snow and Ice Control

This proposal would make minor modifications to the existing standards of Sec. 139.313, titled Snow and ice control. As proposed, Class I airport certificate holders would continue to implement their existing snow plans, and operators of proposed Class II and III airports would be required to develop snow and ice control plans, as appropriate.

Existing Sec. 139.313 requires operators of airports serving scheduled operations of large air carrier aircraft to develop and implement snow and ice control plans, if the airport is located in an area where snow and icing conditions regularly occur. Snow and ice plans include procedures for removal and control of snow and ice accumulations and notification to air carriers when movement areas are unusable due to snow and ice. No changes are proposed to these requirements.

In the revised paragraph (a), the term ``regularly'' would be deleted and new language added to clarify that the **FAA** will determine which airports require snow and ice control plans. The term ``regularly'' is too vague and difficult to further define.

Proposed Sec. 139.313(b)(2) would be modified. This paragraph prescribes the standard for positioning snow off movement areas. This proposal would not change this standard, but would delete the redundant term ``full strength.'' This term ``full strength'' is unnecessary as proposed Sec. 139.3 defines movement areas as those areas used by aircraft to taxi and land. To function as such, movement areas must have the capability to support the weight of the aircraft using these surfaces--a surface condition described as full strength.

In addition, references to airport condition reporting requirements in paragraph (b) would be updated to correspond to new section numbering. Paragraph (c) also would be modified to reference generically to the AC system rather than specific series number.

The ARAC Commuter Airport Certification Working Group's report contained a recommendation that Class II and III airports should be required to remove snow and ice. The working group suggested minor modifications to the rule language that would limit the requirement to remove snow and ice to times just prior to air carrier operations. The

group recommended deletion of the requirement that snow and ice be removed promptly. The **FAA** disagrees. Continuous and prompt removal of snow and ice ensures safe airport conditions in hazardous weather conditions. Failure to promptly remove snow and ice from movement areas could make removal of accumulations just prior to air carrier operation more difficult.

Sections 139.315-139.321 Aircraft Rescue and Firefighting (General Discussion)

Existing part 139 has three sections dedicated to aircraft rescue and firefighting (ARFF) requirements. This proposal would revise these three sections to include new requirements and reflect current industry practices. In addition, a fourth ARFF section is proposed that would specify procedures for airport certificate holders to request an exemption from ARFF requirements.

This proposal also would require that all airports certificated under part 139 provide appropriate ARFF coverage meeting at least minimum ARFF requirements (Index A), subject to the limited exemption discussed below. Proposed changes to ACM requirements (see discussion of proposed Sec. 139.203, Contents of airport certification manual) would require all certificated airports to include procedures in their ACM for complying with proposed ARFF requirements appropriate to the air carrier aircraft and operation served.

Currently, only airports serving scheduled operations of large air carrier aircraft are required to comply with all of part 139 ARFF requirements. Under existing Sec. 139.321(b)(11), airports serving unscheduled operations of large air carrier aircraft (airports holding an LAOC) are required only to provide for ``emergency response to aircraft rescue and firefighting needs.'' This means that airports holding an LAOC must provide for ARFF coverage but such coverage does not have to meet prescribed part 139 ARFF requirements. The **FAA** determines ARFF requirements at these airports on a case-by-case basis. While the **FAA** uses part 139 standards as a benchmark, the level of this coverage varies depending on the air carrier operations served and the availability of local resources.

To standardize ARFF at certificated airports, the **FAA** proposes that all certificated airports serving both scheduled and unscheduled operations be required to comply with all ARFF requirements. However, requiring all airports to comply with the standards of this revised section may pose a substantial cost for airports that do not currently provide at minimum ARFF coverage (Index A), or do so only to cover an occasional unscheduled air carrier flight. This would include both currently certificated airports and airports that would be newly certificated if this proposal is adopted.

The **FAA** has provided financial and technical support to help some airports holding an LAOC comply with part 139 ARFF requirements, particularly for the purchase of ARFF equipment. As a result, many airports holding a LAOC already comply with most of the ARFF requirements. However, the **FAA** recognizes that these airports typically are located in smaller communities that have limited resources and that the sporadic nature of unscheduled air carrier operations often makes it cost prohibitive for such communities to provide the same level of ARFF coverage provided by airports serving scheduled large air carrier aircraft.

Accordingly, the **FAA** proposes to establish procedures to exercise its statutory authority to provide limited exemptions for certain airports from some or all prescribed ARFF requirements on a case-by-case basis.

The issue of ARFF proved to be the most contentious for the ARAC

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Commuter Airport Certification Working Group. The group was not able to reach a consensus on the level of ARFF coverage appropriate for airports serving small air carrier aircraft. While the majority of the working group agreed that ARFF equipment should meet minimum ARFF coverage required under part 139 (Index A), no agreement was reached for stationing ARFF personnel and equipment on the airport, or requiring a 3-minute ARFF response.

The working group's greatest concern was over labor and training costs associated with ARFF requirements. The working group concluded that many of the communities serving small air carrier operations could not afford to provide the same level of ARFF services required of airports serving large air carrier operations, even if Federal funds were made available to assist in the purchase of ARFF equipment. The majority of the members of the working group recommended that operators of small airports work with local firefighting agencies to arrange for emergency services and incorporate such arrangements into the airport's emergency plan.

The majority of the working group also concluded that there was a lack of accident data to support on-airport ARFF at smaller facilities. The working group reviewed the National Aviation Safety Data Analysis Center's (NASDAQ) collection of NTSB reports for all part 135 scheduled airplane accidents and incidents that occurred on airports between 1983 and 1996. The group discovered 15 on-airport accidents involving small air carriers that resulted in post crash fires. A total of 38 fatalities occurred as a result of these accidents. With the exception of one accident resulting in fatalities, all fatalities were the result of the aircraft impact, not the subsequent fire.

The exception is the crash of Northwest Airlink Flight 2268, a CASA-212 commuter aircraft, at the Detroit Metropolitan Airport on March 4, 1987. The Detroit Metropolitan Airport is a part 139 certificated airport with the most comprehensive ARFF capabilities (Index E). A rapid intervention ARFF vehicle was at the crash scene within one and one-half minutes of the alarm from the control tower, and the fire was extinguished within two minutes of the first alarm. Before ARFF services could arrive, a quick and intense post crash fire killed nine aircraft occupants. Ten occupants survived, by exiting the aircraft prior to the secondary fire.

The working group did not consider the November 1996 commuter accident at Quincy, Illinois, in its review because the NTSB had not concluded its investigation at that time.

The Air Line Pilots Association (ALPA) expressed a minority position for one level of safety and stringent ARFF requirements at all certificated airports regardless of size of aircraft serving the airport. ALPA favored a 3-minute test response that is currently required of airports receiving scheduled operations of large air carrier aircraft, and offered suggestions for providing personnel needed for ARFF response. Among others, ALPA suggested that airport operators cross-train their employees (or tenant employees) to perform ARFF duties, or that the local community site a fire station on the airport. ALPA subsequently provided a position document that is available in the docket.

The **FAA** is not opposed to ALPA's position that ARFF coverage be provided at airports served by small air carrier aircraft. Current part

139 and this proposal permit the use of existing airport employees to perform ARFF duties so long as the provisions of part 139 are met. With **FAA** approval, an airport operator could arrange to have part, or all, of its ARFF responsibilities performed by an air carrier or fixed base operator (FBO) so long as the requirements of this part and the airport's certification manual are met.

However, ALPA's position on a standard 3-minute test response is impractical. Most local volunteer fire departments would not have volunteers present for every air carrier operation. Similarly, locating a fire station on the airport can mean that, during air carrier operations, firefighters would not be available to provide emergency services elsewhere in the community.

In connection with this rulemaking, the **FAA** is considering a clarification of agency policy on the use of airport revenue to promote the availability of ARFF services at small airports. Generally, a non-aeronautical municipal use of airport property must be charged a fair market rental rate for the airport to comply with grant assurances that require the airport to maintain a rate structure that makes it as self-sustaining as possible (see discussion of Sec. 139.109 Duration of certificate). However, a municipal fire station on airport property may receive a reduction in rent proportional to the airport-related purpose and use of the station. In connection with the adoption of proposed ARFF requirements for airports serving small air carrier aircraft, the **FAA** would consider this reduction to apply to a municipal fire station located on a Class II, III, or IV airport when the municipal station is an essential element of the local agreement the airport uses to meet its ARFF obligations under part 139.

Since the ARAC submitted its report on the certification of commuter airports, the NTSB announced its findings on the commuter aircraft accident in Quincy, Illinois. The accident involved the runway collision of a United Express Flight 5925, a Beech 1900C commuter aircraft, and a Beech King Air, N1127D, during the landing sequence of the United Express and the take off of the King Air from Quincy Municipal Airport. The Quincy Municipal Airport has a limited airport operating certificate and only provides ARFF coverage during large air carrier operations. At the time of the accident, there were no large air carrier aircraft operations and ARFF services were not on site. All ten passengers and two crewmembers aboard Flight 5925 and the two occupants on the King Air were killed as the result of post-crash fires.

The NTSB found that the speed with which the fire enveloped the King Air, and the intensity of the fire, precluded survivability of the occupants. The occupants of the Beech 1900C did have the opportunity to escape but could not open external doors that had been damaged. The NTSB concluded that lives might have been saved had on-airport ARFF protection been required. However, the board recognized the economic difficulties on-airport ARFF requirements would place on smaller communities. In this regard, the NTSB recommended that the **FAA** develop ways to fund ARFF protection at airports serving scheduled passenger operations in aircraft with more than 10 seats.

Section 139.315 Aircraft Rescue and Firefighting: Index Determination

Airports certificated under part 139 that serve scheduled air carrier operations with more than 30 seat aircraft must provide ARFF coverage that is appropriate to the size of aircraft using the airport. Existing Sec. 139.315 establishes criteria for determining the proper ARFF coverage. Requirements for this coverage are divided into five categories, or indexes, based on the length of the longest air carrier

aircraft that departs the airport at a certain frequency. Index A prescribes the minimum ARFF standards (type of extinguishing agent, truck capacity, etc.) that an airport must provide during operations of air carrier aircraft less than 90 feet in length. Air carrier aircraft with 10-30 seats used in scheduled passenger service are typically less than in 90 feet in length.

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Under this proposal, clarifications would be made to the requirements of existing Sec. 139.315. Existing paragraph (c)(1) and (c)(2) would be combined into a single paragraph.

The current format of this paragraph has resulted in (c)(1) and (c)(2) being misinterpreted and airports complying with lower ARFF index requirements than intended.

A certificated airport serving scheduled air carrier operations must comply with the ARFF Index that corresponds to the largest aircraft as long as there are five or more average daily departures of that type of aircraft. However, confusion exists when the largest aircraft serving an airport has less than five daily departures. In such cases, a certificated airport must meet the next lower ARFF index requirements for the largest air carrier aircraft serving the airport, regardless on number of average daily departures.

For example, if an airport serves 10 daily departures of Index A aircraft, three daily departures of Index B aircraft, and four daily departures of Index C aircraft, the **FAA** intends for this airport to provide at least Index B ARFF coverage. Index B ARFF coverage would also be required at an airport receiving four daily departures of Index A aircraft, four daily departures of Index B aircraft, and three daily departures of Index C aircraft. The existing rule language has resulted in the incorrect interpretation that Index A ARFF coverage would be appropriate in both examples because daily departures were used as the determining factor rather than the largest aircraft serving the airport. When the largest aircraft serving a certificated airport has less than five daily departures, then aircraft size would determine the ARFF index.

The **FAA** also proposes revisions to this section to emphasize that in all circumstances, the minimum ARFF index will be Index A.

Section 139.317 Aircraft Rescue and Firefighting: Equipment and Agents

Existing Sec. 139.317 prescribes standards for ARFF equipment and fire extinguishing agents. The **FAA** proposes revisions to this section to reflect changes made to the production of fire extinguishing agents.

The **FAA** proposes to add the phrase ``unless otherwise authorized by the Administrator'' to this section to provide relief to airports waiting for Federal funds to purchase adequate equipment, or to address other local circumstances that may require temporary use of alternative equipment or extinguishing agents. Long-term relief from the standards of this section would be considered under proposed Sec. 139.321, Aircraft rescue and firefighting: Exemption.

In addition, the term ``clean agent'' would be added to this section. The term defines a new type of aircraft fire extinguishing agent that an airport operator could use to comply with this section, and as noted earlier, is used by the firefighting community to describe a category of fire extinguishing agents that replace halon 1211.

Under existing Sec. 139.317, halon 1211 is specified as one of the fire extinguishing agents that an airport operator can use. However, chlorofluorocarbon chemicals, including halon 1211, have been

identified as a stratospheric ozone depleter. The United States Environmental Protection Agency (EPA) banned the production of halon 1211 on January 1, 1994. Airport operators currently using halon 1211 will be required by the EPA to switch to authorized agents when their stockpiles are depleted and may only use halon 1211 during actual aircraft emergencies.

Under this proposal, most of existing Sec. 139.317(i) would be deleted. The **FAA** proposes to remove references to specific standards for extinguishing agent substitutions and place these in an advisory circular. Only language allowing the use of alternate extinguishing agents authorized by the Administrator would be retained.

The **FAA** also proposes to remove language no longer needed in this section that provided relief to certain airport certificate holders whose ARFF vehicles were unable to comply with all the requirements of this section at the time of the regulation's last revision (November 1987). Since the 1987 revision, the **FAA** has funded through the Airport Improvement Program the purchase and rehabilitation of ARFF vehicles, and noncompliant vehicles have been replaced. However, the **FAA** recognizes that airports newly certificated (proposed Class III airports) may be using ARFF vehicles that do not comply fully with the requirements of this section. The exemption process of proposed Sec. 139.321 would enable the **FAA** to consider relief from this section's requirements.

The **FAA** proposes a 2-year timeframe for those airports required for the first time to comply with the standards of this section (proposed Class II, III and IV airports). The proposed compliance dates should allow these airports adequate time to acquire funding for, and purchase of, ARFF equipment. Approximately 40 airports (both certificated and non-certificated) would have to obtain additional ARFF equipment. The **FAA** would consider a time extension for airports unable to comply within this 2-year timeframe.

Section 139.319 Aircraft Rescue and Firefighting: Operational Requirements

Existing Sec. 139.319 prescribes standards for the training of ARFF personnel; ARFF vehicle marking, lighting, and readiness; and emergency access roads. This section also establishes criteria for a certificate holder to make adjustments to ARFF coverage to correspond to changes in air carrier operations. Currently, only airports serving scheduled operations of large air carrier aircraft are required to comply with Sec. 139.319. Under this proposal, all classes of airports would be required to comply with the requirements of this revised section.

Existing Sec. 139.319 would be revised to reflect current rescue and firefighting practices. Also, it would address a petition for rulemaking made by the Air Transport Association of America (ATA). As the result of these proposed changes, many existing paragraphs would be given new paragraph designations and titles to ensure a consistent format throughout the section.

Specifically, existing paragraph (g) would be moved to new paragraph (l) and titled ``Methods and procedures.'' This change would ensure that all references to compliance methods and procedures are consistently located at the end of each section. All references to specific series numbers within the AC system would be deleted. Instead, this revised paragraph would make a general reference to the AC system.

Several changes also would be made throughout new paragraph (h) (existing paragraph (i)) for clarity and to reflect changes in terminology used to describe fire extinguishing agents (see discussion of proposed Sec. 139.317).

In addition, proposed paragraph (i) would contain existing requirements of paragraph (j), with several modifications. Language would be included in new Sec. 139.319(i)(2) to clarify that rescue and firefighting personnel must be trained before initial performance of duties and, at a minimum, must receive annual recurrency training.

Also, the **FAA** proposes to clarify the frequency of training required for rescue and firefighting personnel. Many of the subject areas required under existing paragraph (j) (proposed new paragraph (i)) necessitate ongoing training, and ARFF personnel would not be expected to maintain currency with only a once-a-year course. Most ARFF organizations have a continuous training program

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throughout the year. The **FAA** supports this continuous training approach and proposes a 12-month recurrent training requirement as the benchmark for the minimum training required.

The **FAA** also proposes, in new paragraphs (i) and (j), to require the use of hazardous material guidance. In August 1990, the ATA petitioned the **FAA** to amend part 139 ARFF procedures related to hazardous materials incidents. In its petition, ATA expressed concern that without proper training and guidance, ARFF personnel could take incorrect action in response to a hazardous materials incident that might endanger both the emergency crews and the general public. At that time, ATA stated that ARFF crews were relying solely on hazardous materials emergency response guidance required to be carried aboard the aircraft.

ATA recommended that Sec. 139.319 be amended to require ARFF crews to be equipped with, and trained in the use of, the North American Emergency Response Guidebook published by Transport Canada, U.S. Department of Transportation, and the Secretariat of Communications and Transportation of Mexico. The ATA stated that the guidebook would promote a better understanding of ground emergency response and alleviate the need for ARFF personnel to be solely dependent of on-board information, which may or may not be available during an emergency, and may not be appropriate to a ground-based incident.

In response, the **FAA** published a summary of the petition in the Federal Register (55 FR 39299, September 26, 1990), and received 14 comments from airport operators, ATA and-ALPA. Most of the commenters agreed with the substance of the petition and recognized the value of providing ARFF personnel with guidance and training to properly respond to hazardous materials incidents. Several airport operators disagreed with ATA because many airports already equip ARFF personnel with the guidebook or provide similar information to ARFF personnel via a communication link. However, two airport operators expressed concern about requiring a specific document in part 139 that could become outdated and hamper existing hazardous materials emergency communication procedures already in place. Instead, these commenters preferred to focus such efforts on training.

In light of information and data provided by ATA and airport operators, the **FAA** proposes to change existing paragraph (j)(2)(x) ((proposed paragraph (i)(2)(x)), to revise the term ``aircraft cargo hazards'' to read ``hazardous materials/dangerous goods incidents.'' Similarly, new paragraph (j) would be added to this section prescribing a general requirement to equip aircraft rescue and firefighting vehicles with guidance for responding to hazardous materials/dangerous goods incident.

The **FAA** is a proponent of the North American Emergency Response Guidebook and proposes to require its use. This guidebook was developed jointly by the governments of Canada, Mexico, and the United States for use by fire fighters, police and other emergency services personnel who may be the first to arrive at the scene of a transportation incident involving hazardous materials or dangerous goods. The guidebook should be used by first responders to quickly identify the specific or generic hazards of the material(s) involved in the incident, and to protect themselves and the general public during the initial response phase of the incident. Other guidance material also may be needed.

While new paragraph (j) specifies the use of the North American Emergency Response Guidebook, it also would allow airport operators the flexibility to use other guidance material and to make such information available via direct communications links to ARFF personnel at the site of the incident (e.g., cellular telephone, radio, and other communication links).

New paragraph (i)(4) would impose requirements for emergency medical care training similar to existing requirements. The term ``emergency medical care'' would be amended to read ``emergency medical services.'' This change in terminology reflects current terminology used by the emergency response community. Further, it is proposed that emergency medical requirements be expanded to specify initial and recurrent training to eliminate any confusion over the frequency of such training.

Proposed paragraph (i)(5) would be a new requirement for the certificate holder to maintain records for two years from the date of any training given to meet the requirements of proposed Sec. 139.319. Such records would, at a minimum, specify the type and date of training. To document compliance with this section, airport certificate holders already maintain these records and the **FAA** proposes to formalize this practice.

Similar to proposed Sec. 139.317(l), new paragraph (m), titled ``Implementation,'' would specify a compliance date with airports that would be required for the first time to comply with the standards of this section (proposed Class II, III, and IV airports). The proposed compliance date allows these airports adequate time to acquire funding for, and purchase of, ARFF equipment and hire/train personnel. The **FAA** anticipates that approximately 110 airports (both certificated and non-certificated) would have to obtain additional equipment and personnel. Two years should be adequate time to secure Federal and local funds to purchase equipment and hire and train personnel. The **FAA** would consider a time extension for airports unable to comply within this 2-year timeframe.

Section 139.321 Aircraft Rescue and Firefighting: Exemptions

Existing Sec. 139.321, Handling and storing of hazardous substances and materials, would be redesignated as Sec. 139.323. Proposed Sec. 139.321 is new and would establish procedures for certain airport certificate holders to request an exemption from the ARFF requirements of proposed Secs. 139.317 and 139.319. This section would also detail what the **FAA** would consider in deciding to grant an exemption from the ARFF requirements. As proposed, the **FAA** could exercise its statutory authority to exempt certain airport certificate holders from the prescribed ARFF requirements. Through this statutory exemption, the **FAA** would maintain the necessary oversight of ARFF while ensuring that the ARFF requirements are appropriate for the airport size and type of air carrier operations.

