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Certification Process Document for 14 CFR Part 129 Foreign Air Carriers

Purpose. The Certification Process Document (CPD) directs the activities and provides guidance for Aviation Safety Inspectors (ASI) during certification of part 129 air carrier.

The CPD is a document that provides guidance to the NYIFO Certification Project Team (CPT) during the certification of all Part 129 Foreign Air Carriers

Determine if the air carrier's systems are designed to meet all regulatory requirements before Federal Aviation Administration (FAA) issuance of OpSpecs.

This document identifies the person responsible for each action.

Prior to the commencement of the certification process the FAA Oversight Office, NYIFO will have processed the Pre-application Statement of Intent (PASI), FAA Form 8400-6, and referred the applicant to the Certification Process Document for Part 129 Air Carriers which is found on the NYIFO web site at:

<http://www.faa.gov/about/office%5Fof%5Ffield%5Foffices/ifo/nyc%5Fifo/>

Phase 1: Application. This phase begins when the applicant submits a request for a formal certification meeting to the FAA Oversight Office, NYIFO.

Phase 2: Assessment. The CPT evaluates the applicant's operating systems to ensure their compliance with regulations and safety standards, including the obligation to provide service at the highest level of safety in the public interest. A formal application meeting is scheduled after the FAA receives all submissions required by this document and the Statement of Compliance Checklist.

Phase 3: Administrative Functions. This phase provides for completion of all administrative functions (e.g., issuance of the air carrier's operations specifications).



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ACRONYMS AND ABBREVIATIONS

AST	Aviation Safety Technician
ASV	Agent for Service
CHDO	Certificate Holding District Office
CFR	Code of Federal Regulations
CMT	Certification Management Team
CPD	Certification Process Document
CPT	Certification Project Team
CPM	Certification Project Manager
DOT	Department of Transportation
FAR	Federal Aviation Regulation
EGPWS	Enhanced Ground Proximity Warning System
ETOPS	Extended-range Twin-engine Operational Performance
FAA	Federal Aviation Administration
HAZ MAT	Hazardous Materials
IIR	International Industry Representative
LVTO	Low Visibility Take-Off
MNPS	Minimum Navigation Performance Specification
NYIFO	New York International Field Office
OpSpecs	Operations Specifications
OST	Office of Secretary of Transportation



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PAI	Principal Avionics Inspector
PASI	Pre-Application Statement of Intent
PIs	Principal Inspectors
PMI	Principal Maintenance Inspector
POI	Principal Operations Inspector
PTRS	Program Tracking and Reporting System
RNAV	Area Navigation
RNP	Required Navigation Performance
RVSM	Reduced Vertical Separation Minima or Minimum
SAAAR	Special Aircraft and Aircrew Authorization Required
SEL	Special Emphasis List
SCC	Statement of Compliance Checklist
TSA	Transportation Security Administration, Homeland Security Administration
VIS	Vital Information System



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GLOSSARY of TERMS

Air Carrier System A group of interrelated processes, which are comprised of people, procedures, materials, tools, equipment, facilities, and software operating in a specific environment, to perform a specific task, or achieve a specific purpose, support, or mission requirement for an air carrier.

Agent for Service Point of Contact for the Foreign Air Carrier, preferably located within the U. S. This is the person who has the authority to respond to the FAA concerning matters of the air carrier.

Certification Project Team Members from the FAA involved in the certification project. This team is responsible for the oversight functions of the specific applicant during certification.

Authorized Official The designated air carrier official(s) that has/have the authority and/or responsibility to review revise and sign the OpSpecs. A separate letter should be submitted if the official designated to sign OpSpecs is not familiar with operational information (such as pilot training, Federal Aviation Regulations, enroute procedures, airborne instruments etc.). This letter must be signed by the company president or other company official. It must authorize this person to receive and sign amendments to the carrier's OpSpecs as issued by the Federal Aviation Administration.

Economic Authority (Permit or Exemption) Is the final determination and approval by the Department of Transportation, Office of the Secretary of Transportation (DOT/OST) of an applicant's financial viability.

Process Policies and procedures designed to produce a desired result or end product for an air carrier.

Pre-Application Statement of Intent Provides overview of applicant's information such as management names and contact numbers, type of operation (please add Part 129 to Section 1B, Box 6), type of equipment, geographic areas of operation, type of flight operation (instrument /visual flight rules), etc.



