

Part 121 Certification Questions & Answers

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1. *How long does the certification process take?*

The answer to this question depends on the quality of the submissions in your Formal Application Package. Using the Safety Attribute Inspection (SAI) data collection tools to audit your safety-critical processes will greatly improve the quality of your Formal Application Package, especially your company manuals and other system documentation, and will reduce the amount of time needed to complete the certification process.

2. *How do I start the certification process?*

Contact your local FAA Flight Standards District Office (FSDO) for information on the certification process. You can locate the office nearest you by visiting the FAA Public website at <http://www.faa.gov>.

3. *What kind of help can I expect from the FAA?*

The FAA can give you guidance on FAA processes such as ATOS. According to Title 49 USC, air carriers have a duty to provide service with the highest possible degree of safety in the public interest, and FAA must determine that an air carrier applicant is equipped and able to operate safely before issuing an operating

certificate. (See Title 49 USC, Sections 44702 and 44705.) Refer to paragraph 10-2 in FAA Order 8900.1, [Volume 10, Chapter 1, Section 1](#).

4. ***When do I have to have an airplane?***

In the Formal Application Package, you have to be able to identify the airplane you intend to use by make/model/serial number so that you can write your training programs and maintenance programs. You do not have to have actual possession of the airplane; you can show intent by including a lease or purchase agreement in your Formal Application Package.

5. ***Do the Certification Process Document (CPD) steps have to be done sequentially?***

There is some flexibility about when a CPD step should be accomplished. For example, with approval from the AFS 900 Manager, the Certification Process Manager (CPM) can use the Aircraft Configuration Job Aid at any time in the certification process if there are concerns about the applicant's airplane.

6. ***Do I have to incorporate the six safety attributes into my system processes?***

Inspectors use Safety Attribute Inspections (SAIs) to collect data for ATOS design assessments. They are organized into five sections, each addressing the safety attributes. One section covers *responsibility* and *authority*. The other sections cover *procedures*, *controls*, *process measures*, and *interfaces*. These safety attributes are not standards that have to be incorporated into your system processes. However, they do provide a logical structure for the Certification Project Manager to determine whether an air carrier applicant's system process or program meets the full intent of a regulation. In other words, does the system or program meet the literal requirements and intent of the regulations, and is it capable of [identifying operational hazards and managing associated risk](#)?

7. ***How many Safety Attribute Inspection (SAI) data collection tools do I have to complete?***

You must audit your processes using any SAI data collection tool that contains regulatory requirements that apply to your proposed scope of operations.

8. ***What happens if all of the Safety Attribute Inspection (SAI) questions cannot be answered "yes"?***

All applicants and certificate holders have some "No" answers. "No" answers do not automatically equate to an unsafe condition or a regulatory violation, unless that particular "No" has a regulatory basis and the documented process includes a possible violation or an unsafe condition. "No" answers fall into one of these categories:

- The first category of "no" answers represents compliance issues that are tied to literal regulatory requirements. The issues associated with these "no" answers will require modifications to the process design.
- The second category of "no" answers represents compliance issues that do not require any action. For example, a single "no" may be an outlying data point of no consequence, or it may represent a hazard with associated risk that is being managed at an acceptable level. Another example in this

category is a “no” answer related to a safety attribute that is not significant for approval or acceptance of a system or program or is not essential to the performance of a system or program.

- A final category of “no” answers provides evidence that a process does not meet the intent of a regulation and, therefore, requires you to alter the design of your processes. ATOS tools help the FAA describe the system deficiency by referring to the safety attributes and by reviewing how the deficiency ultimately relates to the 49 USC requirements you need to meet to identify hazards and manage associated risks. If you do not make acceptable corrections, then it may be appropriate to withhold, limit, or alter operating approvals and authorizations.

9. *Does my manual system have to be “compliant,” “aligned,” “integrated,” or “conformed” to ATOS?*

The transition to ATOS has prompted some industry representatives and FAA inspectors to inquire how air carriers can prepare their manuals to become “compliant,” “aligned,” “integrated,” or “conformed” to ATOS. While these questions are well intentioned, they reveal the disconnect from the intent of the program. ATOS does not prescribe a format for air carrier manuals. There is [no such thing as an ATOS compliant manual](#).

The requirements mentioned in the question imply that ATOS is a standard, which it is not. ATOS is an oversight system for use by inspectors, not a set of standards or processes with which an operator must comply. ATOS helps inspectors determine regulatory compliance, but does not impose new or additional requirements or standards.

10. *Does ATOS impose new requirements on the applicant or air carrier?*

System safety requirements are not new. They have a basis in the regulations. The regulatory theory that underlies system safety proclaims that inherent in Title 49, United States Code (49 USC) is the requirement for air carriers to identify operational hazards and manage associated risks. In its simplest form, the rationale for system safety is outlined in Title 49 USC, which states that air carriers have a duty to provide service with the highest possible degree of safety in the public interest, and FAA must determine that an air carrier applicant is equipped and able to operate safely before issuing an operating certificate. (See 49 USC, Sections 44702 and 44705.) Refer to paragraph 10-2 in 8900.1, [Volume 10, Chapter 1, Section 1](#).

In Title 49 USC,

- The word “safety” must be operationally defined in order for these statutory requirements to be meaningful. International Civil Aviation Organization (ICAO) and FAA Order 8000.1 define safety as “the state in which the risk of harm to persons or property damage is reduced to, and maintained at or below, an acceptable level through a continuing process of hazard identification and risk management”.

- Therefore, inherently, the statute states that in order to operate safely, air carriers must be able to identify hazards in their operating environments and to manage associated risks. FAA must determine an operator's capability to do so before issuing an operating certificate.

ATOS did not invent these requirements. They have existed since the Federal Aviation Act of 1958. The objective of ATOS is to ensure that the Flight Standards Service and certificate holders meet their separate responsibilities in accordance with Title 49 USC. Title 49 USC underpins the regulations in Title 14, Code of Federal Regulations (14 CFR). In other words, at a high level, the statutory requirement for air carriers to be able to identify operational hazards and manage associated risks is carried over into the intent of regulations in 14 CFR. Certificate holders must meet the literal requirements of the regulations as well as their intent. To meet the intent of the regulations, the systems and programs an air carrier uses to conduct its business and to comply with the regulations must be capable of identifying the hazards in the operating environment and managing associated risk.