Proposed paragraph (a) would establish that the certificate holder

of an airport that meets the qualifications for an exemption, as specified in proposed Sec. 139.111, may petition the Associate Administrator for Airports (as delegated by the Administrator) for an exemption to the ARFF requirements of proposed Secs. 139.317 and 139.319. Specifically, the airport certificate holder would have to demonstrate that the ARFF requirement it is seeking exemption from would be unreasonably costly, burdensome, or impractical.

Proposed (b) would set forth procedures a certificate holder must take to request an exemption, including the information that must be included in the petition, i.e., the nature and extent of relief sought, and any alternative means of compliance.

Proposed paragraph (c) would establish criteria the **FAA** would use to grant exemptions on a case-by-case basis. As noted in the discussion of alternatives, any exemption would not relieve an airport certificate holder from its obligation to provide some level of ARFF coverage. All certificated airports would be required to provide ARFF coverage.

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Proposed Sec. 139.321(c) requires the certificate holder to submit a petition requesting relief from the requirements of Secs. 139.317 and 139.319 that shows an equivalent level of safety would be provided during air carrier operations in response to aircraft emergencies. This would include provisions made by the certificate holder for prearranged firefighting and medical response, equipment and fire extinguishing agents to be used, and training of firefighting and medical responders. Also, this section specifies that the certificate holder will arrange for such emergency equipment and personnel to be on-airport 15 minutes before and 15 minutes after an air carrier aircraft takes off or lands. This should not be interpreted to mean that such pre-arranged ARFF services would necessarily be required to be stationed at the airport or wait on-airport during extended periods between flights.

Of approximately 570 civilian airports currently certificated under part 139, operators of approximately 500 of these airports would be eligible to petition for an exemption under this new section (as they have less than one quarter of one percent of the total number of annual passenger enplanements). The operators of the estimated 40 airports that could be newly certificated (proposed Class III airports), if this proposal is adopted, would be eligible to petition for an exemption from ARFF requirements as well. The **FAA** does not anticipate that all eligible certificate holders would apply for an exemption under this new section.

The **FAA** expects that most requests for an exemption would be made by airports that would have to provide more frequent ARFF services, such as some proposed Class I, as well as Class II and III airports. An analysis of existing ARFF services at these airports revealed that approximately 110 of these airports (approximately 50 Class I, 30 Class II, and 30 Class III airports) would require additional equipment or personnel to comply with proposed ARFF requirements (see discussion of ARFF costs in the Regulatory Evaluation section). To minimize disruptions at such airports, certificate holders at these facilities would have two years to comply with proposed changes to ARFF requirements. During this time, a certificate holder could choose to comply with these new requirements or request an exemption. Airport operators currently holding a ``limited'' certificate could request an exemption based on the currently approved ARFF response for their airport.

The **FAA** requests comments on this exemption process, including economic and operational data that would assist the **FAA** in evaluating the effectiveness of this process.

Section 139.323 Handling and Storing of Hazardous Substances and Materials

In this proposal, existing Sec. 139.321, would be redesignated as proposed Sec. 139.323. Existing Sec. 139.321 requires certain airport operators to establish and implement procedures for the safe storage and handling of aviation fuel, lubricants, and oxygen, and when acting as a cargo agent, hazardous materials regulated under 49 CFR 171. This section also requires the certificate holder to conduct quarterly inspections of certain fueling agents. Generally, this proposal would not change these requirements.

Changes are proposed to existing paragraphs (b), (c), (h), and (i) of this section, as described below. All proposed airport classifications would be required to comply with the requirements of this revised section.

Airport operators that currently serve scheduled operations of large air carrier aircraft (proposed Class I airports) would continue to comply with existing Sec. 139.321. Operators of airports holding an LAOC (proposed Class II and IV airports) would be required to update existing procedures for the storage and handling of hazardous materials required under existing Sec. 139.213 to ensure their existing procedures meet the standards. Also, operators of proposed Class III airports would be required for the first time to develop and implement procedures for the storage and handling of hazardous materials. Depending on the local fire code, some operators of proposed Class III airports may have already developed such procedures and would need only to document such procedures in their ACM.

The majority of the ARAC Commuter Airport Certification Working Group recommended that airports serving small air carrier aircraft not be required to comply with this section. The working group expressed a need for such procedures, but noted most airport operators already have procedures that appear to be adequate for storing and handling hazardous materials at smaller facilities. Instead, the majority recommended that smaller facilities meet local fire codes pertaining to storage and handling of hazardous substances and materials, including aircraft fuel. The majority stated that this approach would adequately address preparedness and safety issues without being overly burdensome.

Representatives of the National Air Transportation Association (NATA) and ALPA disagreed with the majority position, and recommended that the **FAA** require airports serving small air carrier aircraft to comply with requirements of the existing section. ALPA raised concerns that local fire codes may not adequately address aircraft storage and refueling operations, and noted the working group's economic analysis found compliance with this section would not create an economic burden.

The **FAA** has determined that the requirements of this section are common safety measures and would not be unduly burdensome. Moreover, these standards were developed as a result of a cooperative effort between the **FAA**, airport operators, and FBO's, and have been successfully used for the past several years by airport operators and aircraft fuelers nationwide.

The **FAA** proposes to delete the term ``grounded'' from paragraph (b)(1). This paragraph would then correspond with the NFPA Standard 407, titled ``Standard for Aircraft Fueling Servicing.'' The NFPA standard recommends that only bonding should be used during aircraft fueling or refueler loading.\3\ The **FAA** actively participates in

development of NFPA codes and standards related to aviation fueling.

\3\ NFPA 407--Standard for Aircraft Fuel Servicing, National Fire Protection Association, 1996 Edition.

The terms ``grounding'' and ``bonding'' describe methods to dissipate electrostatic charges created when aviation fuels pass through pumps, filters, and piping, and may consequently ignite fuel. Bonding is a procedure that provides a conductive path to equalize the potential electrostatic differential between fueling equipment and aircraft. Bonding is accomplished by connecting a cable between the fueling equipment and the aircraft. Alternatively, grounding attempts to reroute and dissipate potential charges into the ground by connecting the aircraft by a cable to a static wire, typically a rod in the ground.

The **FAA** concurs with NFPA 407 as testing has shown that most grounding provides little, if any, protection from electrostatic hazards. In addition to corrosion of rods in the ground, grounding points may have high electrical resistance. The static wire may not be sufficient to carry the potential current and, if the wire fuses, may actually constitute a source of ignition.

Since 1990, the **FAA** has encouraged the use of bonding in aircraft fueling, fuel delivery and hydrant servicing. The

FAA Office of Airport Safety and Standards has issued two informational notices, known as ``CERTALERTS,'' to alert **FAA** inspectors and airport operators to changes in grounding and bonding. ``CERTALERTS'' are advisory in nature and are issued periodically to provide timely information to certificate holders on a broad range of safety and airport certification related subjects. Subsequent to the issuance of NFPA 407, the **FAA** issued CERTALERT #91-06 (September 18, 1991) and CERTALERT #90-08 (November 7, 1990) urging the use of bonding only, and suggesting design requirements for the procedure. The **FAA** proposes to use this rulemaking action to codify this recommended practice.

In addition, paragraph (b)(6) would be modified to delete an implementation date that has already passed. In its place, a new requirement is proposed that would require operators of proposed Class III airports to complete specified training within one year.

Existing paragraph (e) would be modified to include requirements for annual recurrency training for fueling agent supervisors and employees. This is in response to requests by airport operators for clarification on frequency training. This requirement would be similar to recurrency training requirements proposed for other airport personnel (see discussion of Sec. 139.319, Aircraft rescue and firefighting: Operational requirements) and training currently used by fueling agents. Most fueling agents work directly for, or indirectly represent, large fuel or aircraft service companies that have established safety programs that require periodic recurrency training.

Proposed changes to existing Sec. 139.321(h) would clarify the certificate holder's responsibility for fuel storage areas owned or operated by tenant air carriers. Paragraph (h) currently exempts the

certificate holder from overseeing part 121 or 135 air carrier fueling operations to ensure compliance with requirements of Sec. 139.321. However, there are no equivalent requirements under parts 121 and 135 directing air carriers to inspect and maintain their fuel storage areas, as is required of airport operators under part 139. Sections 121.135 and 135.23 only address refueling aircraft and fuel quality.

On November 25, 1990, a fire erupted at a fuel storage and dispensing facility about 1.8 miles from the main terminal of Stapleton International Airport in Denver, Colorado. The fire was extensive, burning for 49 hours, and required a total of 634 firefighters, 47 fire units, and 4 contract personnel. More than 56 million gallons of water and 28,000 gallons of foam concentrate were expended to extinguish the fire. No injuries or fatalities occurred as a result of the fire.\4\

\4\ Aviation Accident Report--Fuel Farm Fire at Stapleton International Airport, Denver, Colorado, November 25, 1990: NTSB AAR-91/07, National Transportation Safety Board, October 1, 1991.

The NTSB investigation concluded that the probable cause of this accident was damaged pumping equipment resulting in leakage and ignition of fuel. The NTSB also concluded that a similar incident could be avoided if airport certificate holders were responsible for inspecting all fuel storage areas on the airport, including air carrier facilities.

The **FAA** concurs with this recommendation and proposes to delete existing paragraph (h) to avoid any possible confusion over who is responsible for maintaining and inspection fuel storage areas used by part 121 and 135 air carriers. Subsequently, existing paragraph (i) would become new paragraph (h). As proposed, new paragraph (h) would specify that the requirements of Sec. 139.321 are applicable to air carrier fuel storage areas located on the airport. Existing paragraph (c) also would be amended to remove references to existing paragraph (h).

In addition, existing paragraph (i) (new paragraph (h)) would be revised to delete references to the specific series number within the AC system. Instead, this revised paragraph would make a general reference to the AC system.

Section 139.325 Traffic and Wind Direction Indicators

Under this proposal, the requirements of existing Sec. 139.323 would be moved to proposed Sec. 139.325. Existing Sec. 139.323 prescribes conditions that require certificate holders to provide a wind cone and a traffic pattern indicator, and the standards for these devices. All proposed airport classifications would be required to comply with this proposed section.

Changes are proposed to clarify that airport operators must comply with the requirements of this section in a manner satisfactory to the **FAA**, and that the available AC's contain some methods of compliance that are acceptable to the Administrator. In addition, this proposal would revise standards for segmented circles and supplemental wind cones.

Existing Sec. 139.323 requires airport certificate holders serving scheduled operations of large air carrier aircraft (proposed Class I airports) to provide traffic and wind indicators (such as windsocks) at

specific locations on the airport. In addition, certain night and uncontrolled traffic operations require traffic and wind indicators. This requirement would not change under this proposal. Airport certificate holders having a LAOC (proposed Class II and IV airports) and operators of proposed Class III airports would need to comply with standards of this revised section.

Further, all certificate holders would be required to install supplemental wind cones adjacent to runway ends where the primary wind cone is not visible to a pilot on final approach or during takeoff. The existing standard only requires the use of supplemental wind cones if the airport is located in Class B airspace. Installation of supplemental wind cones would ensure current wind direction information is available to all pilots rather than just those using longer runways of airports typical of Class B airspace. Longer runway distances may limit a pilot's ability to see a mid-field wind cone during takeoff or landing. Linking the current standard to Class B airspace has unintentionally excluded those smaller airports with longer runways, particularly those military bases that have recently converted to civilian use.

Existing paragraph (b) also would be revised to update the standard for traffic indicators at airports without a control tower. Language proposed corresponds more closely to existing **FAA** guidance provided to pilots on visual indicators at airports without control towers. Specifically, the requirement for a segmented circle would be deleted and a new standard would be added for the location of landing strip and traffic pattern indicators.

While many operators of airports serving scheduled operations of small air carrier aircraft already provide traffic and wind indicators, the **FAA** believes that requiring all certificated airports to comply with this section would ensure standardization.. This position was supported by the ARAC Commuter Airport Certification Working Group report.

Section 139.327 Airport Emergency Plan

Existing Sec. 139.325 requires certain certificate holders to develop and implement an emergency plan and to conduct tests of this plan. The section also specifies what the emergency plan must contain. In this proposal, existing Sec. 139.325 would be moved to proposed Sec. 139.327 and revised to address all proposed airport classifications. Changes also would be made to emergency response requirements for

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incidents involving fuel fires and hazardous materials.

Airport certificate holders that currently serve scheduled operations of large air carrier aircraft (proposed Class I airports) must comply with existing requirements of Sec. 139.325 to develop, implement, and test an emergency plan. These requirements would be extended to airport certificate holders currently holding a LAOC (proposed Class II and IV airports) and proposed Class III airport operators.

Airport certificate holders currently required to have an airport emergency plan must periodically test their plan. Specifically, these airport operators are required to conduct a disaster drill (know as a full-scale airport emergency plan exercise) every three years to test the validity of their emergency plan. A full-scale airport emergency plan exercise is a mock airport disaster staged to test and practice

airport emergency procedures. In such exercises, the airport operator typically involves all mutual aid participants (local hospitals, police, fire departments, etc.), emergency vehicles and other equipment, and airport personnel and tenants, as specified in the airport emergency plan. The exercise usually is an all day event culminating several months of preparation, and is conducted using airport resources and support from the local community.

In the years in between the full-scale exercise, airport certificate holders are required to review their emergency plans to ensure procedures are still current and all parties involved know their responsibilities. The testing requirements for airports serving scheduled operations of large air carrier aircraft (proposed Class I airports) would not change as a result of this proposal.

Operators of proposed Class II, III, and IV airports would be required to annually review their emergency plan to ensure procedures are current and all parties involved know their responsibilities. These operators would not be required to conduct full-scale emergency exercises. Many of the communities that own and operate such facilities are small and have very limited resources. However, the **FAA** encourages these airports to work with their communities to develop feasible disaster drills.

The annual review, often referred to as a ``table-top'' exercise, would involve the airport meeting with responsible parties around a map of the airport to discuss possible emergency scenarios. The review is a reasonable requirement for airports serving small air carrier scheduled operations, and will ensure emergency procedures remain current without being unduly burdensome.

The ARAC Commuter Airport Certification Working Group recommends this approach to emergency preparedness in its report. The report states the cost of a full scale airport emergency plan exercise could be overly burdensome for airports serving small air carrier aircraft, and supported the use of table top exercises only. The report also recommended that such tabletop exercises include a field tour, identification of emergency staging areas, and perimeter security requirements to control access to and from disaster areas.

Other requirements throughout this section also would be modified. Existing paragraph (a) would be revised to clarify that the airport emergency plan provide for response to an emergency involving the largest air carrier aircraft serving the airport. While this requirement is currently found in existing paragraphs that address medical services and water rescue (paragraphs (c) and (f)), it has always applied to the entire section. To ensure that all applicable response measures accommodate the largest air carrier aircraft serving an airport, the **FAA** proposes moving this requirement to paragraph (a).

In response to an NTSB recommendation, the **FAA** proposes that existing paragraph (b) be modified to require certificate holders to include in the airport emergency plan instructions for response to fires at fuel farms or fuel storage areas.

In its investigation of the Denver fuel farm fire (see discussion of proposed Sec. 139.323, Handling and storing of hazardous substances and materials), the NTSB found that while airport firefighters and the Denver Fire Department promptly responded to the fire, they were unable to maintain a continuous flow of foam onto the fire, and the fire reignited and quickly intensified. The NTSB concluded that the airport and local firefighters did not have, nor could they have been expected to have, a sufficient supply of foam concentrate to fight a fuel fire of this magnitude. However, the City of Denver and its fire department

had not developed a contingency plan for a fire of this type, and eventually a private contractor that specialized in large-scale fuel fires was brought in to extinguish the fire. Arrangements for this private contractor were made only after a tenant air carrier became concerned that its tanks, neighboring those burning, would be damaged.\5\

\5\ Ibid, pg. 53.

The NTSB determined this lack of procedures for responding to a fuel storage fire of this magnitude prolonged the duration of the emergency. The NTSB recommended that the **FAA** require part 139 certificate holders to have contingency plans for fighting very large fires such as fuel storage area fires. The **FAA** concurs with this recommendation and proposes to modify existing paragraph (b) to require certificate holders to include in the airport emergency plan instructions for response to fires at fuel farms or fuel storage areas.

Existing paragraph (b)(5), proposed paragraph (b)(6), would also be amended to reflect more current terminology. The term ``radiological'' would be replaced with the term ``hazardous materials/dangerous goods.'' This term would better reflect the type of incidents airports need to be prepared for, including incidents involving corrosive, biological, explosive, radioactive, or toxic air cargo or ground freight. This change also addresses the ATA petition for rulemaking regarding hazardous materials/dangerous goods incident guidance (see the discussion under proposed Sec. 139.319).

Additionally, existing paragraph (d)(3) would be modified to include the new term ``notification.'' The revised section would allow airport operators to use either an alarm system or a notification system to announce an emergency. The ARAC Commuter Working Group report noted that smaller airports required to have an emergency plan may not have the resources to implement a sophisticated, automated alarm system used by many larger facilities. Instead, these smaller airports may use a notification system that is as simple as a series of telephone calls to summon emergency response. The requirement would ensure that an adequate system is in place, and periodically tested. Each airport would determine the type of system that best meets its needs.

Existing paragraph (g)(5) would be moved to new paragraph (h) and existing paragraph (h), prescribing acceptable methods and procedures, would become new paragraph (i). New paragraph (h) would prescribe the requirement for, and the frequency of, full-scale airport emergency plan exercises, as described earlier.

Requirements in paragraphs (d) and (f) that relate to water rescue situations and coordination with control towers would be clarified to apply only to those airports with water on or adjacent to the airport, or with a control tower.

New paragraph (j) would allow certificate holders of proposed Class II,

III, and IV airports one year from the effective date of the rule to submit their emergency plans to the **FAA** for approval. Even though the

FAA provides guidance materials to aid in the development of an airport emergency plan, the process will require coordination and cooperation with the surrounding communities and may be a time consuming process.

Section 139.329 Self-Inspection Program

Existing Sec. 139.327 requires certificate holders to conduct daily inspections of the movement area to ensure the airport remains in compliance with part 139. This section specifies additional conditions that require inspections. Also, the certificate holder is required to have a system to notify air carriers of field conditions and a recordkeeping system to document inspections.

In this proposal, existing Sec. 139.327 would be redesignated as proposed Sec. 139.329 and revised to address training requirements for individuals conducting airport inspections. Language also would be added to permit airport inspections to be conducted by individuals other than employees of the airport operator. All proposed airport classes would be required to comply with this revised section.

The proposed changes to existing Sec. 139.327 will assist existing and new airport certificate holders in understanding their responsibilities to inspect their facilities. As a consequence, airport operators already required to have a self-inspection program under existing Sec. 139.205 would need to modify their inspection program.

Operators of airports that currently serve scheduled operations of large air carrier aircraft (proposed Class I airports) must continue to comply with the requirements of this section, and would be required to modify their inspection program. Airport certificate holders holding an existing LAOC (proposed Class II and IV airports) would be required to update existing self-inspection programs. In addition, operators of proposed Class III airports would be required to develop and implement an self-inspection program.

Existing paragraph (a) would be amended to allow airport operators to designate individuals of their choice to conduct inspections as long as the individuals meet the requirements of this section. For example, the proposed change would allow the airport operator to designate an individual other than airport personnel, such as air carrier station personnel or an employee of an FBO, to conduct required inspections when airport personnel are not present during hours of scheduled operations. A similar proposal was recommended by the ARAC Commuter Airport Certification Working Group to permit airports serving scheduled operations of small air carrier aircraft to designate inspection responsibilities.

This proposal could reduce labor costs associated with personnel working overtime or the need to hire additional employees to cover early morning or late evening operations, particularly when tenant employees will be present during these hours of operation. However, the certificate holder would be responsible for ensuring that inspections are done correctly, and that individuals conducting inspections are qualified to perform the duties associated with the inspection.

Personnel requirements of existing paragraph (b) would be enhanced to require that personnel meet the requirements of proposed Sec. 139.303, Personnel, and to be trained in specific topics, including airport familiarization and discrepancy reporting procedures. This change is necessary to ensure that certificate holders are using qualified individuals to conduct airport inspections, particularly in light of the proposal to use designees to perform this function.

Section 139.331 Ground Vehicles

Under this proposal, the requirements of existing Sec. 139.329 would not be changed but the section would be redesignated as proposed

Sec. 139.331. Existing Sec. 139.329 requires the certificate holder to limit access to movement areas to those ground vehicles necessary for airport operations. This section also requires the certificate holder to ensure that employees, tenants, or contractors who operate ground vehicles in the movement area are familiar with established ground vehicle operating procedures. Currently, operators of airports certificated to serve scheduled operations of large air carrier operations must comply with existing Sec. 139.329.