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Statement of Compliance Checklist A checklist of all applicable 14 CFR part 129 regulatory requirements. The Statement of Compliance Checklist is an important source document that serves as a roadmap during the certification process as well as after the OpSpecs is issued. It contains sections for general information, for the compliance checklist for Part 129 Appendix A information, and for showing regulatory compliance. Each applicable section and sub-section requires detailed information showing how the applicant will comply with the stated requirements. General statements such as “The applicant will comply with this section, regulation or procedure.” are not sufficient.

Phase 1. APPLICATION

1.1 Applicant Requests Formal Certification Meeting

Applicant—Contact the FAA Oversight Office, NYIFO, by mail to schedule a formal certification meeting date. Make this request at least 30 calendar days prior to the proposed formal certification meeting to allow the FAA to prepare resources. In addition to the Statement of Compliance Checklist and Appendix A of Title 14 CFR Part 129 (FAA Form AEA29-016), the following must be submitted prior to a formal certification meeting. Please submit all documentation in the English language. Electronic media i.e. DVD, CD can also be used.

- Formal request letter for certification as a Title 14 CFR Part 129 Foreign Air Carrier.
- A current completed Pre-Application Statement of Intent (PASI) FAA Form 8400-6. Include the air carrier’s three letter International Civil Aviation Organization (ICAO) identifier along with a signature and a date on the reverse side of the Pre-application Statement of Intent.
- A current completed Statement of Compliance Checklist and Appendix A of Title 14 CFR Part 129.
- List of proposed operations and authorizations sought for Part 129 OpSpecs. Include special requests such as LVTO, CAT II (1000 RVR), CAT III (600-300 RVR),



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SAAAR (CAT I, CAT II, RNP), RNAV approaches and/or instrument departure/arrival procedures. Determine if any aircraft noise test or other special performance test/qualifications are required.

- o TSA Security Program application or approval (required to issue OpSpecs). Following coordination with the respective security office, the carrier must submit a copy of the security program approval letter to this office. The program must describe the procedures, facilities and equipment used by the carrier to provide for the safety of persons and property traveling in air transportation to and from the United States.
- o Copy of the HAZ MAT Program authorization given by the applicant's CAA
- o DOT/OST Financial Viability application or approval (required to issue OpSpecs).
- o Manuals, or pertinent manual sections, containing the air carriers Operating Programs as applicable to 14 CFR Parts 91 and 129.
- o Complete copy of the Air Operator Certificate (AOC) issued by state of operator. Include all attachments, special provisions, and amendments that have been issued.
- o ETOPS, RVSM and MNPS Authority must be presented.
- o List of aircraft operating to the U.S. – Include copies of certificates of registration, airworthiness and noise stage compliance. Please provide a statement that the listed aircraft are equipped with EGPWS. If any of these aircraft are registered in a state other than that of the operator, provide a statement as to which CAA's airworthiness standards are being met. These items must be provided for the initial issue and for any revisions to the Part 129 OpSpecs aircraft listing.



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- Should the applicant intend to operate U.S. registered aircraft, appropriate authorization for aircraft maintenance programs, minimum equipment lists (MEL's), and aging aircraft programs (if applicable) must be provided per FAR 129.14. Flight crews must hold U.S. certificates (with appropriate type ratings) issued in accordance with Part 61 or Part 63. These may be issued by U.S. practical test or by conversion per FAR 61.77 (pilots) and FAR 63.23 (flight engineers). Inspection of U.S. registered aircraft may be required.
- Wet Lease or Interchange agreement – If any of the Part 129 aircraft fleet is to be used in either of these operations, please submit a copy of the agreement between the carriers. In the case of the wet lease, the carrier with operational control must be a Part 129 or Part 121 OpSpecs holder. Please allow up to 30 days for a review of the agreement.
- Station Information – Please provide details of and contact information for any station operations and/or maintenance facilities in the Kennedy, Newark and La Guardia Airports.
- List of maintenance contractors for maintenance, avionics, fueling, ground handling, and deicing in the United States for airports at which scheduled operations are conducted. Include the contractor name and type of service provided.
- Additional information may be requested.

