

Air Carrier Newsletter

In this issue of the Air Carrier Newsletter, we review a number of FAA guidance documents that impact domestic and foreign air carriers. We begin with a summary of amended operations specifications (OpSpecs) paragraph A021 issued for 14 CFR part 121 air carriers and new guidance published to assist operators to comply with 14 CFR part 117. We also review the recent changes to the International Civil Aviation Organization (ICAO) Filed Flight Plan format that took effect this month. Finally, we highlight two draft 14 CFR 129.14 OpSpecs templates open for comment, which will affect foreign air carriers with authorization to operate to the U.S.

OpSpecs Paragraph A010, Aviation Weather Information: 14 CFR Part 121

On October 11, 2012, FAA issued [N 8900.199](#), OpSpec/MSpec A010, Aviation Weather Information. FAA conducted a comprehensive review of the currently issued OpSpec/MSpec A010, formerly titled “Aeronautical Weather Data,” which revealed a wide range of authorizations, some of which have been issued in a manner inconsistent with FAA policy and guidance. Several changes have been made to OpSpec/MSpec A010 template and to the accompanying guidance contained in Order 8900.1. Below are some of the highlights of the changes to OpSpec/MSpec A010:

- The language has been modified to conform to the individual regulatory requirements of parts [91K](#), [121](#), [125](#), and [135](#) operations.
- The Qualified Internet Communication Provider (QICP) table has been removed due to lack of a regulatory requirement for such a provider.
- A table has been added to the part [121](#) OpSpecs template for an approved adverse weather phenomena reporting and forecast system.

The revision to the A010 template for part 121 (Rev 030) is a mandatory change. Principal Operations Inspectors (POI) of part 121 certificate holders will have 120 days from the date of the Notice to review the guidance contained in Order 8900.1, Volume 3 Chapter 26, Sections 1 through 4 and issue the new template in accordance with that guidance.

On October 11, 2012, FAA published two new Advisory Circulars (AC) designed to assist 14 CFR part 121 certificate holders operating under Part 117 comply with the requirements on fatigue education and training requirements.

AC 117-2, Fatigue Education and Awareness Training Program

New [AC 117-2](#) presents guidelines for developing and implementing a Fatigue Education and Awareness Training Program. These guidelines apply to those certificate holders conducting operations under 14 CFR 117.9. Fatigue training requirements are critical to mitigating the risk of fatigue by ensuring that both flightcrew members and certificate holders understand the effects of fatigue on the safety of flight. Each part 121 certificate holder operating under part 117 must develop, implement, update, and maintain an FAA-approved Fatigue Education and Awareness Training Program. The training applies to all employees responsible for administering the provisions of the new rule, including flightcrew members, dispatchers, individuals directly involved in the scheduling of flightcrew members, individuals directly involved in operational control, and any employee providing direct management oversight of those areas.

The Fatigue Education and Awareness Training Program subject areas are identical as those outlined in Information for Operators (InFO) [10017, Fatigue Risk Management Plans](#) (FRMP) for Part 121 Air Carriers – Part Two, dated August 19, 2010.

AC 117-3, Fitness for Duty

New [AC 117-3](#) was developed to demonstrate acceptable methods of compliance with 14 CFR 117.5, Fitness for Duty. 14 CFR Part 117 requires each flightcrew member assigned to a flight duty period (FDP) to be fit for duty prior to commencing a flight. Section 117.3 defines “fit for duty” as being physiologically and mentally prepared and capable of performing assigned duties at the highest degree of safety. Section 117.5(a), in conjunction with the other provisions of this rule, places a joint responsibility on the certificate holder and each flightcrew member.

Since fitness for duty is a joint responsibility between the air carrier and flightcrew member, an air carrier should develop and implement fatigue countermeasure initiatives such as fatigue and commuting policies to assure the air carrier conducts each operation to the highest level of air safety. Equally, flightcrew members must commute in a responsible manner so as to prevent the potential effects of fatigue that may result as a contributing or causal factor to an incident, accident, or pilot deviation.