Minor modifications are proposed to clarify that the requirements of this section are implemented in a manner satisfactory to the **FAA**. All certificated airports serving scheduled air carrier operations (proposed Class I, II, and III airports) would be required to comply with this revised section.

Except for representatives of the National Air Transportation Association (NATA) and ALPA, the ARAC Commuter Airport Certification Working Group report recommended that operators of airports serving scheduled operations of small air carrier aircraft be required to comply only with training and reporting measures of paragraphs (e) and (f) of this section. The working group noted the importance of familiarization with proper vehicle safety procedures; however, the majority of the group was concerned that other requirements of this section would be operationally or economically excessive for the limited number of scheduled air carrier operations at these airports.

The working group also noted that many of these airports do not have towers, and therefore do not warrant extensive ground vehicle requirements contained in this section. The **FAA** disagrees with this position. While existing Sec. 139.329(c) requires the use of two-way radios, escort vehicles, and specialized procedures when radios are inoperative, these measures are only applicable at airports where an air traffic control tower is operational. Further, operators of airports with **FAA** control towers enter into a letter of agreement with **FAA** Air Traffic Control that requires ground vehicle procedures in movement areas. Operators of most affected airports already work with their tenants to implement such procedures.

Also, standards have been developed for the consistent application of this section as a result of a cooperative effort between the **FAA**, airport operators, and FBO's. These standards have been successfully used for the past several years, and should continue in a manner that is already well understood and, in most cases, used by airport operators and their tenants nationwide.

Section 139.333 Obstructions and Section 139.335 Protection of Navaids

In this proposal, the requirements of existing Secs. 139.331 and 139.333 would remain substantially unchanged but would be redesignated as proposed Secs. 139.333 and 139.335, respectively. These sections specify standards for obstructions, and the protection of navigational aids.

Clarifications are proposed that state that the requirements of this section must be implemented in a manner satisfactory to the **FAA**, and that the AC's contain some methods of compliance that are acceptable to the Administrator. All certificated airports serving scheduled air carrier operations (proposed Class I, II, and III airports) would be required to comply with these revised sections.

Existing Sec. 139.331 (proposed Sec. 139. 333) requires certificate holders to ensure that each object within its area of authority that penetrates imaginary surfaces, as provided in part 77, Objects Affecting Navigable Airspace, is

removed, marked, or lighted. Existing Sec. 139.333 (proposed Sec. 139.335) requires the certificate holder to protect against the derogation of electronic or visual navigational equipment (navaids) and air traffic control facilities located on the airport. This includes protection against vandalism, theft and construction that may cause interference.

Both the **FAA** and the ARAC Working Group agree that airports serving scheduled operations of small air carrier aircraft should meet these requirements. Many of these airports already provide for the removal or marking of obstacles, and have procedures in place to protect navaids. This minimizes disruption of aircraft operations and limits liability.

Section 139.337 Public Protection

Under this proposal, the requirements of existing Sec. 139.335, would not be changed but the section would be moved to proposed Sec. 139.337. Existing Sec. 139.335 requires certificate holders to prevent the inadvertent entry of persons or vehicles to the movement area, and to provide reasonable protection of persons and property for aircraft blast. All certificated airports serving scheduled air carrier operations would be required to comply with this section. This would include proposed Class I, II, and III airports.

This section would continue to require the airport certificate holders to provide safeguards to prevent inadvertent entry to movement areas by unauthorized persons or vehicles, and to protect persons and property from aircraft blast. While airports serving scheduled operations of small air carrier aircraft typically already provide the public protection required by this section, the **FAA** wants to ensure a standard minimum level of public protection at all airports serving scheduled air carrier operations.

The ARAC Commuter Airport Certification Working Group also recommended that airport certificate holders provide protection from inadvertent entry and from aircraft blast as required by this section, with the exception of existing Sec. 139.335(b). The working group suggested that Sec. 139.335(b), referencing security fencing requirements, be deleted. This section is applicable to all airports serving scheduled air carrier operations, including those airports that must also comply with 14 CFR 107, Airport Security. The **FAA** proposes to leave paragraph (b) unchanged because it achieves the goal of preventing inadvertent entry.

Section 139.339 Wildlife Hazard Management

The **FAA** proposes to move the requirements of existing Sec. 139.337, to proposed Sec. 139.339. Existing Sec. 139.337 establishes criteria for when a certificate holder is required to develop and implement a wildlife hazard management plan. This section specifies what this plan must include, and the action the certificate holder must take to respond to wildlife hazards.

This proposed section would update the terminology and to clarify what is expected of the certificate holder when developing a wildlife hazard management plan. All operators of certificated airports serving scheduled air carrier operations would be required to comply with this section. This would include proposed Class I, II, and III airports.

Some operators of proposed Class II and III airports would be required under proposed Sec. 139.339 to conduct a wildlife hazard assessment, and formulate and implement a wildlife hazard management plan. Thus, the **FAA** proposes to change existing wildlife hazard

management requirements to assist airport operators that would be complying with these requirements for the first time to better understand their responsibilities. As a consequence, airport certificate holders already required to comply with these requirements (proposed Class I airports) would need to make minor modifications to their airport wildlife hazard management plan.

If this proposal is adopted, existing paragraph (f) would be moved to the beginning of this section and become new paragraph (a). The requirement that an airport operator take immediate action to alleviate wildlife hazards would not change. Rather, the **FAA** proposes to reemphasis the importance of this requirement. Existing paragraph (a) would become new paragraph (b) and all other paragraph designations would be changed accordingly.

In proposed paragraph (b) (existing paragraph (a)), the term ``ecological study'' would be changed to ``wildlife hazard assessment'' to reflect more accurately the type of wildlife evaluation required to be conducted at airports.

Paragraph (c) would be amended to clarify that the wildlife hazard assessment must be conducted by a ``qualified wildlife damage management biologist.'' The **FAA** has determined that the potential for loss of life and equipment resulting from wildlife aircraft strikes requires the conduct of hazard assessments by persons having the education, training, and experience in wildlife hazard assessments. This new term is used throughout the revised section. The term ``circumstances'' would be added to paragraph (c)(1) to specify that an assessment must contain either the event, such as an actual aircraft strike, or the circumstances, e.g., frequent sighting of deer crossing runways, prompting the assessment. Also, new paragraph (c)(5) would be added to require the airport certificate holder to include in the wildlife hazard assessment the recommended actions from the qualified wildlife damage management biologist for reducing the wildlife hazard.

Several modifications would be made to proposed paragraph (d) to improve clarity. A new item would be added to the list of considerations contained in this paragraph used to determine a need for a wildlife hazard management plan. New paragraph (d)(2) specifies that the **FAA** would take into consideration any actions recommended by the wildlife hazard assessment in determining the need for a certificate holder to have a wildlife hazard management plan. The **FAA** would typically recommend a wildlife hazard management plan if actions to reduce wildlife hazards are recommended in the wildlife hazard assessment required by proposed paragraph (b) of this section.

Proposed paragraphs (e)(1) and (e)(2) (existing paragraphs (d)(1) and (d)(2)) would be reordered for clarity, but the language remains the same. However, new paragraph (e)(3) would be added to clarify that the approved wildlife hazard management plan is part of the ACM. This would help assure that the certificate holder takes action to reduce wildlife hazards at its airport.

Changes to improve clarity also are proposed for new paragraph (f) (existing paragraph (e)). This paragraph details what an airport certificate holder should include in a wildlife hazard management plan. In particular, the requirement for periodic reviews of the plan would be amended to require annual reviews. This is intended to remove any ambiguity as to when a review is needed.

Existing paragraph (g) would be redesignated as new paragraph (h) and modified to delete references to specific AC series numbers. Instead, this revised paragraph would make a general reference to the AC system. New paragraph (h) would allow for some proposed Class II or

III airports to implement less than full wildlife mitigation procedures where air carrier operations are so few or infrequent that any large expenditure would be unduly burdensome or costly.

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Section 139.341 Airport Condition Reporting, and Section 139.343 Identifying, Marking, and Reporting Construction and Other Unserviceable Areas

As proposed, existing Secs. 139.339 and 139.341 would be moved to proposed Secs. 139.341 and 139.343, respectively. These sections require the certificate holder to report changed airfield conditions to air carriers, and prescribes standards for the marking and reporting of construction and other unserviceable areas of the airfield.

The requirements of these sections would remain substantially the same. References to other section numbers and the term ``Airport Certification Specifications'' would be changed to reflect proposed certification changes. Minor clarifications also are proposed that the requirements of these sections must be met in a manner satisfactory to the **FAA**, and that the AC's contain some methods of compliance that are acceptable to the Administrator.

Airports that currently serve scheduled and unscheduled operations of large air carrier aircraft (proposed Class I, II, and IV airports) would continue to have to comply with existing Sec. 139.339 requirements as would operators of newly certificated proposed Class III airports. Existing Sec. 139.339 requires airport certificate holders to collect and disseminate information on the conditions of the airport, including any construction or maintenance activities, weather or animal hazards, and nonfunctional equipment and services. In most instances, this currently would require the certificate holder to use **FAA**'s pilot notification system, the Notices to Airmen (NOTAM) System.

Under this proposal, such condition reporting requirements would remain the same, except that the NOTAM system need only be used when appropriate. Since the current condition reporting requirement was incorporated into part 139, the NOTAM system has changed and some airport condition reports are no longer accepted into this system. Also, the term ``safety area'' would be added to paragraph (c)(2) to ensure that airport users are notified of irregularities in the safety area, in addition to those in the movement area, loading ramps, and parking areas.

The ARAC Working Group report supports the requirement that airports serving scheduled operations of small air carrier aircraft meet the requirements of proposed Sec. 139.341 (existing Sec. 139.339). . Most of these airports already make use of the NOTAM system and have in place procedures to alert their users to airport conditions as well.

Similarly, existing Sec. 139.341 (proposed Sec. 139.343) requires the airport certificate holder to report and mark any construction or unserviceable areas, and associated equipment that may create a hazard. The requirements of this section would remain unchanged, and all certificated airports serving scheduled air carrier operations would be required to comply with this section. This would include proposed Class I, II, and III airports.

Again, many of these airports have procedures in place to mark or light construction areas and unserviceable areas, and as such, this section should not pose a burden. It would, however, ensure that airport operators comply with these safety practices in a consistent and regular manner.

Section 139.345 Noncomplying Conditions

Existing Sec. 139.343 requires a certificate holder to restrict air carrier operations in those areas of the airport that have become unsafe and no longer comply with the requirements of subpart D of part 139. Under this proposal, the requirements of this section would not be changed but the section would be redesignated as proposed Sec. 139.345.

All proposed airport classifications would be required to comply with this section. This section should be applicable to all certificated airports to ensure that when an airport operator cannot meet the requirements of subpart D, as specified in its certification manual, action is taken to prevent air carriers from operating in those portions of the airport where possible unsafe conditions exist.

Section 121.590 Use of Certificated Land Airports

Currently, Sec. 121.590 requires most air carriers conducting part 121 operations to operate into part 139 certificated airports. Passenger-carrying operations with airplanes designed for less than 31 passenger seats may operate into an airport that is not certificated under part 139, if the airport meets certain requirements of paragraph (b) of Sec. 121.590. An airport designated by an air carrier as an alternate airport need not be certificated under part 139.

As proposed, existing Sec. 121.590 would be amended to conform to the proposed changes to part 139. While most air carriers under part 121 would continue to be required to conduct their operations at airports certificated under part 139, provisions excepting certain air carrier operations from this requirement would be modified to correspond to proposed changes to part 139.

Language has been added to paragraph (a) to clarify that in addition to conducting part 121 operations into an airport certificated under part 139, an air carrier must ensure that the airport is certificated to serve the particular airplane used for the operation. The size of air carrier aircraft that airports certificated under part 139 are allowed to serve varies, depending upon how the airport is certificated. Thus, an airport certificated under part 139 to serve smaller air carrier aircraft, may not have adequate services to serve large air carrier aircraft, particularly emergency rescue services. This modification would ensure part 121 operations are being conducted only at airports that have appropriate safety measures and emergency services for the size of aircraft being used.

A new paragraph (b) is proposed to address air carrier and commercial operations conducted into airports operated by the U.S. government. Existing paragraph (b) would be amended and would become new paragraph (c). New paragraph (b) would permit air carriers and commercial operators conducting part 121 operations to use U.S. government-operated airports. This change corresponds to proposed part 139 revisions that clarify that airports operated by the U.S. government are not subject to part 139 (see discussion under Sec. 139.1 Applicability). Thus, air carriers and commercial operators using these airports are not subject to Sec. 121.590(a), and may use a U.S. government-operated airport if such an airport meets the equivalent safety standards of those required under part 139, as approved by the **FAA**.

While the **FAA** does not have the authority to certificate U.S. government-operated airports, it does have the authority under part 121, as noted above, to require air carriers and commercial operators to conduct their operations into airports that meet appropriate safety standards. The **FAA** believes this is necessary to ensure that air carriers and commercial operators conducting part 121 operations meet

the highest practicable level of safety while engaging in common carriage operations. However, proposed changes to part 139 could result in part 121 air carriers desiring to conduct operations into U.S. government-operated airports that are not certificated under part 139. New paragraph (b) would resolve this inconsistency and allow air carriers the flexibility to use these airports, if such facilities meet the equivalent safety

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standards of those required under part 139.

In addition, a new paragraph (c) is proposed to clarify that an air carrier or commercial operator conducting domestic and flag operations with turbojet powered airplanes designed for fewer than 10 passenger seats may operate into airports not certificated under part 139. This is a modification of the existing exception found in Sec. 121.590(b) for air carriers conducting passenger-carrying operations with airplanes designed for less than 31 passenger seats. The existing exception would be amended to correspond with proposed changes to part 139 that would require the certification of airports serving certain air carrier aircraft with less than 30 seats. New paragraph (c) also would allow domestic and flag operations with airplanes designed for more than 9 and fewer than 31 passenger seats within the State of Alaska to operate into airports not certificated under part 139. This addition would correspond to the statute exception that airports in the State of Alaska serving such operations need not be certificated by the **FAA**. Both types of operations described in new paragraph (c) would be required to operate at airports that meet certain safety criteria (such as runway lighting and pavement appropriate for the type of aircraft used), as currently required under Sec. 121.590(b).

Also, the term ``commercial operator'' would be added to this section to ensure that an intrastate operator certificated under part 121 only operates into an airport that is appropriate for the operator's particular airplane and operation.

Implementation

On publication of this NPRM, the public will have 90 days to submit comments on this proposal (see discussion under ``Comments Invited''). All comments received will be considered before the **FAA** takes action on the proposal. Should the **FAA** decide to proceed with this proposal, a final rule would be issued.

In the final rule, the **FAA** prescribes a date that the rule becomes effective. The final rule may also specify other dates by which regulated parties must implement certain requirements. This is often the case when requirements necessitate that the regulated party secure funds, initiate construction, or procure and install equipment.

Under the statutory authority the **FAA** to certificates airports serving scheduled operations of small air carrier aircraft including provisions for a congressional review of the final regulations concerning these airports before these regulations take effect. Title 49 U.S.C. 44706(e) stipulates that any regulation pertaining to these airports ``shall not take effect until such regulation, and a report on the economic impact of the regulation on air service to the airports covered by the rule, has been submitted to Congress and 120 days have elapsed following the date of such submission.'' If a final rule results from this proposal, date of issuance, and any effective and

implementation dates associated with this rule, would be adjusted accordingly to allow for the completion of this Congressional review.

The **FAA** proposes to allow 90 days from the effective date of the rule for operators of proposed Class I airports currently holding an AOC to make the necessary changes to their ACM's (see proposed Sec. 139.101 General Requirements). These airports would be required to revise their manual to implement new recordkeeping and personnel training requirements. To a great extent, these airports already comply with these requirements and would need to document procedures already in place. The **FAA** believes that in such cases, additional time to procure funds and secure contracts for equipment or services would not be necessary.

The **FAA** proposes to allow 240 days from the effective date of this amendment for operators of proposed Class II and III airports to submit, have approved, and implement an ACM (see proposed Sec. 139.101, General requirements.) This timeframe would apply to airports certificated for the first time (proposed Class III airports), and those airports holding an LOAC that would be required to have a Class II AOC as the result of this rulemaking.

As operators of proposed Class II airports would be complying with the emergency plan requirement for the first time, the **FAA** proposes to allow these certificate holders one additional year to comply (see proposed Sec. 139.327(j)). Similarly, operators of proposed Class II airports will be allowed two years to comply with ARFF requirements (see proposed Sec. 139.321(b)). While proposed Class II airports already hold an LOAC and are required to provide some type of ARFF coverage, operators of proposed Class II airports still may need additional time to arrange ARFF coverage for small air carrier operations. These certificate holders may need to extend the ARFF coverage already provided for the unscheduled large air carrier aircraft operations or revamp their ARFF services.

Operators of proposed Class II airports would not require additional time to comply with sign requirements. As they currently hold an LAOC, these facilities should already be in compliance with proposed sign requirements.

The **FAA** recognizes that the coordination, funding, and procurement process associated with the proposed requirements for signs, ARFF, and airport emergency plans may require additional time for implementation at proposed Class III airports. Therefore, the **FAA** also proposes to allow operators of proposed Class III airports additional time beyond the effective date of the final rule to implement specific requirements, as follows:

1. Signs--3 years (proposed Sec. 139.311(b))
2. ARFF--2 years (proposed Sec. 139.321(b))
3. Airport --Emergency Plan--1 year (proposed Sec. 139.327(j))

Additionally, the **FAA** proposes to allow 150 days for airport operators currently holding an LAOC that would be recategorized as Class IV airports to convert their current ACS into an ACM (see proposed Sec. 139.101, General requirements). While proposed Class IV airport operators would also have to implement new recordkeeping and personnel training requirements, to a great extent, these certificate holders already comply with recordkeeping and personnel training requirements and would need to document procedures already in place. In such cases, additional time to procure funds and secure contracts for equipment or services would not be necessary. However, the **FAA** proposes

that operators of proposed Class IV airports be allowed an additional year beyond the effective date of the rule to submit an airport emergency plan for **FAA** approval (see proposed Sec. 139.327, Airport emergency plan).

As the period of time from when a final rule is published to when it is effective could have a significant financial impact on affected airports, the **FAA** requests comments on possible implementation schedules. The **FAA** is specifically requesting comments on proposed compliance schedules discussed earlier. Comments and recommendations for alternative compliance dates should be supported by economic and operational statistics.

Alternatives Considered by the **FAA**

As noted previously, this NPRM addresses two issues: (1) the revision of certain requirements of 14 CFR part 139, and (2) certification requirements of airports serving scheduled air carrier operations with 10-30 seat aircraft under 14 CFR part 139. Alternatives for each issue are addressed separately.

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Issue I. Revision of 14 CFR Part 139

The **FAA** is proposing to revise current part 139 to clarify and update several requirements to better reflect current industry practices and technology. For the most part, the **FAA** believes these revisions would only require already certificated airports to take administrative action to document existing operational procedures. The approximately 660 airport operators that currently hold a certificate under part 139 (those operators of airports serving air carrier operations with more than 30 seat aircraft) would be affected by this change.

The **FAA** considered four alternatives to the revision of 14 CFR part 139. These alternatives would affect all covered airports, including those considered to be small business entities (owned and operated by a municipality with less than 49,999 population). In analyzing these alternatives, the **FAA** addressed the concerns of airports of varying sizes and operations, including those classified as small business entities:

(1) Amend administrative and definition sections of 14 CFR part 139 to incorporate airports serving scheduled small air carrier operations into existing certification process; no changes to operational requirements.

Under this alternative, required operational and safety measures of subpart D would remain unchanged. Only minor language changes to part 139 would be proposed to incorporate a new category of airports. Applicability, definition and administrative sections of the existing rule would be amended to establish airport certification manual (ACM) and other administrative requirements for airports serving scheduled, small air carrier operations.

While this approach would address proposed changes to part 139 applicability section (inclusion of airports serving scheduled, small air carrier operations) and would be the least costly of the alternatives considered, it would not address the problem of out-dated operational requirements. The last major revision of part 139 occurred in November 1987, and since then, industry practices and technology

have changed. The **FAA** believes airport resources would be better spent complying with requirements that reflect current industry practices and technology that help ensure safety.

(2) In addition to amending administrative and definition sections of 14 CFR part 139, only revise those part 139 operational requirements that the **FAA** has received a formal request to amend.

In addition to making administrative changes to part 139 to incorporate airports serving small air carrier aircraft, the **FAA** could address two requests for an amendment to part 139 operational requirements that require public notification and comment.

