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APPENDIX A TO PART 65—AIRCRAFT DISPATCHER COURSES

AUTHORITY: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

SOURCE: Docket No. 1179, 27 FR 7973, Aug. 10, 1962, unless otherwise noted.

SPECIAL FEDERAL AVIATION REGULATION
NO. 100–1

EDITORIAL NOTE: For the text of SFAR No. 100–1, see part 61 of this chapter.

EFFECTIVE DATE NOTE: By Doc. No. FAA–2005–15431, 70 FR 37948, June 30, 2005, SFAR No. 100–1 was added, effective June 30, 2005 through June 20, 2010.

SPECIAL FEDERAL AVIATION REGULATION
NO. 103—PROCESS FOR REQUESTING
WAIVER OF MANDATORY SEPARATION
AGE FOR A FEDERAL AVIATION ADMINISTRATION AIR TRAFFIC CONTROL SPECIALIST IN FLIGHT SERVICE STATIONS, ENROUTE OR TERMINAL FACILITIES, AND THE DAVID J. HURLEY AIR TRAFFIC CONTROL SYSTEM COMMAND CENTER

1. *To whom does this SFAR apply?* This Special Federal Aviation Regulation (SFAR) applies to you if you are an air traffic control specialist (ATCS) employed by the FAA in flight service stations, enroute facilities, terminal facilities, or at the David J. Hurley Air Traffic Control System Command Center who wishes to obtain a waiver of the mandatory separation age as provided by 5 U.S.C. section 8335(a).

2. *When must I file for a waiver?* No earlier than the beginning of the twelfth month before, but no later than the beginning of the sixth month before, the month in which you turn 56, your official chain-of-command must receive your written request asking for a waiver of mandatory separation.

3. *What if I do not file a request before six months before the month in which I turn 56?* If

your official chain-of-command does not receive your written request for a waiver of mandatory separation before the beginning of the sixth month before the month in which you turn 56, your request will be denied.

4. *How will the FAA determine if my request meets the filing time requirements of this SFAR?*

a. We consider your request to be filed in a timely manner under this SFAR if your official chain-of-command receives it or it is postmarked:

i. After 12 a.m. on the first day of the twelfth month before the month in which you turn 56; and

ii. Before 12 a.m. of the first day of the sixth month before the month in which you turn 56.

b. If you file your request by mail and the postmark is not legible, we will consider it to comply with paragraph a.2 of this section if we receive it by 12 p.m. of the fifth day of the sixth month before the month in which you turn 56.

c. If the last day of the time period specified in paragraph a.2 or paragraph b falls on a Saturday, Sunday, or Federal holiday, we will consider the time period to end at 12 p.m. of the next business day.

5. *Where must I file my request for waiver and what must it include?*

a. You must file your request for waiver of mandatory separation in writing with the Air Traffic Manager in flight service stations, enroute facilities, terminal facilities, or the David J. Hurley Air Traffic Control System Command Center in which you are employed.

b. Your request for waiver must include all of the following:

- i. Your name.
- ii. Your current facility.
- iii. Your starting date at the facility.
- iv. A list of positions at the facility that you are certified in and how many hours it took to achieve certification at the facility.
- v. Your area of specialty at the facility.
- vi. Your shift schedule.
- vii. Your statement that you have not been involved in an operational error, operational deviation or runway incursion in the last 5 years while working a control position;
- viii. A list of all facilities where you have worked as a certified professional controller (CPC) including facility level and dates at each facility;
- ix. Evidence of your exceptional skills and experience as a controller; and
- x. Your signature.

6. *How will my waiver request be reviewed?*

a. Upon receipt of your request for waiver, the Air Traffic Manager of your facility will make a written recommendation that the Administrator either approve or deny your request. If the manager recommends approval of your request, he or she will certify in writing the accuracy of the information