ICAO Filed Flight Plan Format Changed

In November 2012, the Item and Field contents of the ICAO Filed Flight Plan (FPL) and related messages were changed. The prior ICAO flight plan format will no longer be supported. Changes include:

- Additional alphanumeric qualifiers in Item 10 (Equipment and Capabilities) that reflect enhancements to operational capabilities in ground-based and satellite-based navigation and surveillance equipment. The new qualifiers cover equipment for Automatic Dependent Surveillance-Broadcast (ADS-B), Automatic Dependent Surveillance-Contract (ADS-C), and Controller Pilot Data Link Future Air Navigation System (CPDLC-FANS), as well as, several other qualifier additions and deletions.
- Significant changes to Item 18 (Other Information), including formatting, indicator definitions, specific grammar for special handling, and new Performance Based Navigation (PBN/) qualifiers for Area Navigation (RNAV) and Required Navigation Performance (RNP).
- Specific format for aerodromes not listed in the Aeronautical Information Publication (AIP).
- Delay (DLA), Change (CHG), Cancel (CNL) and Arrival (ARR) message formats.

FAA guidance on ICAO Flight Plan Filing can be found under [FAA ICAO Flight Planning Guidance](#).

Draft 14 CFR Part 129 OpSpecs C056 & A001 Open for Comment

FAA published two draft 14 CFR 129.14 OpSpecs templates (and associated guidance material) for comment—[OpSpec A001 & OpSpec C056](#). Upon implementation, new OpSpecs would be issued to foreign air carriers that currently hold operational authorizations (under 14 CFR 129.14) allowing operations to the U.S.

OpSpec A001 is issued to all operators. The proposed amendments to OpSpec A001, Issuance and Applicability, and Reports, include the following changes:

- Added agent for service information based on the 129.9 (b) regulatory requirements.
- Replaced the word “operator” with “person” based on Part 129 definitions and terminology.
- Removed all language already covered by OpSpecs Paragraph D085.
- Removed the requirement to carry on board U.S. issued OpSpecs to 129.14. It is the State of the Operator’s responsibility to issue AOC and associated OpSpec to be carried on board. (See ICAO Annex 6, 4.2.1 and Appendix 6).
- Added responsible FSDO/IFO/IFU details to include office name, addresses and principal inspectors (PI) details.

Note: foreign air carriers or persons must continue to comply with the 14 CFR 129.14 requirements.

Proposed amendments to OpSpec C056 (renamed IFR Takeoff Minimums – Airplanes) incorporates information from OpSpec C057, makes correction to existing language, and adds new limitations; including:

- Addition of a new table, for clarity of what the operator is authorized - lowest RVR for airplane type, HUD system (if applicable), and additional limitations and provisions column;
- Addition of 500 feet as the lowest RVR minimum without HUD and the associated limitations;
- Addition of RVR 300/300/300 with HUD and the associated limitations;
- Corrections to selectable text previously in OpSpec C057 for lower than standard takeoff minimum for foreign air carriers operating airplanes with a seating configuration of 30 seats or less or a maximum payload of 7,500 pounds or less;
- Corrections to the following limitations: centerline lights, high intensity lights, and centerline markings. Specifically:
 - Deletion of “operative” centerline lights and “operative” high intensity runway lights;
 - Insertion of “serviceable” centerline lights and “serviceable” high intensity runway lights;
 - Addition of “visible” to runway centerline markings;
- Clarification that the minimums authorized are those authorized by the State of the Operator; and
- Deletion of training and pilot experience text, which is covered by 14 CFR 129.5 and ICAO Annex 6. This is a State of the Operator responsibility.

OpSpec C057 would be decommissioned. Issuance of OpSpec C056 is optional at the request of the operator.

Comments on Draft OpSpecs A001 and C056, along with the associated guidance documents, are due on or before **December 1, 2012**.

If you have any questions about the guidance documents published by FAA, or if you would like assistance in the preparation or submission of comments on the draft Part 129 OpSpecs, please contact our office.

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