Both the NTSB and the Air Transport Association of America (ATA) have formally requested that the **FAA** amend part 139 emergency response requirements. After the 1990 fuel farm fire at the Stapleton International Airport (Denver, CO), the NTSB recommended that the **FAA** require holders of airport operating certificates to be responsible for inspecting all fuel storage areas on the airport and have contingency plans for fighting large fires in fuel storage areas. In addition, the ATA petitioned the **FAA** in 1990 to amend part 139 aircraft rescue and firefighting (ARFF) procedures to require ARFF personnel to be equipped with, and trained in the use of, Federal guidance for emergency response to hazardous materials incidents.

The **FAA** concurs with both of these recommendations. If this proposal is adopted, the **FAA** believes these changes would not pose a hardship on existing or newly certificated airports. In many cases, operators of covered airports already ensure that ARFF personnel are supplied with hazardous materials guidance. Further, developing and documenting procedures to ensure an adequate response to large fuel fires would require minimal administrative time for those airport operators that have not already documented such procedures. The **FAA** believes that these revisions would ensure airport operators comply with these safety practices in a consistent and regular manner.

While this alternative would result in necessary improvements to airport emergency procedures and dispose of outstanding requests for rulemaking, it would not address other needed updates. To ensure safety, the **FAA** believes that additional revisions are necessary to reflect current operating and safety measures.

(3) Require only newly certificated airports to comply with proposed amendments to part 139 operational requirements; ``grandfather'' airports currently certificated and allow these facilities to continue to comply with existing operational requirements.

Under this alternative, operators of airports newly certificated as the result of this rulemaking, and any airport operator that subsequently applies for an airport operating certificate, would be required to comply with all proposed revised operational requirements. This would not be the case for airport operators currently holding an AOC or a LAOC. These airport operators would only need to make a few administrative changes to their ACM or ACS, but would continue to comply with the operational requirements of Subpart D in the same manner as they currently do.

While this approach could be a less costly means of revising part 139, the **FAA** is opposed to establishing two sets of airport certification standards. The **FAA** believes that a single set of airport certification standards promotes the consistent application of safety measures and ensures a common and reliable operating environment at all airports. Similar to air traffic control procedures, if pilots and other airport users can come to expect the same facilities, procedures

and equipment at every airport at which they operate, then many of the uncertainties and miscommunications that can cause accidents are no longer an issue.

For this reason, the consistent application of specific measures from airport to airport that ensure safety is, and will remain, the primary objective of **FAA**'s airport certification program. To achieve this goal, the **FAA** will continue to promote a single set of airport certification standards.

(4) Update part 139 by revising administrative and operational requirements throughout the regulation; both airports that are currently certificated and those newly certificated under part 139 would be required to comply with the revised requirements.

Of all the alternatives considered for the revision of part 139, this alternative is the most comprehensive. Changes to both administrative and operational requirements would be made throughout the regulation, and all operators of airports certificated under part 139 would be required to comply with the revised regulation. This would ensure a comparable level of safety at all covered airports.

As noted earlier, the last major revision of part 139 occurred in 1987, and since then, industry practices and technology have changed. Under this alternative, revisions would be made throughout the rule to incorporate such changes. In addition, the regulation would be amended to require additional airports to comply with an existing requirement that the **FAA** has found to be beneficial (for example, the requirement for airport emergency planning).

While this comprehensive approach to the revision of part 139 could be the most costly alternative, granting relief to

smaller airports from certain operational requirements is still possible. Experience gained since the last revision of part 139 also has shown that certain safety measures that have proven successful at larger airports may be cost prohibitive at smaller facilities. Under this alternative, the **FAA** could propose relief in some instances where an operational requirement would prove to be an economic burden to smaller facilities. For example, the proposed rule could require an emergency plan for all covered airports, but not require that all airport operators conduct a full scale emergency exercise every three years. Instead, the revised rule could require such airport operators to document and review annually established emergency procedures.

In addition to relief from certain operational requirements, compliance costs for smaller airports could be offset by Federal funding for many safety improvements and renovations that would assist these airports in complying with part 139 requirements. Likewise, such airport operators may share costs related to part 139 certification with airport users, e.g., air carriers, and can even choose not to be certificated under part 139. Part 139 is mandatory only if the airport operator chooses to serve air carrier operations.

After considering the alternatives for the revision of part 139, the **FAA** determined that revising administrative and operational requirements, as discussed in Alternative #4, is necessary to ensure safety in air transportation at certificated airports.

Issue II. Certification of Airports Serving Scheduled Operations of Air Carrier Aircraft With 10-30 Passenger Seats

The second component of this proposed rulemaking is the certification of airports that serve scheduled air carrier operations with 10-30 seat aircraft. While all of the proposed changes to part 139 may potentially effect airports serving air carrier operations by small aircraft, the degree of regulatory oversight would depend on the level of operational and safety measures required.

Studies conducted by the GAO, and recent recommendations of the NTSB, urged that the **FAA** be authorized to regulate airports serving air carriers using aircraft with 10 to 30 seats. This recommendation was not based upon the fact that these airports had a poor safety record (no category of airport has a poor safety record), but rather to provide, to the extent possible, a comparable level of safety at all airports used by air carriers.

With the passage of the Federal Aviation Administration Reauthorization Act of 1996, section 44706, as noted earlier, Congress provided the **FAA** the necessary authority to certificate airports serving scheduled air carrier operations with 10 to 30 seat aircraft, except in the State of Alaska. This new authority is in addition to existing authority to regulate airports serving air carrier operations using aircraft with more than 30 seats.

FAA's new authority to regulate airports serving smaller air carrier operations requires the agency to identify and consider a reasonable number of regulatory alternatives that are ``least costly, most cost-effective or the least burdensome.'' This must be done before the **FAA** selects the alternative that will provide a comparable level of safety at airports serving scheduled small air carrier aircraft as provided at currently certificated airports. Using these parameters, the **FAA** considered the following alternatives:

(1) Maintain current regulatory oversight of airports serving air carriers operations with more than 30 seat aircraft; no certification requirements for airports only serving small air carrier aircraft.

Under this alternative, the **FAA** would continue its current airport certification program under part 139 and would encourage non-certificated airports to voluntarily comply with applicable part 139 safety measures.

Through its airport certification and capital improvement programs, the **FAA** has established a successful partnership with the airport community. This partnership furthers safety through consistent application of safety measures, and provides a forum to address national safety concerns and priorities. This effort has resulted in development of guidance and standards that are available to all airport operators and for which compliance with is often a condition of Federal grant agreements. Consequently, many airports serving scheduled air carrier operations with 10-30 seat aircraft voluntarily comply with these established guidance and standards.

However, the degree to which non-certificated airports comply still varies. **FAA** inspections historically have shown that unless a benchmark for safety is set and enforced, inconsistent application of safety measures will occur due to a variety of factors. The most common problem is that many local communities owning and operating existing certificated airports provide the necessary resources to comply with only the mandatory regulatory requirements. Such resources are even harder to come by under a voluntary compliance program.

While maintaining current airport certification criteria might be the least costly course of action, the **FAA** concurs with GAO and NTSB findings that certification of airports serving smaller air carriers is necessary to provide a comparable level of safety at all airports and

ensure safety in air transportation. To achieve this comparable level of safety, the **FAA** believes it is necessary to create a standard set of requirements for all covered airports.

(2) Require airports that are currently certificated under part 139 to extend part 139 coverage to air carrier operations with 10-30 seat aircraft; no regulation of airports that serve only 10-30 seat aircraft.

Many airports currently certificated under part 139 (airports serving air carrier operations with more than 30 seat aircraft) also serve scheduled air carrier operations with 10-30 seat aircraft. Under this option, operators of such airports would continue to meet part 139 requirements as they do today. However, these airport operators also would be required to comply with part 139 requirements during scheduled air carrier operations with 10-30 seat aircraft as well.

At larger airports, required part 139 safety measures are typically applied to all air carrier operations regardless of the number of passenger seats as varying types of air carrier operations occur throughout a 24-hour period. Thus, it is more convenient and economical to comply with part 139 requirements at all times. This is not always the case at smaller airports certificated under part 139. At such airports, large air carrier operations only occur during a certain portion of the day, or on an infrequent basis, and certain part 139 safety requirements are in effect only during these operations. Approximately 225 currently certificated airports fall into this category.

For example, aircraft rescue and firefighting (ARFF) coverage is required to be present on the airport only 15 minutes prior, and 15 minutes after, certain air carrier operations (those with more than 30 seat aircraft). Under this alternative, an airport operator that has arranged for the local fire department to come to its facility once a day to cover its single air carrier operations with more than 30 seat aircraft would have to arrange for additional ARFF coverage for air carrier operations using small aircraft. At airports serving small air carrier operations throughout the day, the frequency of required ARFF coverage may increase dramatically.

While this alternative might be the least costly approach to regulating airports that serve scheduled air carrier operations with 10-30 seat aircraft, it would not cover all airports serving scheduled air carrier operations of 10-30 seat aircraft. This option would only effect airports already certificated under part 139. The approximately 40 airports (excluding airports in Alaska) that currently serve only scheduled air carrier operations with 10-30 seat aircraft would continue to be excluded from part 139 requirements.

The **FAA** believes that a comparable level of safety and consistent regulatory oversight is necessary at all covered airports serving air carrier operations in small aircraft.

(3) Extend the scope of part 139 to include all airports that serve scheduled air carrier operations with 10-30 seat aircraft; require airports that only serve scheduled small air carrier operations to comply with standards appropriate to the type of air carrier operation served.

Part 139 safety and operational requirements can be conceptually divided into two categories-risk reduction requirements and accident mitigation requirements. Most part 139 requirements fall under the risk

reduction category, as these requirements are intended to decrease the possibility of an accident by providing a safe and standardized operating environment. Such requirements include, but are not limited to, the marking, lighting, and maintenance of runways and taxiways; removal and marking of hazards in aircraft movement areas; and regular facility inspections.

Conversely, accident mitigation requirements are intended to minimize the consequences of an aircraft accident. Requirements for aircraft rescue and firefighting and emergency planning are examples of accident mitigation requirements that are included in this category. (For a more detailed analysis of each specific risk reduction and accident mitigation standard, see the ``Section-by-Section Analysis'' Section.)

For liability and safety reasons, many operators of airports serving scheduled operations of small air carrier aircraft already have in place risk reduction and accident mitigation measures. These measures have been in place for many years. As noted earlier, risk reduction requirements were developed jointly with the airport community, and are good general airport operating practices (e.g., providing a lighted wind direction indicator or erecting fences to keep the public and wildlife from aircraft movement areas).

Further, airport operators that have accepted Federal funds are required by grant assurance agreements to comply with some of the risk reduction measures required part 139. Of the approximately 40 airports that could be newly certificated under this proposal, all but three have received Federal funds, totaling $178.5 million between 1982-1997. These funds were used for improvements such as runway pavement overlays, rehabilitation of runway and taxiway lighting, and purchase of snow removal equipment.

Even with wide spread compliance, the **FAA** believes that all covered airports should be required to comply with part 139 risk reduction standards. The **FAA** believes that due to liability concerns and Federal funding obligations, compliance with part 139 risk reduction standards should not be a hardship on these airport operators. Requiring these airport operators to establish and document how they comply with risk reduction requirements in their ACM will achieve consistency in the daily application of such procedures, and ensure consistency during changes to airport personnel or management.

While requiring operators of airports serving small air carrier aircraft to comply only with risk reduction measures could be a least costly regulatory approach, the **FAA** believes that some level of accident mitigation still is necessary to achieve a comparable level of safety at all airports. To save passenger lives and property, prevent injury to responding personnel and protect the traveling public from unsafe conditions, the **FAA** believes that airports serving air carriers should be adequately prepared to respond to aircraft accidents and other airport-specific emergencies.

Since accident mitigation costs could have a significant economic effect on airports serving small air carrier aircraft, the **FAA** considered not requiring such measures. Certain equipment (such as ARFF trucks and buildings) used to comply with accident mitigation standards is eligible for Federal funds. However, operating costs such as personnel and maintenance would not be eligible for these funds. Consequently, accident mitigation standards could be the most costly for smaller airports. This is particularly true if ARFF coverage requires equipment and personnel to be on-site and in a ``ready'' status for more than an occasional air carrier operation.

However, aircraft accidents present many unique circumstances that a community's regular emergency response may not be prepared for, and given some remote locations of airports, may not be able to respond to in a reasonable time frame. Aircraft fuel fires burn more intensively and quickly than other fires, and require specialized training, equipment and extinguishing agents that may not always be provided by a local fire department. Such incidents also may require emergency responders to be prepared for a large number of casualties and possible hazardous cargo.

While this alternative promotes a minimum level of safety through consistent compliance with risk reduction requirements, the **FAA** believes that not all communities would place enough emphasis on accident mitigation measures to ensure safety in air transportation at all covered airports and that further measures are needed.

(4) Amend part 139 to require all airports, regardless of size of air carrier aircraft and frequency of service, to comply with all required risk reduction and accident mitigation standards.

Of all the alternatives considered for certification of airports serving small air carrier aircraft, this approach is the most comprehensive. It would require all operators of airports certificated under part 139 (both currently and newly certificated) to comply with both proposed risk reduction and accident mitigation requirements. Accident mitigation requirements would include airport emergency planning and ARFF services.

As noted in the discussion of Issue I above, analysis of possible regulatory alternatives for the certification of airports serving small air carrier aircraft concluded that there exists a need to require at least some minimum level of both risk reduction and accident mitigation measures. Without such measures, a comparable level of safety at all airports cannot be achieved.

However, the **FAA** recognizes the need to provide some flexibility in the implementation of certain safety measures at airports with infrequent air carrier service or where local resources are severely limited. Smaller communities do not always have the resources to provide the same level of services at their airports as airports in large metropolitan areas without adversely affecting other community services and infrastructure.

To address such cost issues, the **FAA** could exercise its statutory authority to exempt certain airports from some prescribed ARFF requirements. Under statutory authority, the **FAA** ensures that certificated airports provide for the operation and maintenance of adequate safety equipment, including firefighting and rescue equipment capable of rapid

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access to any part of the airport used for landing, takeoff, or surface maneuvering of an aircraft. If the **FAA** determines that this would not be in the public's interest, relief from aircraft rescue and firefighting requirements would be granted if:

A certificated airport has less than one-quarter of one percent of the total number of passenger boardings each year at all certificated airports; and

The **FAA** decides ARFF requirements would be unreasonably costly, burdensome, or impractical.

In 1997, one-quarter of one percent of the total number of passenger boardings, or enplanements, equaled 1.55 million annual

enplanements. The majority of currently certificated airports and all other airports serving scheduled air carrier operations meet this part of the criterion. Likewise, operators of airports serving small air carrier aircraft that are not currently certificated under part 139 also meet this criterion (only 70 of the largest certificated airports have annual enplanement numbers in excess of 1.55 million annually).

Through the statutory exemption, the **FAA** would maintain the necessary oversight of ARFF while ensuring that ARFF requirements are appropriate for the airport size and type of air carrier operations. This would not be a blanket exemption for airports with infrequent or smaller air carrier operations nor would it relieve an airport from the obligation to provide some level of ARFF coverage, but would be decided on a case-by-case basis. All certificated airports would be required to provide some level of ARFF service. For example, the **FAA** might approve a five-minute response time (versus the three-minute response required under part 139) at a limited certificated airport where unscheduled air carrier operations are infrequent and the community has arranged for an off-airport fire station to provide ARFF coverage.

Airport operators holding limited certificates (airports that serve unscheduled air carrier operation with more than 30 seat aircraft) currently comply with ARFF requirements similar to what is proposed under this alternative. Existing part 139 requires limited certificated airports to provide for ARFF and does not specify ARFF standards. Typically, these airports are served infrequently by unscheduled air carrier flights, and the **FAA** allows some flexibility in the level of ARFF coverage provided. In establishing ARFF coverage at such airports, the **FAA** uses part 139 ARFF standards as a benchmark, and allows deviation from the requirements if the airport operator can demonstrates a comparable level of safety.

For these reasons, this proposal includes procedures for an airport to request relief from part 139 ARFF requirements if the airport can provide an acceptable alternate means of compliance. Some relief from airport emergency plan requirements could be provided as well. For example, airports serving scheduled large air carrier operations are required to conduct an emergency disaster drill every three years. Under this alternative, this requirement would not be proposed for other covered airports. Instead, these airports would be required to review their plans annually to ensure information contained in the plan is accurate.

After considering the alternatives for the certification of airports serving smaller air carrier operations, the **FAA** is proposing to amend part 139 to require that all airports, regardless of size and type of air carrier operations, comply with risk reduction and accident mitigation measures necessary to ensure safety in air transportation. However, to achieve a comparable level of safety at airports that vary greatly in size and operations, the **FAA** proposes to permit alternative means of compliance with certain accident mitigation requirements. This will allow the most cost effective and flexible method of ensuring safety to be employed at all covered airports.

For more detailed cost analyses of these alternatives, see the ``Regulatory Evaluation'' section below.

Paperwork Reduction Act

This proposal contains the following new information collection requirements subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)).

The title, description, and number of respondents, frequency of the collection, and estimate of the annual total reporting and recordkeeping burden are shown below.

Title: Certification of Airports

Summary: The **FAA** proposes to revise current part 139 and to establish certification requirements for airports serving scheduled air carrier operations in aircraft with 10-30 seats.

In 1996, the statue that authorizes the **FAA** to certificate airports was amended to include a new category of covered airports (those with airports serving scheduled operations of air carrier aircraft with 10-30 passenger seats). The **FAA** proposes to use this new authority and certificate all airport operators allowed by law.

Further, this proposal would revise and clarify several safety and operational requirements. The last major revision of part 139 occurred in November 1987, and since then, industry practices and technology have changed. In the subsequent years, the **FAA** has gathered data on the effectiveness of part 139 requirements, (primarily through joint industry/**FAA** working groups, field research and periodic airport certification inspections), and proposes to use this rulemaking opportunity to update part 139 requirements. Changes also are proposed to address National Transportation Safety Board (NTSB) recommendations and petitions for exemption and rulemaking.

These proposed revisions are necessary to ensure safety in air transportation and to provide a comparable level of safety at all certificated airports.

Use of: This information is necessary to allow the **FAA** to verify compliance with proposed part 139 safety and operational requirements. While many part 139 reporting and recordkeeping requirements remain substantially unchanged, the **FAA** is proposing additional information collections.

Under existing part 139, the **FAA** requires airports to comply with certain safety requirements prior to serving operations of large air carrier aircraft (aircraft with more than 30 seats). When an airport satisfactorily complies with these requirements, the **FAA** issues to that facility an airport operating certificate (AOC) that permits an airport to serve large air carriers. The **FAA** periodically inspects these airports to ensure continued compliance with part 139 safety requirements, including the maintenance of specified records. Both the application for an AOC and annual compliance inspections require regulated airport operators to collect and report certain operational information.

Specifically, operators of certificated airports are required to develop and comply with an **FAA**-approved Airport Certification Manual (ACM). This manual details how an airport will comply with the requirements of part 139, and includes other instructions and procedures to help assist airport personnel perform their duties and responsibilities. Under this proposal, the **FAA** would continue to require all operators of certificated airports to have an ACM.

The AOC remains in effect as long as the need exists and the operator complies with the terms of the AOC and the ACM. Certain changes in the operation of the airport must be

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reported to the **FAA** for information or approval. If the airport operator believes that an exemption is needed to commence airport operations, justification for, and **FAA** approval of, the exemption is

required for issuance of the AOC. The operator may request **FAA** approval of changes to the AOC or ACM, or an exemption from part 139 requirements, by submitting justification and documentation. Also, the **FAA** Administrator may propose changes to the AOC or ACM and the airport operator may submit contrary evidence of argument concerning the proposed changes.

Respondents (including number of): The likely respondents to this proposed information request are those civilian U.S. airport certificate holders who operate airports that serve scheduled and unscheduled operations of air carrier aircraft with more than 30 passenger seats and scheduled operations of air carrier aircraft with 10-30 passenger seats. The **FAA** estimates that 606 airports serve this type of air carrier operations, of which an estimated 565 already hold an AOC and comply with most of the proposed information collection requirements.

Frequency: The frequency of collection would vary depending on the type of information collected, the size of the respondent's airport, and type of air carrier operations served. Information needed for the application for an AOC would be collected only at the time the application is submitted. An airport operator applying for an AOC would be required to develop an ACM. This document would be periodically updated and such changes would have to be reported to the **FAA**. Further, airport certificate holders would be required to establish and maintain specific records such as personnel training and facility inspections.

