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AIRPORT SAFETY AND OPERATIONS DIVISION AAS-300
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DATE: 11/04/2004 NO. 04-14

TO: AIRPORT OPERATORS CERTIFICATED UNDER 14 CFR PART 139

TOPIC: ENFORCEMENT POLICY – SUBMISSION OF ACM TO FAA IN ACCORDANCE WITH PART 139.101 GENERAL REQUIREMENTS

On February 10, 2004, the Federal Aviation Administration (FAA) published in the Federal Register a revision to 14 C.F.R. Part 139, Certification of Airports. The revision, which became effective on June 9, 2004, modifies and clarifies several existing operating requirements in 14 C.F.R. Part 139; requires the certification of airports serving scheduled air carrier operations conducted in aircraft with more than 9 seats, but less than 31 passenger seats; and creates four classes of airports, Class I through IV, based on the type of air carrier operations served.

Revised 14 C.F.R. § 139.101(c) provides that persons required to have an airport operating certificate under 14 C.F.R. Part 139 shall submit an Airport Certification Manual (ACM) to the FAA for approval within certain specified time periods, depending on their class of airport. Class I airports are required to submit their ACMs 6 months after June 9, 2004, and Class II, III, & IV airports are required to submit their ACMs 12 months after June 9, 2004. These dates were intended to provide airport operators an opportunity to revise or develop their manuals, as appropriate, in accordance with the revised rules. They also allowed time for airport operators to work with the FAA and for the FAA to respond to any questions or concerns relative to the implementation of the revised rule.

Since the publication of the rule in the Federal Register, FAA Airports regional and headquarters personnel have held numerous airport conferences, seminars, and meetings with airport operators to discuss the revised rule. The FAA has provided sample ACMs and established an FAA Airports public website where it has posted the revised rule, answers to frequently-asked questions, the class for each airport, and other information relative to the implementation of the revised rule.

An airport operator's submission of an ACM for FAA approval is critical to the FAA's oversight process and the continued safety of certificated airports. Therefore, the FAA will strictly enforce the time periods provided in 14 C.F.R. § 139.101(c) for submission of an ACM. Airport operators, who are required to have an Airport Operating Certificate under 14 C.F.R. Part 139, and who fail to submit their ACMs to the appropriate FAA Airports office by the dates provided in 14 C.F.R. § 139.101(c) are subject to enforcement action, including civil penalty action.

OSB

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Airport Safety and Operations Division

11/4/2004
Date

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