NOTE: Foreign air carriers must have their base of operations within the NYIFO area of jurisdiction, which includes Europe, Africa, Middle East, Greenland, Iceland and Bermuda. It also includes Canada east of 100 degrees West Longitude, with aircraft having 30 seats or more. The country of that base of operations for the foreign air carrier applicant must meet International Aviation Safety Assessment



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(IASA) standards prior to Part 129 operation specifications being issued.

After the NYIFO has received documentation of the economic authority from DOT/OST and the Security Program approval, up to thirty (30) days may be required to issue the Operations Specifications. The length of time required to complete a certification also depends on the completeness and accuracy of the applicants submissions.

A formal certification meeting will be required with the Company Officials and the CPT will be required after the application is reviewed. Additional meeting may be required. All meetings must be held at the New York International Field Office.

NOTE: To expedite the certification process the items listed below can be found on the NYIFO public web page:
[http://www.faa.gov/about/office%5Forg/field%5Foffices/ifo/nyc%5Fifo/.](http://www.faa.gov/about/office%5Forg/field%5Foffices/ifo/nyc%5Fifo/)

The length of time required to complete a certification depends on the completeness and accuracy of the applicants submissions.

- The Certification Process Document for 14 CFR Part 129 Foreign Air Carriers. (CPD)
- Pre Application Statement of Intent (PASI) FAA Form 8400-6.
- Statement of Compliance Checklist. (SCC)
- Appendix 1 contains a list of certification contact phone numbers for: TSA, DOT/OST, and HAZ MAT questions.

Phase 2: Assessment.

- 2.1.1 NYIFO** Will enter the applicant's formal request into the mail log. Letter of request should be date stamped as per office policy.



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2.1.2 The applicant's request letter will be distributed to NYIFO Management for notification and establishment of a CPM as the primary point of contact and a CPD

2.1.3 The applicant's letter will then be given to the AST. The AST will enter all relevant information into the NYIFO certification process log. After the AST has concurrence of management and PIs, the AST will make initial contact with the applicant to schedule the formal meeting. The AST should direct the applicant to the NYIFO web sight which contains all applicable certification processes to be followed. If the applicant cannot access the web sight, the AST will mail a pre-certification package to the applicant to be completed and returned prior to a formal meeting. The AST will brief the applicant, when they attend the certification meeting there should be persons of responsibility and authority that are authorized to sign the applicable sections of the OpSpecs.

2.1.4 **AST** Will e-mail management and PIs with date of proposed certification meeting. Applicant name and meeting date will be entered into the NYIFO calendar.

2.1.5 **CPM** Initiate PTRS, and Plan for Formal Certification Meeting

2.1.6 **CPM** Review the applicant's submissions for completeness.

2.1.7 **CPT** Conduct an initial review of the applicant's submission and verify that content is sufficient to conduct a formal certification meeting. PIs should become familiar with the applicant's operation.

2.1.8 **CPT** Confirm applicants Operational Readiness and compliance with 14 CFR Parts 91,129 and ICAO Annexes for flights into the US.

2.1.9 **CPM** If the initial review finds that the formal application package is of sufficient quality, continue planning the formal application meeting. Once enough information is gathered to determine the



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applicant will complete certification, request a foreign air carrier designator and start a VIS file. Include any environmental VIS files.

2.1.10 CPM To obtain a foreign air carrier Pre-Certification designator, contact Aviation Data Systems Branch (AFS-620) directly using e-mail address 9-AMC-AFS620-Certinfo/AMC/FAA@FAA

2.1.11 CPT Should complete the applicable sections of the final OpSpecs to be reviewed by the applicant at the formal meeting. If the OpSpecs are at a stage where no corrections, or only minor corrections are anticipated, prepare them for final signature.. Ensure that the certification number has been changed from pre-certification to active in the OpSpecs system. Ensure that all documents show the active certificate number.

2.1.12 CPM Will ensure that the questionnaire for preparation of the AFS-50 memorandum to the DOT has been completed and returned to AFS-50.

2.1.13 CPM/CPT Will conduct the formal certification meeting and resolve any issues at this time. All questions should be answered satisfactorily at this time.

2.1.14 CPM If the application is denied, document on the PTRS discrepancies that caused the denial. If VIS or OpSpecs has been started, suspend or terminate them as appropriate.