Annual Burden Estimate: This proposal would constitute a recordkeeping and reporting burden for operators of airports certificated under part 139. This proposal would require such airport operators to develop and maintain an ACM, report ACM amendments to the **FAA**, and record personnel training and facility inspections. In addition, those airports applying for an AOC would be required to file an application.

The following table lists estimated initial and annual hours respondents would need to comply with proposed part 139 reporting and recordkeeping requirements:

Proposed part 139 sections	Initial reporting hours	Initial recordkeeping hours	Annual reporting hours	Annual recordkeeping hours
139.103	304	0	16	0
139.111	0	0	32	0
139.113	0	0	5	0
139.201	0	0	608	608
139.203	1,520	0	0	0
139.205	11,248	0	1,216	0

139.301..... 0
27 0 324
139.303..... 0
4,848 0 13,909
139.313..... 2,208
0 0 736
139.317..... 0
0 0 2,090
139.319..... 0
912 0 570
139.321..... 552
0 80 0
139.323..... 0
574 0 2,404
139.327..... 0
6,920 0 4,152
139.329..... 0
2,528 0 16,432
139.331..... 0
12,640 0 790
139.339..... 0
0 32 4,816
139.341..... 0
79 0 3,950

Subtotal..... 15,832
28,528 1,989 50,781

Total.....
44,360

52,770

Operations/maintenance labor accounts for an estimated 70 percent of the hours listed in the table above, and clerical labor makes up the other 30 percent. Cost per hour is estimated to be $26 for operations/maintenance labor and $14 for clerical labor. Other expenses such as general and administrative costs, overhead costs, and other indirect costs are estimated to amount to approximately 15 percent of the direct labor costs. The estimate of the total initial reporting and recordkeeping burden would be $1,142,713. The annual reporting and recordkeeping burden would be $1,359,355.

The agency is soliciting comments to (1) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (for example, permitting electronic submission of responses).

Individuals and organizations may submit comments on the information collection requirement by September 19, 2000, to the address listed in the ADDRESSES section of this document.

Persons are not required to respond to a collection of information unless it displays a currently valid OMB control number. The burden associated with this proposal has been submitted to OMB for review. The **FAA** will publish a notice in the Federal Register notifying the public of the approval number.

Compatibility With ICAO Standards

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is **FAA** policy to comply with International Civil Aviation Organization (ICAO) Standards

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and Recommended Practices to the maximum extent practicable. The **FAA** has reviewed the corresponding ICAO Standards and Recommended Practices and has identified no differences with these proposed regulations.

The Joint Aviation Authorities, an associated body of the European Civil Aviation Conference, develop Joint Aviation Requirements (JAR) in aircraft design, manufacture, maintenance, and operations for adoption by participating member civil aviation authorities. The JAR does not address airport certification.

Regulatory Evaluation, Regulatory Flexibility Determination, International Trade Impact Assessment, Federalism Implications, and Unfunded Mandates Assessment

Proposed changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980, as amended, requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Office of Management and Budget directs agencies to assess the effects of regulatory changes on international trade. And fourth, the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of $100 million or more annually (adjusted for inflation).

In conducting these analyses, the **FAA** has determined that the economic impact of this proposed rule will generate benefits that justify its costs and does meet the standards for a ``significant regulatory action'' as defined in the Executive Order and is significant as defined by the Department of Transportation's Regulatory Policies and Procedures. The proposal, therefore, is subject to review by the Office of Management and Budget. The **FAA** has determined that this rule will not constitute a barrier to international trade; and does not contain a significant intergovernmental or private sector mandate. The agency has concluded that the proposed rule would have a significant impact on a substantial number of small entities and has prepared an initial regulatory flexibility analysis. These analyses, available in the docket, are summarized below.

The **FAA** invites the public to provide comments and supporting data on the assumptions made in this evaluation. All comments received will be considered in taking final action on this notice.

Benefits

The expected benefit of this proposed rule is an enhanced level of safety resulting in reduced fatalities, injuries, and property damage at airports with scheduled air carrier operations, particularly operations in aircraft configured with 10 to 30 passenger seats.

In 1995, the **FAA** issued regulations aimed at ensuring safety in scheduled air carrier operations in aircraft with 10 or more passenger seats. Since then, Congress has authorized the **FAA** to regulate airports serving 10 to 30 seat aircraft to further help ensure safety at airports certificated by the **FAA**. The **FAA** is now proposing to establish standards for these airports. The agency will make these standards sufficiently flexible to accommodate existing conditions at each airport, while providing maximum possible safety improvements.

This proposal affects all currently certificated airports and approximately 38 additional airports that would need to obtain certificates. Accordingly, benefits are expected to accrue at all four proposed classes of certificated airports. Several different types of safety improvements are expected. These involve:

(1) Prevention of runway accidents or collisions because of inadequate signs and traffic and wind direction indicators,

(2) Mitigation of accident damages by improving runway safety areas at certain airports,

(3) Mitigation of accidents as a result of increased requirements for ARFF services,

(4) Prevention and mitigation of fires at airport fuel farms,

(5) Prevention and mitigation of runway accidents caused by snow and ice accumulation, and

(6) Prevention and mitigation of wildlife problems as a result of improved procedures for wildlife hazard management.

Airport accidents involving aircraft used in commercial operations are rare and random events. This was particularly true of small air carrier aircraft, in large part, because small aircraft serve a small portion of commercial air passenger activity. However, small air carrier aircraft activity is growing and is projected to continue to grow at much higher rates than major airline activity. For example, small air carrier revenue passenger miles are projected to increase an average of 7.5 percent per year compared to 4 percent for major airlines. As a result, prior history may not be predictive of the future. If provisions of the rule prevent or mitigate the consequences of one catastrophic accident involving an aircraft with 30 seats, the potential benefit of lives saved and property damage avoided is as much as $45 million. If the provisions of the rule prevents or mitigate an accident associated with the collision of two such aircraft, the benefit would double to as much as $90 million. Potential safety improvements are not limited to situations involving small air carrier aircraft, but encompass larger aircraft that also use smaller airports.

A brief discussion of benefits is included below. A more full discussion is contained in the full regulatory evaluation in the docket.

Markings, Signs, and Traffic and Wind Indicators

Increased safety would result from proposed uniform standards for installation of runway and taxiway markings, signs, and lighting, and for traffic and wind direction indicators. All classes of certificated airports would need to comply with these requirements. Although most airports affected by the rule currently meet these standards, a few airports (approximately 9) would need to upgrade certain requirements. The **FAA** believes uniform standards will make a significant contribution to safety. If pilots and other airport users can come to expect the same facilities, procedures, and equipment at every airport at which they operate, then many of the uncertainties and miscommunications that can cause accidents are no longer an issue.

Runway Safety Areas

A second example of a safety benefit expected as a result of this proposal relates to runway safety areas. On May 8, 1999, a SAAB 340 overran a runway at New York's John F. Kennedy International Airport. The airport had recently installed arresting material in compliance with part 139 safety area requirements that resulted in the airplane stopping 50 feet short of Thurston Bay. The incident resulted in very little damage to the aircraft and one minor passenger injury. A previous incident on the same runway in 1984, before the arresting material was

installed, resulted in an SAS DC-10 running into the bay. The incident resulted in passenger injuries and extensive airplane damage.

This proposal would require that Class III airports meet safety area requirements for the first time. The **FAA** has encouraged these airports to install safety areas for over 10 years, and many airports have already done so. Although the proposal will not require immediate installation of these safety facilities at any class of airports, over time, the eventual installation of safety areas at certificated airports will result in safer airports.

Emergency Response Services and Equipment

A major safety provision of the proposal requires the availability of some kind of emergency response services and equipment, including aircraft rescue and firefighting (ARFF) equipment. The service must be available during every landing and takeoff of scheduled air carrier aircraft with 10 to 30 seats. In some cases, this service may not currently be available for small aircraft operations at airports where such service is provided for larger aircraft. For example, an accident that occurred at Quincy, Illinois (a proposed Category II airport) on November 19, 1996 might have been mitigated had ARFF been standing by during the arrival of the small air carrier aircraft.

The U.S. air carrier transportation system is very safe, and accidents requiring emergency response action are rare. The risk of death or injury to a passenger, due in part to current emergency response requirements, is very small; however, many incidents have occurred where the perceived risk of an accident was great enough that ARFF units were alerted. The **FAA** has tracked airport incidents at currently certificated airports, and notes that over 1,200 such occurrences took place during an 18-month period.

These incidents usually involved large aircraft and occurred at

airports where emergency response services and equipment were available. Nevertheless, the **FAA** has no reason to believe that small aircraft operations are safer than large aircraft operations, and concludes that a proportionate number of similar incidents occur when and where ARFF is not available. Thus, the provision of emergency response capability at all certificated airports, as proposed, is necessary to ensure safety in air commerce.

Fuel Storage Fires

Another expected benefit is prevention/mitigation of fuel storage fires. The proposed rule requires all classes of airports to address fuel storage fires in their disaster plans. This will better prepare airports to prevent and/or extinguish the kind of fire that occurred at Stapleton International Airport, Denver, Colorado, on November 25, 1990. That fire erupted on a fuel farm about 1.8 mile from the main terminal and burned for 48 hours, destroying about 3 million gallons of fuel. Flight operations of a major air carrier were disrupted due to a lack of fuel, and the carrier estimated total damage to have reached between $15 and $20 million.

The National Transportation Safety Board (NTSB) concluded that the City and County of Denver (the airport certificate holder) and the fire department, in particular, apparently had not considered the possibility of a fire of this type since no procedures or contingency plans were in place. The **FAA** has determined that contingency plans that cover the possibility of a major fuel farm fire could result in similar fires being extinguished much sooner, and perhaps resulting in considerably less damage.

Snow and Ice Control

A safety benefit is expected from improved snow and ice control, which would reduce the potential for snow and ice related accidents. On March 17, 1993, a BAC-BA-Jetstream 3101 was making a night instrument approach to a proposed Class II airport. Because the runway was not properly plowed, and berms of snow concealed the runway lights at ground level, the captain lost control after touchdown, and the airplane sustained substantial damage.

This proposed rule would require Class II and III airports to develop snow and ice control plans. Although these proposed classes of airports already have procedures for snow and ice removal, this proposal would formalize consistent plans across all airports with scheduled air carrier services. The **FAA** concludes that this low-cost requirement to standardize response to snow and ice at certificated airports would significantly help prevent the kind of accident discussed above.

Wildlife Hazard Management

Finally, benefits are expected at all classes of certificated airports as a result of proposed actions to reduce wildlife hazards (bird strikes and other damaging collisions with wildlife). A **FAA** study of civil aircraft wildlife strikes in the U.S. (``Wildlife Strikes to Civil Aircraft in the United States, 1991-1997'') found a significant and growing hazard of wildlife strikes with aircraft in the vicinity of airports. The study determined that 97 percent of all wildlife strikes occur while arriving or departing from an airport. The number of annual

strikes increased 53 percent from 1991 to 1997, and, according to the **FAA** report, is now causing about $237 million per year in direct costs.

The expected benefit is that wildlife strikes would be reduced. Some operators of proposed Class II and III airports would be required to conduct wildlife hazard assessments, as well as formulate and implement wildlife hazard management plans for their airports. Ultimately, the rule is expected to reduce the number of strikes that would otherwise occur.

The **FAA** report estimates that wildlife strikes, at the present time, result in 501,560 hours per year of aircraft down time.

Costs

Some of the requirements of this proposal that will impose costs, such as improved snow and ice control, marking signing and lighting, and wildlife hazard management are intended to prevent accidents. Other requirements, such as emergency planning and improved emergency response capability are intended to mitigate accidents should they occur.

The major items of this rule that are expected to impose costs are summarized below:

Major cost items	Initial/Capital costs	Annual recurring costs
Risk Reduction Items (Subpart D-Operations--Records); Personnel; Marking; Signs and Lighting; Snow & Ice Control; Handling & Storing of Hazardous Substances & Materials; Traffic & Wind Direction Indicators; Self-Inspection Program; Ground Vehicles; Wildlife Hazard Management).....	$1,273,024	$1,429,382
Mitigation Items (ARFF, Airport Emergency Plan).....	2,247,928	4,600,918
Program total--current dollars	3,520,952	6,030,300

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The **FAA** estimates that the present value of the 10-year cost of this proposed rule is about $46 million.

A more detailed description of how these costs were estimated is contained in the full regulatory evaluation.

This estimate is likely to be high because it is based on assumed

average costs across all airports in each proposed class. In the application of this rule, each airport (particularly Class III airports) may have already complied with this rule, or may receive relief from certain aspects of this rule under the proposed exemption provisions.

Benefit-Cost Comparison

Although the **FAA** did not quantify the benefits of this proposal, some useful observations can be made. First, a single accident could easily equal, or double the estimated total cost of this proposal. A single accident involving a 30-seat airplane with an industry standard load factor could result in as much as a loss of $45 million (with the value of a fatality avoided valued at $2.7 million). For example, the accident at the Quincy airport is estimated to have cost as much as $40 million. Costs escalate quickly with each additional aircraft involved. In addition the proposed rule is expected to mitigate fuel storage fires, wildlife strikes, runway incursions, and snow/ice related accidents.

The **FAA** has determined that numerous safety benefits would occur from the provisions in the proposed rule. One of these benefits is the expected mitigation of an accident similar to the one at the Quincy airport where fatalities might have been avoided. The **FAA** proposes requirements that could reduce the potential for reoccurrence of conditions that resulted in the accident at Quincy Airport. In view of the moderate costs and potential benefits expected from this proposal, the **FAA** concludes that this proposal is cost-justified.

Initial Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 establishes, ``as a principle of regulatory issuance that agencies shall endeavor, consistent with the objective of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the business, organizations, and governmental jurisdictions subject to regulation.'' To achieve that principle, the Act requires agencies to solicit and consider flexible regulatory proposals and to explain the rationale for their actions. The Act covers a wide range of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a proposed or final rule will have a significant economic impact on a substantial number of small entities. If an agency determines that a proposed or final rule is not expected to have a significant economic impact on a substantial number of small entities, section 605(b) of the Act provides that the head of the agency may so certify, and a regulatory flexibility analysis (RFA) is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear. If the action will have a significant impact on a substantial number of small entities, the agency must prepare an RFA as described in the Act.

As mentioned earlier, the **FAA** has determined that this action would have a significant impact on a substantial number of small entities. The **FAA** has prepared an RFA in the Regulatory Evaluation, a copy of which has been placed in the docket for this rulemaking action. A summary of this analysis follows.

Affected Industries

As noted above, the **FAA** must attempt to minimize the potential economic impact of the proposed rule on small entities, and meet the agency's primary responsibility for aviation safety. The proposal would affect a total of 601 airports, of which an estimated 217 airports (36 percent) are small entities.

Description of Alternatives

The Regulatory Flexibility Act requires the **FAA** to consider the advantages and disadvantages of alternatives to this proposed rulemaking. The **FAA** has considered several alternative approaches to this proposed rulemaking and has attempted to minimize the potential economic impact of the proposal; especially the impact on small entities. In addition, this action fulfills the **FAA**'s responsibility to respond to the authority provided by Congress to certificate airports serving scheduled air carrier operations with 10-30 seat aircraft, except for the State of Alaska.

The **FAA**, in this NPRM, considered alternatives based on two issues. Issue I was the revision of 14 CFR part 139, and Issue II was the certification of airports serving scheduled operations of small air carrier aircraft with 10-30 passenger seats. The **FAA** determined that it was necessary to revise 14 CFR part 139 and that the revised part 139 should include the certification of airports serving scheduled air carrier operations with 10-30 passenger seat aircraft.

For Issue I, the revision of part 139, the four alternatives considered were:

Alternative 1: Amend administrative and definition sections of 14 CFR part 139 to incorporate airports serving scheduled air carrier operations into existing certification process; no changes to operational requirements.

The estimated total incremental costs of Alternative 1 would be approximately $42,000 for one-time costs and $46,000 for recurring costs.

Alternative 2: In addition to amending administrative and definition sections of part 139, only revise those part 139 operational requirements that the **FAA** has received a formal request to amend.

The estimated total incremental costs of Alternative 2 would be approximately $57,000 for one-time costs and $64,000 for recurring costs.

Alternative 3: Require only newly certificated airports to comply with proposed amendments to part 139 operational requirements; ``grandfather'' airports currently certificated and allow these facilities to continue to comply with existing operational requirements.

The estimated total incremental costs of Alternative 3 would be approximately $1,552,000 for one-time costs and $1,250,000 for recurring costs.

Alternative 4: Update part 139 by revising administrative and operational requirements throughout the regulation; both airports that are currently certificated and those newly certificated under part 139 would be required to comply with the revised regulations.

The estimated total incremental costs of Alternative 4 would be approximately $3,521,000 for one-time costs and $6,030,000 for recurring costs. This is the alternative selected by the **FAA**.

For Issue II, the certification of airports serving scheduled air

carrier operations with 10-30 passenger seat aircraft, the four alternatives considered were:

Alternative 1: Maintain current regulatory oversight of airports serving air carrier operations with more than 30 seat aircraft; no certification requirements for airports only serving smaller air carrier aircraft.

Alternative 1 maintains the current airport certification system. Therefore, there are no incremental costs for Alternative 1.

Alternative 2: Require airports that are currently certificated under part 139 to extend part 139 coverage to air carrier operations with 10-30 seat aircraft; no regulation of airports that serve only 10-30 seat aircraft.

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The estimated total incremental costs of Alternative 2 would be approximately $900,000 for one-time costs and $3,574,000 for recurring costs.

Alternative 3: Extend the scope of part 139 to include all airports that serve scheduled air carrier operations with 10-30 seat aircraft; require airports that only serve scheduled small air carrier operations to comply with fewer standards than those airports serving large air carrier operations.

The estimated total incremental costs of Alternative 3 would be approximately $2,284,000 for one-time costs and $5,058,000 for recurring costs.

Alternative 4: Amend part 139 to require all airports, regardless of size of air carrier aircraft and frequency of service, to comply with all required risk reduction and accident mitigation standards.

The estimated total incremental costs of Alternative 4 would be approximately $3,521,000 for one-time costs and $6,030,300 for recurring costs. This is the alternative selected by the **FAA**.

Compliance Assistance

The **FAA**'s policy and procedures related to small entities meets and exceeds the requirements of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). **FAA**'s regional offices regularly provide guidance and support in compliance matters to operators of airports classified as small entities. The guidance and support may occur via the telephone, e-mail, conventional mail, regional newsletters and **FAA** participation in industry conferences. In addition, it has been a long standing policy of the **FAA** to develop and distribute, free of charge, advisory circulars, informational brochures, and safety placards that are intended to assist the certificate holder in complying with the requirements of part 139. If this rule is adopted, the **FAA** will prepare a small entity compliance guide for the revised part 139. Also, existing **FAA** policy concerning enforcement of this regulation, and any subsequently adopted regulation, will continue to consider small entities status in obtaining compliance.

Affordability Analysis

The proposed rule was analyzed to determine its affordability. Many airports already meet the requirements of the proposed rule. These airports would incur only minor incremental costs as a result of the proposed rule.

The remaining airports meet most of the requirements of the proposed rule. These airports may be able to meet the requirements of the proposed rule with the purchase of additional equipment, coordination with air carriers to revise airline flight schedules, and increased use of airport staff for collateral duties.

As noted earlier, Federal funds that can be requested only cover capital items such as ARFF equipment, runway marking and lighting, and fencing. Federal funds cannot be used to cover the costs of maintenance and operation expenses or the cost of personnel.

Although many airports already meet all or most of the standards of the proposed rule, there would be some airports that may have difficulty in financing the improvements needed to meet the requirements of the proposed rule. Airports may request relief from certain requirements, although it may not be granted. Further, if an airport enplanes less than one-quarter of one percent of the passengers at all certificated airports, the airport operator may apply for an exemption from the ARFF requirements of the proposed rule. It is anticipated that in all requests for exemptions that the **FAA** would work with each airport individually to find a mutually agreeable solution. For the reasons discussed earlier, the proposed rule is expected to be affordable to all airports.

Business Closure Analysis

The possibility of business failures being caused by the proposed rule was analyzed. None of the airports covered by this rule are expected to close as a result of this rule. All of these airports accommodate general aviation aircraft, as well as air carrier aircraft. Even if these airports lose their air carrier service they would likely remain open to provide service to general aviation aircraft. However, the **FAA** does not intend to cause an airport to suspend scheduled air service to the community. As presented above, a certificate holder may request relief from requirements that might effect the airport's scheduled air service. For example, the **FAA** has the authority to exempt from ARFF requirements airports with less than one-quarter of one percent (0.025 percent) of annual U.S. enplanements.

Disproportionality Analysis

The proposed rule was analyzed to determine if it would have a disproportional effect on smaller entities. The **FAA** determined that the impact of the proposed rule on the smaller entities would be relatively higher than the impact on the larger entities because the smaller entities may require relatively greater efforts to comply. If this is the case, the smaller entity may incur proportionally higher costs than the larger entity. The **FAA** has determined that disproportionate costs are justified to achieve uniform standards that enhance safety. The **FAA** will exercise its authority to consider petitions for exemption that may minimize a disproportionate impact.

International Trade Impact Assessment

The provisions of this rule will have little or no impact on trade for U.S. firms doing business in foreign countries and foreign firms doing business in the United States.

Federalism Implications

The **FAA** has analyzed this proposed rule under the principles and criteria of Executive Order 13132, Federalism. Most airports subject to this rule are owned, operated, or regulated by a local governmental body (such as a city or county government), which, in turn, is either incorporated by or part of a State. In a few cases, the airports are operated directly by the states. This rule would have minimal direct effect on the States, and would not alter the relationship between the airport certificate holders and the **FAA** that is established by law. The annual costs of compliance with this rule would be very low compared with the resources available to the airports. Further, before issuing this NPRM, the **FAA** consulted with representatives of the airports through the Aviation Rulemaking Advisory Committee, as well as the states through various national associations of state and local governments. Also, **FAA** will mail to each state government a copy of the NPRM specifically inviting comment on this proposal.

Accordingly, the **FAA** has determined that this action would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the **FAA** has determined that this rulemaking does not have federalism implications.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532-1538) requires the **FAA** to assess the effects of Federal regulatory actions on state, local, and tribal governments, and on the private sector of proposed rules that contain a Federal intergovernmental or private sector mandate that exceeds $100 million in any one year. This action does not contain such a mandate.

Because many airports are owned by small governments, this proposed rule could affect a large number of small governments. To provide notice to the

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small governments affected by this proposed rule, a copy of the NPRM will be sent to each State's Aeronautics Authority. This will provide small governments the opportunity to comment on the proposed rule before it would be implemented.

Environmental Analysis

FAA Order 1050.1D defines **FAA** actions that may be categorically excluded from preparation of a National Environmental Policy Act (NEPA) environmental assessment or environmental impact statement. In accordance with **FAA** Order 1050.1D, appendix 4, paragraph 4(j), this rulemaking action qualifies for a categorical exclusion.

Energy Impact

The energy impact of the proposed rule has been assessed in accordance with the Energy Policy and Conservation Act (EPCA) and Public Law 94-163, as amended (42 U.S.C. 6362). It has been determined that it is not a major regulatory action under the provisions of the EPCA.

List of Subjects

14 CFR Part 121

Air carriers, Aircraft, Aviation safety, Charter flights, Safety, Transportation.

14 CFR Part 139

Air carriers, Airports, Aviation safety, Reporting and recordkeeping requirements.

The Proposed Amendments

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Chapter I of Title 14, Code of Federal Regulations, as follows:

PART 121--OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

1. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 44901, 44903-44904, 44912, 46105.

2. Revise Sec. 121.590 to read as follows.

Sec. 121.590 Use of certificated land airports.

(a) Except as provided in paragraph (b) of this section, or unless authorized by the Administrator, no air carrier, and no pilot being used by an air carrier may, in the conduct of operations governed by this part, operate an airplane into a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, unless that airport is certificated under part 139 of this chapter. Further, no air carrier may operate an airplane at such a certificated airport, unless that operation is authorized for the classification of the airport under part 139 of this chapter. However, an air carrier may designate and use as a required alternate airport for departure or destination, an airport that is not certificated under part 139 of this chapter.

(b) An air carrier or a commercial operator may use an airport not certificated under part 139 of this chapter if conducting domestic, flag, and passenger-carrying supplemental operations at any airport operated by the United States government; and the airport meets the equivalent safety standards of those required under part 139 of this chapter.

(c) An air carrier or a commercial operator may use an airport not certificated under part 139 of this chapter if conducting domestic and flag operations with turbojet powered airplanes designed for fewer than 10 passenger seats; or domestic and flag operations with airplanes designed for more than 9 and fewer than 31 passenger seats within the

State of Alaska, if:

(1) The airport is adequate for the proposed operation, considering such items as size, surface, obstructions, and lighting.

(2) For an airplane carrying passengers at night, the pilot may not take off from, or land at, an airport unless--

(i) The pilot has determined the wind direction from an illuminated wind direction indicator or local ground communications or, in the case of takeoff, that pilot's personal observations; and

(ii) The limits of the area to be used for landing or takeoff are clearly shown by boundary or runway marker lights. If the area to be used for takeoff or landing is marked by flare pots or lanterns, their use must be authorized by the Administrator.

3. Revise part 139 to read as follows:

PART 139--CERTIFICATION OF AIRPORTS

Subpart A--General

Sec.
139.1 Applicability.
139.3 Delegation of authority.
139.5 Definitions.
139.7 Methods and procedures for compliance.

Subpart B--Certification

139.101 General requirements.
139.103 Application for certificate.
139.105 Inspection authority.
139.107 Issuance of certificate.
139.109 Duration of certificate.
139.111 Exemptions.
139.113 Deviations.

Subpart C--Airport Certification Manual

139.201 General requirements.
139.203 Contents of airport certification manual.
139.205 Amendment of airport certification manual.

Subpart D--Operations

139.301 Records.
139.303 Personnel.
139.305 Paved areas.
139.307 Unpaved areas.
139.309 Safety areas.
139.311 Marking, signs, and lighting.
139.313 Snow and ice control.
139.315 Aircraft rescue and firefighting: Index determination.
139.317 Aircraft rescue and firefighting: Equipment and agents.
139.319 Aircraft rescue and firefighting: Operational requirements.
139.321 Aircraft rescue and firefighting: Exemptions.
139.323 Handling and storing of hazardous substances and materials.
139.325 Traffic and wind direction indicators.

139.327 Airport emergency plan.
139.329 Self-inspection program.
139.331 Ground vehicles.
139.333 Obstructions.
139.335 Protection of navaids.
139.337 Public protection.
139.339 Wildlife hazard management.
139.341 Airport condition reporting.
139.343 Identifying, marking, and reporting construction and other unserviceable areas.
139.345 Noncomplying conditions.

Authority: 49 U.S.C. 106(g), 40113, 44701-44706, 44709, 44719.

Subpart A--General

Sec. 139.1 Applicability.

(a) This part prescribes rules governing the certification and operation of airports in any State of the United States, the District of Columbia, or any territory or possession of the United States serving any--

(1) Scheduled passenger-carrying operations of air carrier aircraft designed for more than 9 passengers, as determined by the aircraft type certificate issued by a competent civil aviation authority; and

(2) Unscheduled passenger-carrying operations of air carrier aircraft designed for more than 30 passengers, as determined by the aircraft type certificate issued by a competent civil aviation authority.

(b) This part does not apply to--

(1) Airports serving scheduled air carrier operations only by reason of being designated as an alternate airport;

(2) Airports operated by the United States;

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(3) Airports located in the State of Alaska that only serve scheduled operations of small air carrier aircraft, and do not serve scheduled or unscheduled operations of large air carrier aircraft; or

(4) Heliports.

Sec. 139.3 Delegation of authority.

The authority of the Administrator under 49 U.S.C. 44706 to issue, revoke, and deny airport operating certificates is delegated to:

(a) The Associate Administrator for Airports, Director of Airport Safety and Standards, and Regional Airports Division Managers; and

(b) Each Airport Certification Safety Inspector, to the extent necessary to--

(1) Conduct inspections to determine compliance with the requirements of this part;

(2) Authorize exemptions and deviations from any requirement of this part;

(3) Approve or amend airport certification manuals required under this part; and

(4) Approve or disapprove standards, methods and procedures used to comply with this part.

Sec. 139.5 Definitions.

The following are definitions of terms as used in this part:

AFFF means aqueous film forming foam agent.

Air carrier operation means the takeoff or landing of an air carrier aircraft and includes the period of time from 15 minutes before and until 15 minutes after the takeoff or landing.

Airport means an area of land or other hard surface, excluding water, that is used or intended to be used for the landing and takeoff of aircraft, including any buildings and facilities.

Airport operating certificate means a certificate, issued under this part, for operation of a Class I, II, III, or IV airport.

Average daily departures means the average number of scheduled departures per day of air carrier aircraft computed on the basis of the busiest 3 consecutive calendar months of the immediately preceding 12 consecutive calendar months; except that if the average daily departures are expected to increase, then ``average daily departures'' may be determined by planned rather than current activity, in a manner authorized by the Administrator.

Certificate holder means the holder of an airport operating certificate issued under this part.

Heliport means an airport, or an area of an airport, used or intended to be used for the landing and takeoff of helicopters.

Class I airport means an airport certificated to serve scheduled operations of large air carrier aircraft that can also serve unscheduled passenger operations of large air carrier aircraft and/or scheduled operations of small air carrier aircraft.

Class II airport means an airport certificated to serve scheduled operations of small air carrier aircraft and the unscheduled passenger operations of large air carrier aircraft. A Class II airport cannot serve scheduled large air carrier aircraft.

Class III airport means an airport certificated to serve scheduled operations of small air carrier aircraft. A Class III airport cannot serve scheduled or unscheduled large air carrier aircraft.

Class IV airport means an airport certificated to serve unscheduled passenger operations of large air carrier aircraft. A Class IV airport cannot serve scheduled large or small air carrier aircraft.

Clean agent means electrically nonconducting volatile or gaseous fire extinguishing agent that does not leave a residue upon evaporation and has been shown to provide extinguishing action equivalent to halon 1211 under test protocols of **FAA** Technical Report DOT/**FAA**/AR-95/87.

Index means an airport ranking according to the type and quantity of aircraft rescue and firefighting equipment and agent required, determined by the length and frequency of air carrier aircraft served by the airport, as provided in subpart D of this part.

Large air carrier aircraft means, for the purpose of this part, an aircraft with a passenger seating capacity of more than 30 passengers that is operated by an air carrier.

Movement area means the runways, taxiways, and other areas of an airport which are used for taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.

Regional Airports Division Manager means the airports division manager for the **FAA** region in which the airport is located.

Safety area means a designated area abutting the edges of a runway or taxiway intended to reduce the risk of damage to an aircraft inadvertently leaving the runway or taxiway.

Scheduled operation means any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the air carrier, commercial operator, or their representatives offers in advance the departure location, departure time, and arrival location. It does not include any operation that is conducted as a supplemental operation under 14 CFR part 119, or is conducted as a public charter operation under 14 CFR part 380.

Small air carrier aircraft means, for the purpose of this part, an aircraft with a passenger seating capacity of more than 9 passengers but less than 31 seats that is operated by an air carrier.

Unscheduled operation means any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator with aircraft having more than 30 passenger seats that is conducted as a supplemental operation under 14 CFR part 119 or as a public charter under 14 CFR part 380, or for which departure time, departure location, and arrival location are specifically negotiated with the customer or the customer's representative.

Wildlife hazard means a potential for a damaging aircraft collision with wildlife on or near an airport. As used in this part, ``wildlife'' includes domestic animals while out of the control of their owners.

Sec. 139.7 Methods and procedures for compliance.

Certificate holders shall comply with requirements prescribed by subparts C and D of this part in a manner authorized by the Administrator. **FAA** Advisory Circulars contain methods and procedures for compliance with this part that are acceptable to the Administrator.

Subpart B--Certification

Sec. 139.101 General requirements.

(a) Except as otherwise authorized by the Administrator, no person may operate an airport specified under Sec. 139.1 without an airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport certification manual.

(b) Each airport shall adopt and comply with an airport certification manual as required under Sec. 139.203.

(c) Except as provided in Secs. 139.311, 139.321, and 139.327, airports required to have an airport operating certificate under this part shall have their airport certification manual approved and implemented in accordance with the following schedule:

(1) Class I airports--90 days after [the effective date of the final rule].

(2) Class II and III airports--240 days after [the effective date of the final rule].

(3) Class IV airports 180 days after [the effective date of the final rule].

Sec. 139.103 Application for certificate.

Each applicant for an airport operating certificate shall:

(a) Prepare and submit an application, in a form and in the manner prescribed by the Administrator, to the Regional Airports Division Manager.

(b) Submit with the application, two copies of an airport certification manual prepared in accordance with subpart C of this part.

Sec. 139.105 Inspection authority.

Each applicant for, or holder of, an airport operating certificate shall allow the Administrator to make any inspections, including unannounced inspections, or tests to determine compliance with 49 U.S.C. 44706 and the requirements of this part.

Sec. 139.107 Issuance of certificate.

An applicant for an airport operating certificate is entitled to a certificate if:

(a) The certificate holder provides written documentation that air carrier service will begin on a date certain.

(b) The applicant meets the provisions of Sec. 139.103.

(c) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with:

(1) Any limitation that the Administrator finds necessary to ensure safety in air transportation.

(2) The requirements of the airport certification manual as specified under Sec. 139.203.

(3) Any other provisions of this part that the Administrator finds necessary to ensure safety in air transportation.

(d) The Administrator approves the airport certification manual.

Sec. 139.109 Duration of certificate.

(a) An airport operating certificate issued under this part is effective until the certificate holder surrenders it, or the certificate is suspended or revoked by the Administrator.

(b) The Administrator may issue an order revoking an airport operating certificate issued under this part if air carrier operations have not occurred at an airport for 24 consecutive calendar months. Any final order is appealable under 14 CFR part 13.

Sec. 139.111 Exemptions.

(a) An applicant or a certificate holder may petition the Administrator under Sec. 11.25, Petitions for Rulemaking or Exemptions, of this chapter for an exemption from any requirement of this part.

(b) Under section 44706(c), the Administrator may exempt an applicant or a certificate holder that enplanes annually less than one-quarter of 1 percent of the total number of passengers enplaned at all

air carrier airports from all, or part, of the aircraft rescue and firefighting equipment requirements of this part, on the grounds that compliance with those requirements is, or would be, unreasonably costly, burdensome, or impractical. An applicant for, or holder of, an airport operating certificate filing for such an exemption shall use the format prescribed under Sec. 139.321.

(c) Each petition filed under this section must be submitted in duplicate to the Regional Airports Division Manager.

Sec. 139.113 Deviations.

In emergency conditions requiring immediate action for the protection of life or property, the certificate holder may deviate from any requirement of subpart D of this part, or the airport certification manual, to the extent required to meet that emergency. Each certificate holder who deviates from a requirement under this section shall, within 14 days after the emergency, notify the Regional Airports Division Manager of the nature, extent, and duration of the deviation. When requested by the Regional Airports Division Manager, the certificate holder shall provide this notification in writing.

Subpart C--Airport Certification Manual

Sec. 139.201 General requirements.

(a) No person may operate an airport subject to this part unless that person adopts and complies with an airport certification manual as required under this part, that--

(1) Has been approved by the Administrator;

(2) Contains only those items authorized by the Administrator;

(3) Is in printed form and signed by the certificate holder acknowledging the certificate holder's responsibility to operate the airport in compliance with the airport certification manual approved by the Administrator; and

(4) Is in a form that is easy to revise, and organized in a manner helpful to the preparation, review, and approval processes, including a revision log, and on each page or attachment, the date of initial approval, or approval by the Administrator of the latest revision.

(b) Each holder of an airport operating-certificate shall--

(1) Keep its airport certification manual current at all times;

(2) Maintain at least one complete and current copy of its approved airport certification manual on the airport, which will made available for inspection by the Administrator; and

(3) Furnish the applicable portions of the approved airport certification manual to the airport personnel responsible for their implementation.

(c) Each certificated holder shall ensure that the Regional Airports Division Manager is provided a complete copy of its most current approved airport certification manual that is specified under paragraph (b)(2) of this section, including any amendments approved under Sec. 139.209.

(d) **FAA** Advisory Circulars contain methods and procedures for the development of airport certification manuals that are acceptable to the Administrator.

Sec. 139.203 Contents of airport certification manual.

(a) Except as otherwise authorized by the Administrator, each certificate holder shall include in the airport certification manual a description of operating procedures, facilities and equipment, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with applicable provisions of subpart D of this part, and paragraph (b) of this section.

(b) Except as otherwise authorized by the Administrator, the certificate holder shall include in its airport certification manual the following elements, as appropriate for its class:

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

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4. A grid map or other means of identifying locations and terrain features on and around the airport which 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 Sec. 139.319(l) that serves it	X	X	X	X
7. Procedures for avoidance of interruption or failure during construction work of utilities serving facilities or navaids that support air carrier operations	X	X		
8. A description of the system for maintaining records	X	X	X	X

as required under Sec. 139.301.....
9. A description of personnel training as required under X
X X X
Sec. 139.303.....
10. Procedures for maintaining the paved areas as X
X X X
required under Sec. 139.305.....
11. Procedures for maintaining the unpaved areas as X
X X X
required under Sec. 139.307.....
12. Procedures for maintaining the safety areas as X
X X X
required under Sec. 139.309.....
13. A plan showing the runway and taxiway identification X
X X X
system along with the location and inscription of the
signs as required under Sec. 139.311.....
14. A description of, and procedures for maintaining, X
X X X
the marking, signs, and lighting systems as required
under Sec. 139.311.....
15. A snow and ice control plan as required under Sec. X
X X
139.313.....
16. A description of the facilities, equipment, X
X X X
personnel, and procedures for meeting the rescue and
firefighting requirements in accordance with Secs.
139.317 and 139.319.....
17. A description of any approved exemption to rescue X
X X X
and firefighting requirements as authorized under Sec.
139.321.....
18. Procedures for handling fuel, lubricants and oxygen X
X X
required under Sec. 139.323.....
19. Procedures for handling fuel, lubricants and oxygen.
X
20. A description of, and procedures for maintaining, X
X X
the traffic and wind direction indicators as required
under Sec. 139.325.....
21. A description of, and procedures for maintaining,
X
the traffic and wind direction indicators.....
22. An emergency plan as required under Sec. 139.327... X
X X X
23. Procedures for conducting the self-inspection X
X X
program as required under Sec. 139.329.....
24. Procedures for conducting the self-inspection
X
program.....
25. Procedures for controlling ground vehicles as X
X X
required under Sec. 139.331.....

26. Procedures for obstruction removal, marking, or X X X
lighting as required under Sec. 139.333.....
27. Procedures for protection of navaids as required X X X
under Sec. 139.335.....
28. A description of public protection as required under X X X
Sec. 139.337.....
29. A wildlife hazard management plan as required under X X X
Sec. 139.339.....
30. Procedures for airport condition reporting as X X X X
required under Sec. 139.341.....
31. Procedures for identifying, marking, and reporting X X X
construction and other unserviceable areas as required
under Sec. 139.343.....
32. Any other item that the Administrator finds is X X X X
necessary to ensure safety in air transportation.....

Sec. 139.205 Amendment of airport certification manual.

(a) Under Sec. 139.3, the Regional Airports Division Manager may amend any airport certification manual approved under this part, either--

(1) Upon application by the certificate holder; or

(2) On the Regional Airports Division Manager's own initiative if the Regional Airports Division Manager determines that safety in air transportation require the amendment.

(b) A certificate holder shall file an application for an amendment to its airport certification manual with the Regional Airports Division Manager at least 30 days before the proposed effective date of the amendment, unless a shorter filing period is allowed by that office.

(c) At any time within 30 days after receiving a notice of refusal to approve the application for amendment, the certificate holder may petition the Associate Administrator for Airports to reconsider the refusal to amend.

(d) In the case of amendments initiated by the Regional Airports Division Manager, the office notifies the certificate holder of the proposed amendment, in writing, fixing a reasonable period (but not less than 7 days) within which the certificate holder may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Regional Airports Division Manager notifies within 30 days the certificate holder of any amendment adopted or rescinds the notice. The amendment becomes effective not less than 30 days after the certificate holder receives notice of it, except that prior to the effective date the certificate holder may petition the Associate Administrator for Airports to reconsider the amendment, in which case its effective date is stayed pending a decision by the Associate Administrator for Airports.

(e) Notwithstanding the provisions of paragraph (d) of this section, if the Regional Airports Division Manager finds that there is

an emergency requiring immediate action with respect to safety in air transportation, the Regional Airports Division Manager may issue an amendment, effective without stay on the date the certificate holder receives notice of it. In such a case, the Regional Airports Division Manager incorporates the finding of the

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emergency, and a brief statement of the reasons for the finding, in the notice of the amendment. Within 30 days after the issuance of such an emergency amendment, the certificate holder may petition the Associate Administrator for Airports to reconsider either the finding of an emergency or the amendment itself or both. This petition does not automatically stay the effectiveness of the emergency amendment.

Subpart D--Operations

Sec. 139.301 Records.