2.1.15 CPM Will notify management, CPT and AST that the application package has been denied.

2.1.16 CPM Notify AFS -50 when returning or denying an application of a foreign national carrier.

2.1.17 CPM Provide the letter of denial in Appendix 4, with the reasons for rejection and deficiencies to the applicant. Explain what must be provided by the foreign air carrier to make the application acceptable. Encourage applicant to re-apply when certification package has been satisfactorily completed.

Phase 3: Administrative Functions

3.1.1 Administrative Requirements



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3.1.2 CPM/Applicant Will verify final OpSpecs for completeness and make necessary changes, if required prior to issuing official OpSpecs. Coordinate with PIs on approval/disapproval of the applicant's OpSpecs and reviewing /initialing the compliance checklist.

3.1.3 CPM/PIs Review DOT/OST limitations prior to signing the OpSpecs.

3.1.4 Applicant official will sign two authorized copies of OpSpecs.

3.1.5 Applicant Ensure that the information contained in these Operations Specifications is disseminated to all flight crews operating into the United States.

3.1.7 PIs Sign the two copies of the OpSpecs. These may be signed at or after the certification meeting. If they are signed after the meeting the applicant's copy will be mailed.

3.1.8 AST Issue the Initial Operations Specifications Letter in Appendix 2.

3.1.9 AST Close out the NYIFO Certification Process and Mail Logs with the date the OpSpecs are issued. Notify AFS-50, all new certifications to be placed on the Special Emphasis List (SEL).

3.1.10 CPM/PIs Complete PTRS, verify and enter final changes to the VIS. Complete any required Environmental VIS entries. Put the Op Specs and VIS in an active status.

3.1.11 CPT A copy of the air carrier's OpSpecs and appropriate manuals (as required by 129.14) will be maintained in the NYIFO foreign air carrier file cabinets.

3.12 NYIFO Make DVD/CD of all certification data to be maintained in the NYIFO certification files.



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APPENDIX 1-1

A list of contact information is included for the DOT/OST, TSA, Kennedy Airport (JFK), and HAZ MAT programs.

DOT/OST: The DOT in Washington, DC, regulates and authorizes the Economic Authority of foreign air carriers. To apply for Economic Authority contact:

Mr. George Wellington
Department of Transportation
Licensing Division (P-45)
400 Seventh Street SW
Washington, DC 20590
Telephone no. 202-366-2391

TSA: Each foreign carrier that will operate from Europe, Africa, the Middle East, and Eastern Canada, into and out of the United States, is required to adopt and use a Security Program for U.S. flight operations. The applicant shall contact the following office:

Ian H. Ross
International Industry Rep. (IIR)
Office phone: 49-69-7535-767
Mobile 49-151-117-55281
Fax: 49-69-7535-7675
E-mail: Ian.Ross@dhs.gov

Lynne Charvat
International Industry Rep. (IIR)
Office phone: 49-69-7535-7685
Mobile 49-151-117-55263
Fax: 49-69-7535-7675
E-mail: lynne.charvat@dhs.gov

Sandra C. Melendez
International Industry Representative (IIR)
Office phone: 49.69.7535.7635
Fax: 49.69.7535.7675

Department of Homeland Security
Transport Security Administration
c/o U.S. Consulate Frankfurt am Main
TSA Frankfurt Regional Office
Giessener Strasse, 30
60435 Frankfurt am Main



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Germany

Canadian applicants that will conduct flight operations into and out of the United States shall contact the following office for their Security Program information:

Mr. Bertram Seesaran
International Industry Representative (IIR)
Dallas Fort Worth International Field Office
400 Fuller Wiser Road, #224



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Eules, Texas 76039-2732
Telephone no: 817-358-2224
Fax no: 817-358-5592
E-mail: Bert.Seesaran@dhs.gov

Applicants that will conduct operations into and out of the **John F. Kennedy International Airport (JFK)** shall contact the following office:

Mr. Robert Junge, Manager
Aeronautical Services
Building 14
JFK International Airport
Jamaica, New York 11430
Tel: 718-244-3771
Telephone no: 718-244-3771

HAZ MAT

For HAZ MAT questions contact:

John Bogel
Manager NY Security Field Office, AEA-740
Tel: 718-553-3044
E-mail: John.Bogel@faa.gov