In a manner authorized by the Administrator, each certificate holder shall:

(a) Furnish upon request by the Administrator all records required to be maintained under this part.

(b) If air carrier operations are less than 10,000 annually, make and maintain a record of air carrier operations, by type of aircraft, that occurred at the airport during previous 24 consecutive calendar months.

(c) Make and maintain any additional records required by the Administrator, this part and the airport certification manual, including, but not limited to, the following recordkeeping requirements of this part:

(1) Sec. 139.303, Personnel.

(2) Sec. 139.319, Aircraft rescue and firefighting: Operational requirements.

(3) Sec. 139.323, Handling and storing of hazardous substances and materials.

(4) Sec. 139.329, Self-inspection program.

(5) Sec. 139.331, Ground vehicles.

(6) Sec. 139.341, Airport condition reporting.

Sec. 139.303 Personnel.

In a manner authorized by the Administrator, each certificate holder shall:

(a) Provide sufficient and qualified personnel to comply with the requirements of its airport certification manual and the requirements of this part.

(b) Equip personnel with sufficient resources needed to comply with the requirements of this part.

(c) Provide personnel with initial and recurrent training necessary to perform their duties.

(d) Maintain records of all training given to each individual under this section for a period of 24 consecutive calendar months after completion of training. Such records shall include, at a minimum, a description and date of training received.

Sec. 139.305 Paved areas.

(a) In a manner authorized by the Administrator, each certificate holder shall maintain, and promptly repair the pavement of, each runway, taxiway, loading ramp, and parking area on the airport that is available for air carrier use as follows:

(1) The pavement edges shall not exceed 3 inches difference in elevation between abutting pavement sections, and between pavement and abutting areas.

(2) The pavement shall have no hole exceeding 3 inches in depth, nor any hole the slope of which from any point in the hole to the nearest point at the lip of the hole is 45 degrees or greater, as measured from the pavement surface plane, unless, in either case, the entire area of the hole can be covered by a 5-inch diameter circle.

(3) The pavement shall be free of cracks and surface variations that could impair directional control of air carrier aircraft.

(4) Except as provided in paragraph (b) of this section, mud, dirt, sand, loose aggregate, debris, foreign objects, rubber deposits, and other contaminants shall be removed promptly and as completely as practicable.

(5) Except as provided in paragraph (b) of this section, any chemical solvent that is used to clean any pavement area shall be removed as soon as possible, consistent with the instructions of the manufacturer of the solvent.

(6) The pavement shall be sufficiently drained and free of depressions to prevent ponding that obscures markings or impairs safe aircraft operations.

(b) Paragraphs (a)(4) and (a)(5) of this section do not apply to snow and ice accumulations and their control, including the associated use of materials such as sand and deicing solutions.

(c) **FAA** Advisory Circulars contain methods and procedures for the maintenance and configuration of paved areas that are acceptable to the Administrator.

Sec. 139.307 Unpaved areas.

(a) In a manner authorized by the Administrator, each certificate holder shall maintain and promptly repair the surface of each gravel, turf, or other unpaved runway, taxiway, or loading ramp and parking area on the airport which is available for air carrier use as follows:

(1) No slope from the edge of the full-strength surfaces downward to the existing terrain shall be steeper than 2:1.

(2) The full-strength surfaces shall have adequate crown or grade to assure sufficient drainage to prevent ponding.

(3) The full-strength surfaces shall be adequately compacted and sufficiently stable to prevent rutting by aircraft, or the loosening or build-up of surface material which could impair directional control of aircraft or drainage.

(4) The full-strength surfaces must have no holes or depressions which exceed 3 inches in depth and are of a breadth capable of impairing directional control or causing damage to an aircraft.

(5) Debris and foreign objects shall be promptly removed from the surface.

(b) **FAA** Advisory Circulars contain methods and procedures for the

maintenance and configuration of unpaved areas that are acceptable to the Administrator.

Sec. 139.309 Safety areas.

(a) Unless otherwise specified in the airport certification manual, each certificate holder shall, in a manner authorized by the Administrator, provide and maintain for each runway and taxiway that is available for air carrier use--

(1) If the runway or taxiway had a safety area on December 31, 1987, and if no reconstruction or significant expansion of the runway or taxiway was begun on or after January 1, 1988, a safety area of at least the dimensions that existed on December 31, 1987; or

(2) If construction, reconstruction, or significant expansion of the runway or taxiway began on or after January 1, 1988, a safety area that is authorized by the Administrator at the time construction, reconstruction, or expansion began.

(b) Each certificate holder shall maintain its safety areas as follows:

(1) Each safety area shall be cleared and graded, and have no potentially hazardous ruts, humps, depressions, or other surface variations.

(2) Each safety area shall be drained by grading or storm sewers to prevent water accumulation.

(3) Each safety area shall be capable under dry conditions of supporting snow removal equipment, and aircraft rescue and firefighting equipment, and supporting the occasional passage of aircraft without causing major damage to the aircraft.

(4) No object may be located in any safety area, except for objects that need to be located in a safety area because of their function. These objects shall be constructed, to the extent practical, on frangibly mounted structures of the lowest practical height with the frangible point no higher than 3 inches above grade.

(c) **FAA** Advisory Circulars contain methods and procedures for the configuration and maintenance of safety areas acceptable to the Administrator.

Sec. 139.311 Marking, signs, and lighting.

(a) Marking. Each certificate holder shall provide and maintain marking

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systems for air carrier operations on the airport that are authorized by the Administrator and consists of at least the following:

(1) Runway markings meeting the specifications for takeoff and landing minimums for each runway as authorized by the Administrator.

(2) Taxiway centerline.

(3) Edge markings, as appropriate.

(4) Holding position markings.

(5) ILS critical area markings.

(b) Signs. (1) Each certificate holder shall provide and maintain sign systems for air carrier operations on the airport that are authorized by the Administrator and consist of at least the following:

(i) Signs identifying taxiing routes on the movement area.

(ii) Holding position signs.

(iii) Instrument landing system (ILS) critical area signs.

(2) Unless otherwise authorized by the Administrator, the signs required by paragraph (b)(1) of this section shall be internally-illuminated at each Class I, II, and IV airport.

(3) Unless otherwise authorized by the Administrator, the signs required by paragraphs (b)(1) (ii) and (iii) of this section shall be internally-illuminated at each Class III airport.

(c) Lighting. Each certificate holder shall provide and maintain lighting systems for air carrier operations when the airport is open at night, during conditions below VFR minimums, or in Alaska, during periods 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. This lighting systems shall be authorized by the Administrator and consist of at least the following:

(1) Runway lighting meeting the specifications for takeoff and landing minimums for each runway as authorized by the Administrator.

(2) One of the following taxiway lighting systems:

(i) Centerline lights.

(ii) Centerline reflectors.

(iii) Edge lights.

(iv) Edge reflectors.

(3) An airport beacon.

(4) Approach lighting meeting the specifications for takeoff and landing minimums for each runway as authorized by the Administrator, unless otherwise provided and maintained by the **FAA** or another government agency.

(5) Obstruction marking and lighting, as appropriate, on each object within its authority which has been determined by the **FAA** to be an obstruction.

(d) Maintenance. Each certificate holder shall properly maintain each marking, sign, or lighting system installed and operated on the airport. As used in this section, to ``properly maintain'' includes: To clean, replace, or repair any faded, missing, or nonfunctional item; to keep each item unobscured and clearly visible; and to ensure that each item provides an accurate reference to the user.

(e) Lighting interference. Each certificate holder shall ensure that all lighting on the airport, including that for aprons, vehicle parking areas, roadways, fuel storage areas, and buildings, is adequately adjusted or shielded to prevent interference with air traffic control and aircraft operations.

(f) Standards. **FAA** Advisory Circulars contain methods and procedures for the equipment, material, installation, and maintenance of marking, sign, and lighting systems listed in this section that are acceptable to the Administrator.

(g) Implementation. The sign systems required under paragraph (b)(3) of this section shall be implemented by each holder of a Class III airport operating certificate not later than 36 consecutive calendar months after [the effective date of the final rule].

Sec. 139.313 Snow and ice control.

(a) As determined by the Administrator, each certificate holder whose airport is located where snow and icing conditions occur shall prepare, maintain, and carry out a snow and ice control plan in a

manner authorized by the Administrator.

(b) The snow and ice control plan required by this section shall include, at a minimum, instructions and procedures for--

(1) Prompt removal or control, as completely as practical, of snow, ice, and slush on each movement area;

(2) Positioning snow off the movement area surfaces so that all air carrier aircraft propellers, engine pods, rotors, and wingtips will clear any snowdrift and snowbank as the aircraft's landing gear traverses any portion of the movement area;

(3) Selection and application of authorized materials for snow and ice control to ensure that they adhere to snow and ice sufficiently to minimize engine ingestion;

(4) Timely commencement of snow and ice control operations; and

(5) Prompt notification, in accordance with Sec. 139.341, of all air carriers using the airport when any portion of the movement area normally available to them is less than satisfactorily cleared for safe operation by their aircraft.

(c) **FAA** Advisory Circulars contain methods and procedures for snow and ice control equipment, materials, and procedures for snow and ice control that are acceptable to the Administrator.

Sec. 139.315 Aircraft rescue and firefighting: Index determination.

(a) An Index is required by paragraph (c) of this section for each certificate holder. The Index is determined by a combination of--

(1) The length of air carrier aircraft; and

(2) Average daily departures of air carrier aircraft.

(b) For the purpose of Index determination, air carrier aircraft lengths are grouped as follows:

(1) Index A includes aircraft less than 90 feet in length.

(2) Index B includes aircraft at least 90 feet but less than 126 feet in length.

(3) Index C includes aircraft at least 126 feet but less than 159 feet in length.

(4) Index D includes aircraft at least 159 feet but less than 200 feet in length.

(5) Index E includes aircraft at least 200 feet in length.

(c) Except as provided in Sec. 139.319(c), if there are five or more average daily departures of air carrier aircraft in a single Index group serving that airport, the longest aircraft with an average of 5 or more daily departures determines the Index required for the airport. When there are fewer than five average daily departures of the longest air carrier aircraft serving the airport, the Index required for the airport will be the next lower Index group than the Index group prescribed for that aircraft.

(d) The minimum designated Index shall be Index A.

Sec. 139.317 Aircraft rescue and firefighting: Equipment and agents.

Unless otherwise authorized by the Administrator, the following rescue and firefighting equipment and agents are the minimum required for the Indexes referred to in Sec. 139.315:

(a) Index A. One vehicle carrying at least--

(1) 500 pounds of sodium-based dry chemical, halon 1211, or clean agent; or

(2) 450 pounds of potassium-based dry chemical and water with a commensurate quantity of AFFF to total 100 gallons, for simultaneous dry chemical and AFFF foam application.

(b) Index B. Either of the following:

(1) One vehicle carrying at least 500 pounds of sodium-based dry chemical, halon 1211, or clean agent, and 1,500 gallons of water, and the commensurate quantity of AFFF for foam production.

(2) Two vehicles--

(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(ii) One vehicle carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water

for foam production carried by both vehicles is at least 1,500 gallons.

(c) Index C. Either of the following:

(1) Three vehicles--

(i) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(ii) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 3,000 gallons.

(2) Two vehicles--

(i) One vehicle carrying the extinguishing agents as specified in paragraph (b)(1) of this section; and

(ii) One vehicle carrying water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by both vehicles is at least 3,000 gallons.

(d) Index D. Three vehicles--

(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 4,000 gallons.

(e) Index E. Three vehicles--

(1) One vehicle carrying the extinguishing agents as specified in paragraph (a)(1) or (2) of this section; and

(2) Two vehicles carrying an amount of water and the commensurate quantity of AFFF so that the total quantity of water for foam production carried by all three vehicles is at least 4,000 gallons.

(f) Existing vehicles. Notwithstanding the provisions of paragraphs (a) through (e) of this section, any certificate holder whose vehicles met the requirements of this part for quantity and type of extinguishing agent on December 31, 1987, may comply with the Index requirements of this section by carrying extinguishing agents to the full capacity of those vehicles. Whenever any of those vehicles is replaced or rehabilitated, the capacity of the replacement or rehabilitated vehicle shall be sufficient to comply with the provisions of the required Index under this section.

(g) Foam discharge capacity. Each aircraft rescue and firefighting vehicle used to comply with Index B, C, D, or E requirements with a capacity of at least 500 gallons of water for foam production shall be equipped with a turret. Vehicle turret discharge capacity shall be as follows:

(1) Each vehicle with a minimum rated vehicle water tank capacity of at least 500 gallons but less than 2,000 gallons shall have a turret

discharge rate of at least 500 gallons per minute but not more than 1,000 gallons per minute.

(2) Each vehicle with a minimum rated vehicle water tank capacity of at least 2,000 gallons shall have a turret discharge rate of at least 600 gallons per minute but not more than 1,200 gallons per minute.

(3) Notwithstanding the requirements of this paragraph (g), any certificate holder whose aircraft rescue and firefighting vehicles are not equipped with turrets or do not have the discharge capacity required in this section, but otherwise met the requirements of this part on December 31, 1987, need not comply with this paragraph (g) for a particular vehicle until that vehicle is replaced or rehabilitated.

(h) Agent discharge capacity. Each aircraft rescue and firefighting vehicle which is required to carry dry chemical, halon 1211, or clean agent for compliance with the index requirements of this section must meet one of the following minimum discharge rates for the equipment installed:

(1) Dry chemical, halon 1211, or clean agent through a hand line, 5 pounds per second.

(2) Dry chemical, halon 1211, or clean agent through a turret, 16 pounds per second.

(i) Extinguishing agent substitutions. Other extinguishing agent substitutions authorized by the Administrator may be made in amounts that provide equivalent firefighting capability.

(j) AFFF Quantity Requirements. In addition to the quantity of water required, each vehicle required to carry AFFF shall carry AFFF in an appropriate amount to mix with twice the water required to be carried by the vehicle.

(k) Methods and procedures. **FAA** Advisory Circulars in the 150 series contain standards and procedures for ARFF equipment and extinguishing agents that are acceptable to the Administrator.

(l) Implementation. Each holder of a Class II, III, or IV airport operating certificate shall implement the requirements of this section no later than 24 consecutive calendar months after [the effective date of the final rule].

Sec. 139.319 Aircraft rescue and firefighting: Operational requirements.

(a) Rescue and firefighting capability. Except as provided in paragraph (c) of this section, each certificate holder shall provide on the airport, during air carrier operations at the airport, at least the rescue and firefighting capability specified for the Index required by Sec. 139.317 in a manner authorized by the Administrator.

(b) Increase in Index. Except as provided in paragraph (c) of this section, if an increase in the average daily departures or the length of air carrier aircraft results in an increase in the Index required by paragraph

(a) of this section, the certificate holder shall comply with the increased requirements.

(c) Reduction in rescue and firefighting. During air carrier operations with only aircraft shorter than the Index aircraft group required by paragraph (a) of this section, the certificate holder may reduce the rescue and firefighting to a lower level corresponding to the Index group of the longest air carrier aircraft being operated.

(d) Procedures for reduction in capability. Any reduction in the

rescue and firefighting capability from the Index required by paragraph (a) of this section in accordance with paragraph (c) of this section shall be subject to the following conditions:

(1) Procedures for, and the persons having the authority to implement, the reductions must be included in the airport certification manual.

(2) A system and procedures for recall of the full aircraft rescue and firefighting capability must be included in the airport certification manual.

(3) The reductions may not be implemented unless notification to air carriers is provided in the Airport/Facility Directory or Notices to Airmen (NOTAM), as appropriate, and by direct notification of local air carriers.

(e) Vehicle communications. Each vehicle required under Sec. 139.317 shall be equipped with two-way voice radio communications that provides for contact with at least--

(1) Each other required emergency vehicle;

(2) The air traffic control tower, if it is located on the airport; and

(3) Other stations, as specified in the airport emergency plan.

(f) Vehicle marking and lighting. Each vehicle required under Sec. 139.317 shall--

(1) Have a flashing or rotating beacon; and

(2) Be painted or marked in colors to enhance contrast with the background environment and optimize daytime and nighttime visibility and identification.

(g) Vehicle readiness. Each vehicle required under Sec. 139.317 shall be maintained as follows:

(1) The vehicle and its systems shall be maintained so as to be operationally capable of performing the functions required by this subpart during all air carrier operations.

(2) If the airport is located in a geographical area subject to prolonged

temperatures below 33 degrees Fahrenheit, the vehicles shall be provided with cover or other means to ensure equipment operation and discharge under freezing conditions.

(3) Any required vehicle that becomes inoperative to the extent that it cannot perform as required by paragraph (h)(1) of this section shall be replaced immediately with equipment having at least equal capabilities. If replacement equipment is not available immediately, the certificate holder shall so notify the Regional Airports Division Manager and each air carrier using the airport in accordance with Sec. 139.341. If the required Index level of capability is not restored within 48 hours, the airport operator, unless otherwise authorized by the Administrator, shall limit air carrier operations on the airport to those compatible with the Index corresponding to the remaining operative rescue and firefighting equipment.

(h) Response requirements. (1) With the airport rescue and fire-fighting equipment required under this part and the number of trained personnel which will assure an effective operation, each certificate holder shall--

(i) Respond to each emergency during periods of air carrier operations; and

(ii) When requested by the Administrator, demonstrate compliance

with the response requirements specified in this section.

(2) The response required by paragraph (h)(1)(ii) of this section shall achieve the following performance:

(i) Within 3 minutes from the time of the alarm, at least one required airport rescue and firefighting vehicle shall reach the midpoint of the farthest runway serving air carrier aircraft from its assigned post, or reach any other specified point of comparable distance on the movement area which is available to air carriers, and begin application of extinguishing agent.

(ii) Within 4 minutes from the time of alarm, all other required vehicles shall reach the point specified in paragraph (h)(2)(i) of this section from their assigned post and begin application of extinguishing agent.

(i) Personnel. Each certificate holder shall ensure the following:

(1) All rescue and firefighting personnel are equipped in a manner authorized by the Administrator with protective clothing and equipment needed to perform their duties.

(2) All rescue and firefighting personnel are properly trained to perform their duties in a manner authorized by the Administrator. Such personnel shall be trained prior to initial performance of rescue and firefighting duties, and receive recurrent instruction every 12 consecutive calendar months. Curriculum for initial and recurrent training shall include at least the following areas:

(i) Airport familiarization.

(ii) Aircraft familiarization.

(iii) Rescue and firefighting personnel safety.

(iv) Emergency communications systems on the airport, including fire alarms.

(v) Use of the fire hoses, nozzles, turrets, and other appliances required for compliance with this part.

(vi) Application of the types of extinguishing agents required for compliance with this part.

(vii) Emergency aircraft evacuation assistance.

(viii)Firefighting operations.

(ix) Adapting and using structural rescue and firefighting equipment for aircraft rescue and firefighting.

(x) Aircraft cargo hazards, including hazardous materials/dangerous goods incidents.

(xi) Familiarization with firefighters' duties under the airport emergency plan.

(3) All rescue and firefighting personnel participate in at least one live-fire drill every 12 consecutive calendar months.

(4) At least one of the required personnel on duty during air carrier operations has been trained and is current in basic emergency medical services. Such personnel shall be trained prior to initial performance of emergency medical services, and receive recurrent instruction every 12 consecutive calendar months. Training shall include at least 40 hours covering the following areas:

(i) Bleeding.

(ii) Cardiopulmonary resuscitation.

(iii) Shock.

(iv) Primary patient survey.

(v) Injuries to the skull, spine, chest, and extremities.

(vi) Internal injuries.

(vii) Moving patients.

(viii) Burns.

(ix) Triage.

(5) Each certificate holder shall maintain a record of all training given to each individual under this section for 24 consecutive calendar months after completion of training. Such records shall include, at a minimum, a description and date of training received.

(6) 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 part;

(7) Procedures and equipment are established and maintained for alerting rescue and firefighting personnel by siren, alarm, or other means authorized by the Administrator, to any existing or impending emergency requiring their assistance.

(j) Hazardous materials guidance. Each aircraft rescue and firefighting vehicle responding to an emergency on the airport shall be equipped with, or have available through a direct communications link, the North American Emergency Response Guidebook published by the U.S. Department of Transportation or similar response guidance to hazardous materials/dangerous goods incidents.

(k) Emergency access roads. Each certificate holder shall ensure that roads which are designated for use as emergency access roads for aircraft rescue and firefighting vehicles are maintained in a condition that will support those vehicles during all-weather conditions.

(l) Methods and procedures. **FAA** Advisory Circulars contain methods and procedures for ARFF and emergency medical equipment and training that are acceptable to the Administrator.

(m) Implementation. Each holder of a Class II, III, or IV airport operating certificate shall implement the requirements of this section no later than 24 consecutive calendar months after [the effective date of the final rule].

Sec. 139.321 Aircraft rescue and firefighting: Exemptions.

(a) Under Sec. 139.111, a certificate holder may petition the Associate Administrator for Airports for an exemption from ARFF requirements of Secs. 139.317 and 139.319.

(b) Each petition filed under this section must--

(1) Be submitted in writing at least 120 days before the proposed effective date of the exemption;

(2) Be submitted in duplicate to the Regional Airports Division Manager;

(3) Set forth the text of Sec. 139.317 or Sec. 139.319 from which the exemption is sought;

(4) Explain the interest of the certificate holder in the action requested, including the nature and extent of relief sought, and alternative means of compliance proposed; and

(5) Contain information, views, or arguments that demonstrates that the requirements of Sec. 139.317 or Sec. 139.319 would be unreasonably costly, burdensome, or impractical.

(c) The Associate Administrator for Airports may grant an exemption to the requirements of Secs. 139.317 and 139.319 if it is determined that--

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(1) The certificate holder's compliance with the requirements of Secs. 139.317 and 139.319 would be unreasonably costly, burdensome, or

impractical; and

(2) The exemption granted would provide a level of safety in responding to emergencies involving air carrier operations that is equivalent to the rescue and firefighting response required under Secs. 139.317 and 139.319. In determining whether to grant an exemption, the Administrator shall consider the certificate holder's provisions for the following:

(i) Pre-arranged firefighting and basic emergency medical response that is on-airport 15 minutes before and 15 minutes after an air carrier aircraft takes off or lands;

(ii) Capability of responding emergency equipment and fire extinguishing agents to address aircraft fire and rescue situations;

(iii) Initial and recurrent training of responding personnel on the use of emergency equipment, basic emergency medical response, and airport familiarization;

(iv) Procedures to provide replacement emergency equipment or personnel in the event pre-arranged firefighting and basic emergency medical response specified in paragraph (c)(2)(i) of this section becomes unavailable; and

(v) Planned action to come into compliance with the rescue and firefighting response requirements of Secs. 139.317 and 139.319.

(d) Upon approval of the petition, the certificate holder shall include in the airport certification manual the exemption approved under paragraph (c) of this section.

Sec. 139.323 Handling and storing of hazardous substances and materials.

(a) Each certificate holder which acts as a cargo handling agent shall establish and maintain procedures for the protection of persons and property on the airport during the handling and storing of any material regulated by the Hazardous Materials Regulations (49 CFR parts 171 through 180), that is, or is intended to be, transported by air. These procedures shall provide for at least the following:

(1) Designated personnel to receive and handle hazardous substances and materials.

(2) Assurance from the shipper that the cargo can be handled safely, including any special handling procedures required for safety.

(3) Special areas for storage of hazardous materials while on the airport.

(b) Each certificate holder shall establish and maintain standards authorized by the Administrator for protecting against fire and explosions in storing, dispensing, and otherwise handling fuel, lubricants, and oxygen (other than articles and materials that are, or are intended to be, aircraft cargo) on the airport. These standards shall cover facilities, procedures, and personnel training and shall address at least the following:

(1) Bonding.

(2) Public protection.

(3) Control of access to storage areas.

(4) Fire safety in fuel farm and storage areas.

(5) Fire safety in mobile fuelers, fueling pits, and fueling cabinets.

(6) Training of fueling personnel in fire safety in accordance with paragraph (e) of this section. Such training at Class III airports must be completed within 12 consecutive calendar months after [the effective

date of the final rule].

(7) The fire code of the public body having jurisdiction over the airport.

(c) Each certificate holder shall, as a fueling agent, comply with, and require all other fueling agents operating on the airport to comply with, the standards established under paragraph (b) of this section and shall perform reasonable surveillance of all fueling activities on the airport with respect to those standards.

(d) Each certificate holder shall inspect the physical facilities of each airport tenant fueling agent at least once every 3 consecutive calendar months for compliance with paragraph (b) of this section and maintain a record of that inspection for at least 12 consecutive calendar months. The certificate holder may use an independent organization to perform this inspection if--

(1) It is authorized by the Administrator; and

(2) It prepares a record of its inspection sufficiently detailed to assure the certificate holder and the **FAA** that the inspection is adequate.

(e) The training required in paragraph (b)(6) of this section shall include at least the following:

(1) At least one supervisor with each fueling agent shall have completed an aviation fuel training course in fire safety that is authorized by the Administrator. Such an individual shall be trained prior to initial performance of duties, and receive recurrent instruction every 24 consecutive calendar months.

(2) All other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel shall receive at least on-the job training and recurrent instruction every 12 consecutive calendar months in fire safety from the supervisor trained in accordance with paragraph (e)(1) of this section.

(f) Each certificate holder shall obtain written confirmation once every 12 consecutive calendar months from each airport tenant fueling agent that the training required by paragraph (e) of this section has been accomplished.

(g) Unless otherwise authorized by the Administrator, each certificate holder shall require each tenant fueling agent to take immediate corrective action whenever the certificate holder becomes aware of noncompliance with a standard required by paragraph (b) of this section. The certificate holder shall notify the appropriate **FAA** Regional Airports Division Manager immediately when noncompliance is discovered and corrective action cannot be accomplished within a reasonable period of time.

(h) **FAA** Advisory Circulars contain methods and procedures for the handling and storage of hazardous substances and materials that are acceptable to the Administrator.

Sec. 139.325 Traffic and wind direction indicators.

In a manner authorized by the Administrator, each certificate holder shall provide the following on its airport:

(a) A wind cone that provides surface wind direction information visually to pilots. Supplemental wind cones must be installed at each runway end or at least at one point visible to the pilot while on final approach and prior to takeoff. If the airport is open for air carrier operations during hours of darkness, the wind direction indicators, including the required supplemental indicators, must be lighted.

(b) For airports serving any air carrier operation when there is no control tower operating, a landing strip and traffic pattern indicator for each runway with a right-hand traffic pattern. If there is no segmented circle, such landing strip and traffic pattern indicators must be installed on or near the end of the runway.

(c) **FAA** Advisory Circulars contain methods and standards for the installation, lighting and maintenance of wind cones and segmented circles that are acceptable to the Administrator.

Sec. 139.327 Airport emergency plan.

(a) In a manner authorized by the Administrator, each certificate holder shall develop and maintain an airport emergency plan designed to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. The plan shall--

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(1) Include procedures for prompt response to all of the emergencies listed in paragraph (b) of this section, including a communications network; and

(2) Sufficient detail to provide adequate guidance to each person who must implement it; and

(3) To extent practicable, provide for emergency response for the largest air carrier aircraft that the airport reasonably can be expected to serve.

(b) The plan required by this section must contain instructions for response to--

(1) Aircraft incidents and accidents;

(2) Bomb incidents, including designated parking areas for the aircraft involved;

(3) Structural fires;

(4) Fires at fuel farms or fuel storage areas;

(5) Natural disaster;

(6) Hazardous materials/dangerous goods incidents;

(7) Sabotage, hijack incidents, and other unlawful interference with operations;

(8) Failure of power for movement area lighting; and

(9) Water rescue situations, as appropriate.

(c) The plan required by this section must address or include--

(1) To the extent practicable, provisions for medical services including transportation and medical assistance for the maximum number of persons that can be carried on the largest air carrier aircraft that the airport reasonably can be expected to serve;

(2) The name, location, telephone number, and emergency capability of each hospital and other medical facility, and the business address and telephone number of medical personnel on the airport or in the communities it serves, agreeing to provide medical assistance or transportation;

(3) The name, location, and telephone number of each rescue squad, ambulance service, military installation, and government agency on the airport or in the communities it serves, that agrees to provide medical assistance or transportation;

(4) An inventory of surface vehicles and aircraft that the facilities, agencies, and personnel included in the plan under paragraphs (c)(2) and (c)(3) of this section will provide to transport

injured and deceased persons to locations on the airport and in the communities it serves;

(5) Each hangar or other building on the airport or in the communities it serves that will be used to accommodate uninjured, injured, and deceased persons;

(6) Crowd control, specifying the name and location of each safety or security agency that agrees to provide assistance for the control of crowds in the event of an emergency on the airport; and

(7) The removal of disabled aircraft including to the extent practical the name, location and telephone numbers of agencies with aircraft removal responsibilities or capabilities.

(d) The plan required by this section must provide for--

(1) The marshalling, transportation, and care of ambulatory injured and uninjured accident survivors;

(2) The removal of disabled aircraft;

(3) Emergency alarm or notification systems; and

(4) Coordination of airport and control tower functions relating to emergency actions, as appropriate.

(e) The plan required by this section shall contain procedures for notifying the facilities, agencies, and personnel who have responsibilities under the plan of the location of an aircraft accident, the number of persons involved in that accident, or any other information necessary to carry out their responsibilities, as soon as that information is available.

(f) The plan required by this section shall contain provisions, to the extent practicable, for the rescue of aircraft accident victims from significant bodies of water or marsh lands adjacent to the airport which are crossed by the approach and departure flight paths of air carriers. A body of water or marsh land is significant if the area exceeds one-quarter square mile and cannot be traversed by conventional land rescue vehicles. To the extent practicable, the plan shall provide for rescue vehicles with a combined capacity for handling the maximum number of persons that can be carried on board the largest air carrier aircraft that the airport reasonably can be expected to serve.

(g) Each certificate holder shall--

(1) Coordinate its plan with law enforcement agencies, rescue and firefighting agencies, medical personnel and organizations, the principal tenants at the airport, and all other persons who have responsibilities under the plan;

(2) To the extent practicable, provide for participation by all facilities, agencies, and personnel specified in paragraph (g)(1) of this section in the development of the plan;

(3) Ensure that all airport personnel having duties and responsibilities under the plan are familiar with their assignments and are properly trained; and

(4) At least once every 12 consecutive calendar months, review the plan with all of the parties with whom the plan is coordinated as specified in paragraph (g)(1) of this section, to ensure that all parties know their responsibilities and that all of the information in the plan is current.

(h) Each holder of a Class I airport operating certificate shall hold a full-scale airport emergency plan exercise at least once every 36 consecutive calendar months.

(i) **FAA** Advisory Circulars contain methods and procedures for the development of an airport emergency plan that are acceptable to the Administrator.

(j) The emergency plan required by this section shall be submitted

by each holder of a Class II, III, or IV airport operating certificate no later than 12 consecutive calendar months after [the effective date of the final rule.]

Sec. 139.329 Self-inspection program.

(a) In a manner authorized by the Administrator, each certificate holder, or designee, shall inspect the airport to assure compliance with this subpart--

(1) Daily, except as otherwise required by the airport certification manual;

(2) When required by any unusual condition such as construction activities or meteorological conditions that may affect safe air carrier operations; and

(3) Immediately after an accident or incident.

(b) Each certificate holder shall provide the following:

(1) Equipment for use in conducting safety inspections of the airport;

(2) Procedures, facilities, and equipment for reliable and rapid dissemination of information between airport personnel and its air carriers;

(3) Procedures to ensure that qualified inspection personnel perform the inspections, as specified under Sec. 139.303; and are trained annually in least the following areas:

(i) Airport familiarization.

(ii) Airport emergency plan.

(iii) Notice to Airmen (NOTAM) notification procedures.

(iv) Ground vehicle operations.

(v) Discrepancy reporting procedures.

(vi) Airport marking, lighting and sign systems; and

(4) A reporting system to ensure prompt correction of unsafe airport conditions noted during the inspection, including wildlife strikes.

(c) Each certificate holder shall prepare and keep for at least 6 consecutive calendar months, and make available for inspection by the Administrator on request, a record of each inspection prescribed by this section, showing the conditions found and all corrective actions taken.

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(d) **FAA** Advisory Circulars contain methods and procedures for the conduct of airport self-inspections that are acceptable to the Administrator.

Sec. 139.331 Ground vehicles.

In a manner authorized by the Administrator, each certificate holder shall--

(a) Limit access to movement areas and safety areas only to those ground vehicles necessary for airport operations;

(b) Establish and implement procedures for the safe and orderly access to, and operation on, the movement area and safety areas by ground vehicles, including provisions identifying the consequences of noncompliance with the procedures by an employee, tenant, or

contractor;

(c) When an air traffic control tower is in operation, ensure that each ground vehicle operating on the movement area is controlled by one of the following:

(1) Two-way radio communications between each vehicle and the tower;

(2) An escort vehicle with two-way radio communications with the tower to accompany any vehicle without a radio; or

(3) Measures authorized by the Administrator for controlling vehicles, such as signs, signals, or guards, when it is not operationally practical to have two-way radio communications with the vehicle or an escort vehicle;

(d) When an air traffic control tower is not in operation, provide adequate procedures to control ground vehicles on the movement area through prearranged signs or signals;

(e) Ensure that each employee, tenant, or contractor who operates a ground vehicle on any portion of the airport that has access to the movement area is familiar with the airport's procedures for the operation of ground vehicles and the consequences of noncompliance; and

(f) On request by the Administrator, make available for inspection any record of accidents or incidents on the movement areas involving air carrier aircraft and/or ground vehicles.

Sec. 139.333 Obstructions.

In a manner authorized by the Administrator, each certificate holder shall ensure that each object in each area within its authority which exceeds any of the heights or penetrates the imaginary surfaces described in part 77 of this chapter is either removed, marked, or lighted. However, removal, marking, and lighting are not required if they are determined to be unnecessary by an **FAA** aeronautical study. **FAA** Advisory Circulars contain methods and procedures for the lighting of obstructions that are acceptable to the Administrator.

Sec. 139.335 Protection of navaids.

In a manner authorized by the Administrator, each certificate holder shall--

(a) Prevent the construction of facilities on its airport that, as determined by the Administrator, would derogate the operation of an electronic or visual navaid and air traffic control facilities on the airport;

(b) Protect, or if the owner is other than the certificate holder, assist in protecting, all navaids on its airport against vandalism and theft; and

(c) Prevent, insofar as it is within the airport's authority, interruption of visual and electronic signals of navaids.

Sec. 139.337 Public protection.

(a) In a manner authorized by the Administrator, each certificate holder shall provide--

(1) Safeguards to prevent inadvertent entry to the movement area by unauthorized persons or vehicles; and

(2) Reasonable protection of persons and property from aircraft blast.

(b) Fencing meeting the requirements of part 107 of this chapter in areas subject to part 107 of this chapter is acceptable for meeting the requirements of paragraph (a)(1) of this section.

Sec. 139.339 Wildlife hazard management.

(a) In accordance with its airport certification manual and the requirements of this section, each certificate holder shall take immediate action to alleviate wildlife hazards whenever they are detected.

(b) In a manner authorized by the Administrator, each certificate holder shall ensure that a wildlife hazard assessment is conducted when any of the following events occurs on or near the airport:

(1) An air carrier aircraft experiences a multiple bird strike or engine ingestion.

(2) An air carrier aircraft experiences a damaging collision with wildlife other than birds.

(3) Wildlife of a size or in numbers capable of causing an event described in paragraph (b)(1) or (2) of this section has access to any airport flight pattern or aircraft movement area.

(c) The assessment required in paragraph (b) of this section shall be conducted by a wildlife damage management biologist that has at least a Bachelor of Science degree in wildlife biology, wildlife management or related field and professional training and/or experience in wildlife hazard management at airports, or an individual working under the direct supervision of the such an individual. The assessment shall contain at least the following:

(1) An analysis of the events or circumstances which prompted the assessment.

(2) Identification of the wildlife species observed, and their numbers, locations, local movements, and daily and seasonal occurrences.

(3) Identification and location of features on and near the airport that attract wildlife.

(4) A description of wildlife hazard to air carrier operations.

(5) Recommended actions for reducing identified wildlife hazards to air carries operations.

(d) The assessment shall be submitted to the Administrator for approval and determination of the need for a wildlife hazard management plan. In reaching this determination, the Administrator will consider:

(1) The wildlife hazard assessment required under paragraph (b) of this section.

(2) Actions recommended in the wildlife hazards assessment to reduce wildlife hazards.

(3) The aeronautical activity at the airport.

(4) The views of the certificate holder.

(5) The views of the airport users.

(6) Any other known factors relating to the wildlife hazard of which the Administrator is aware.

(e) When the Administrator determines that a wildlife hazard management plan is needed, the certificate holder shall formulate and implement a plan using the wildlife hazard assessment as a basis. The plan shall:

(1) Provide measures to alleviate or eliminate wildlife hazards to

air carrier operations;

(2) Be submitted to, and approved by, the Administrator prior to implementation; and

(3) As authorized by the Administrator, become a part of the Airport Certification Manual.

(f) The plan shall include at least the following:

(1) A list of the individuals having authority and responsibility for implementing each aspect of the plan.

(2) A list prioritizing the following actions identified in the wildlife hazard assessment and target dates for their completing:

(i) Wildlife population management;

(ii) Habitat modification; and

(iii) Land use changes.

(3) Requirements for and, where applicable, copies of local, State, and Federal wildlife control permits.

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(4) Identification of resources that the certificate holder will provide to implement the plan.

(5) Procedures to be followed during air carrier operations, that at a minimum includes:

(i) Designation of personnel responsible for implementing the procedures;

(ii) Provisions to conduct physical inspections of the aircraft movement areas and other areas critical to successfully manage known wildlife hazard before air carrier operations begin;

(iii) Wildlife hazard control measures; and

(iv) Ways to effectively communicate between wildlife control personnel and any air traffic control tower operating at the airport.

(6) Describe procedures to review and evaluate the wildlife hazard management plan annually or following an event described in paragraphs (b)(1), (2) and (3) of this section, including:

(i) The plan's effectiveness in dealing with known wildlife hazards on and in the airport's vicinity; and

(ii) Aspects of the wildlife hazards, as described in the wildlife hazard assessment, that should be reevaluated.

(7) A training program conducted by qualified wildlife damage management biologist(s) to provide airport personnel with the knowledge and skills needed to successfully carry out the wildlife hazard management plan required by paragraph (d) of this section.

(g) At Class II or III airports, implementation of the wildlife mitigation procedures shall take into account the frequency and size of air carrier aircraft.

(h) **FAA** Advisory Circulars contain methods and procedures for wildlife hazard management at airports that are acceptable to the Administrator.

Sec. 139.341 Airport condition reporting.

In a manner authorized by the Administrator, each certificate holder shall:

(a) Provide for the collection and dissemination of airport condition information to air carriers.

(b) In complying with paragraph (a) of this section, utilize the NOTAM system, as appropriate, and other systems and procedures

authorized by the Administrator.

(c) In complying with paragraph (a) of this section, provide information on the following airport conditions that may affect the safe operations of air carriers:

(1) Construction or maintenance activity on movement areas, safety areas, or loading ramps and parking areas.

(2) Surface irregularities on movement areas, safety areas, or loading ramps and parking areas.

(3) Snow, ice, slush, or water on the movement area or loading ramps and parking areas.

(4) Snow piled or drifted on or near movement areas contrary to Sec. 139.313.

(5) Objects on the movement area or safety areas contrary to Sec. 139.309.

(6) Malfunction of any sign or lighting system required by Sec. 139.311.

(7) Unresolved wildlife hazards as identified in accordance with Sec. 139.339.

(8) Non-availability of any rescue and firefighting capability required in Sec. 139.317, Sec. 139.319, or Sec. 139.321.

(9) Any other condition as specified in the airport certification manual, or which may otherwise adversely affect the safe operations of air carriers.

(d) **FAA** Advisory Circulars contain methods and procedures for using the NOTAM system and the dissemination of airport information that are acceptable to the Administrator.

Sec. 139.343 Identifying, marking, and reporting construction and other unserviceable areas.

(a) In a manner authorized by the Administrator, each certificate holder shall--

(1) Mark and, if appropriate, light in a manner authorized by the Administrator--

(i) Each construction area and unserviceable area which is on or adjacent to any movement area or any other area of the airport on which air carrier aircraft may be operated;

(ii) Each item of construction equipment and each construction roadway, which may affect the safe movement of aircraft on the airport; and

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

(2) Provide procedures, such as a review of all appropriate utility plans prior to construction, for avoiding damage to existing utilities, cables, wires, conduits, pipelines, or other underground facilities.

(b) **FAA** Advisory Circulars contain methods and procedures for identifying and marking construction areas that are acceptable to the Administrator.

Sec. 139.345 Noncomplying conditions.

Unless otherwise authorized by the Administrator, whenever the requirements of subpart D of this part cannot be met to the extent that uncorrected unsafe conditions exist on the airport, the certificate holder shall limit air carrier operations to those portions of the

airport not rendered unsafe by those conditions.

Issued in Washington, DC, on June 2, 2000.

Paul L. Galis,

Acting Associate Administrator for Airports.

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