

VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

CHAPTER 3 THE CERTIFICATION PROCESS—TITLE 14 CFR PART 121

Section 1 Safety Assurance System: General Information and Phase 1—Preapplication Phase

2-296 GENERAL. This chapter provides an overview of the certification process for Title 14 of the Code of Federal Regulations (14 CFR) part 121 air carriers. It also contains the steps in Phase 1, the Preapplication Phase. During the certification process, the certificate-holding district office (CHDO) and Flight Standards National Field Office (AFS-900) team will form a Certification Project Team (CPT). Under no circumstances will an applicant be certificated until the CHDO, the regional Flight Standards division (RFSO) offices, and AFS-900 are confident that the applicant is able to provide service at the highest possible degree of safety in the public interest.

A. Purpose. This section provides general information for the CHDO personnel and CPTs to use during the certification of a part 121 air carrier. CHDO personnel should become familiar with the guidance in each section of this chapter before beginning the certification project.

B. Scope. This section provides an overview of the following certification processes:

- 1) Initial application inquiries.
- 2) Review the applicant's submissions for completeness and accuracy.
- 3) Evaluate the design of the applicant's operating systems.
- 4) Determine if the applicant's systems are performing as intended and producing the desired results.
- 5) Complete all administrative functions.

2-297 BACKGROUND.

A. Initial Inquiries or Requests. Inquiries about certification may come in various formats from individuals or organizations. These inquiries may be in writing or in the form of meetings with CHDO personnel. The CHDO personnel will direct the applicant to the Federal Aviation Administration (FAA) public Web site (<http://www.faa.gov>), and advise them that the information found on this Web site will assist them during the certification process.

B. Safety Management System (SMS). An SMS is an integral part of the certification and operation of an air carrier. Before an applicant begins to develop processes and procedures that their manual system will describe, the applicant must incorporate an SMS into their design. Information on the design and implementation of an SMS is available at <http://www.faa.gov>.

C. Certification Service Oversight Process (CSOP) Initiation. When the Preapplication Statement of Intent (PASI) is accepted, the CHDO manager will initiate the CSOP using the guidance found in the current edition of FAA Order 8000.92, AFS CSOP.

D. AFS-900 Notification. After the CSOP process has been completed and accepted, the CHDO manager will notify the AFS-900 management team via email at AFS-900-Management-Team@faa.gov.

E. Certification Process Document (CPD). The CPD contains work instructions organized into five phases and three gates. A phase separates the certification process into related activities supporting a specific function. A gate is a set of prerequisites that must be met before proceeding to the next step. Within each phase, the CPD provides detailed guidance in the form of action statements that must be accomplished to fulfill its function. This document identifies the individuals responsible for each action. The detailed CPD work instructions are located in Sections 1 through 5 of this chapter.

NOTE: Any deviations to this process must be requested per Volume 1, Chapter 1, Section 1.

2-298 PROCEDURES.

A. Phase 1: Preapplication. Initial inquiries about certification or requests for application may come in various formats from individuals or organizations. These inquiries may be in writing or in the form of meetings with CHDO personnel. Application for certification will come through the Safety Assurance System (SAS) External Portal. The CHDO personnel will direct the applicant to http://www.faa.gov/about/initiatives/atos/air_carrier, which will provide them instructions to complete the PASI. Upon notification of a pending PASI, the CHDO will ensure that there is sufficient information to further process the preapplication. When the PASI is acceptable, the CHDO manager will initiate the CSOP. The primary source of communication will be through the SAS External Portal. The steps of the Preapplication Phase are located in this section.

B. Phase 2: Formal Application. During this phase, the AFS-900 team briefs the CHDO on the certification process. A formal application meeting is tentatively scheduled after the FAA receives all submissions required in the Preapplication Checklist (PAC). The CPT reviews the applicant's PAC submissions for completeness and accuracy before confirming the formal application meeting date. During the formal application meeting, the applicant's management personnel must demonstrate knowledge of their air carrier's system design.

NOTE: Phase 2 ends when the CPT accepts the formal application package and all Gate I requirements are met.

C. Phase 3: Design Assessment (DA). The CPT evaluates the design of the applicant's operating systems to ensure their compliance with regulations and safety standards, including the obligation to provide service at the highest possible degree of safety in the public interest. This phase uses Element Design Data Collection Tools (ED DCT) to collect data to be used to determine if the air carrier's system design meets all criteria.

NOTE: Phase 3 ends when all programs have been accepted or approved, and all Gate II requirements have been met.

D. Phase 4: Performance Assessment (PA). Inspectors use Element Performance Data Collection Tools (EP DCT) during this phase to collect data to be used to determine if the applicant's systems are performing as intended and producing the desired results. This phase requires the operation of an aircraft to aid in the assessment of the applicant's system design. Proving tests begin only after all Gate III requirements are met.

NOTE: Phase 4 ends after the successful completion of the proving tests.

E. Phase 5: Administrative Functions. This phase provides for completion of all administrative functions (e.g., issuance of the air carrier certificate and operations specifications (OpSpecs) and Program Tracking and Reporting Subsystem (PTRS) requirements and certification reports).

NOTE: Title 14 CFR part 119, § 119.39(b) and (b)(1), states, "An application for a certificate may be denied if the Administrator finds that the applicant is not properly or adequately equipped or is not able to conduct safe operations under this subchapter." In addition, the applicant must maintain an active project. The CHDO must evaluate an inactive period that exceeds 90 days. Inactivity of greater than 90 days may be cause to terminate the certification process, or you may terminate the process when it is clear that continuing the process will not result in approval or acceptance (i.e., multiple failures of the applicant's submissions). If there is a change to aircraft make/model during the certification process, the project must be restarted at the beginning of Phase 2 or reviewed for possible termination.

2-299 CPD PHASE 1: PREAPPLICATION.

A. PASI (FAA Form 8400-6). Application for certification will be made using the SAS External Portal.

B. Request for Formal Application Meeting.

NOTE: The purpose of this meeting is to inform the applicant of the next steps in the process and to determine if the applicant's § 119.65 required management personnel are knowledgeable of their air carrier systems and the applicable rules and guidance.

1) Applicant. The applicant contacts the CHDO to schedule a formal application meeting. The request should be made more than 60 calendar-days from the date of the request. This will allow the FAA time to prepare resources. The request must contain the items listed in Section 1 of the PAC (see Figure 2-3-1A, Preapplication Checklist).

2) CHDO Manager. Advise AFS-900 that an applicant has requested a formal application meeting via email at AFS-900-Management-Team@FAA.gov. Ensure the CHDO has assigned a certification project manager (CPM).

3) **CPM.** Ensure the CHDO has obtained the precertification/designator number from the Aviation Data Systems Branch (AFS-620) via email at 9-AMC-AFS620-CertInfo@faa.gov, in coordination with the RFSD office. Upon issuance of a precertification/designator number by AFS-620, the new designator will automatically be entered into the enhanced Vital Information Database (eVID).

4) **CPM.** Should the applicant accept the recommendation for the use of the Web-based Operations Safety System (WebOPSS), start this process by emailing WebOPSS at AFS-WebOPSS@faa.gov and requesting the “WebOPSS New User Request (Industry Only).xls form.”

C. Establish CPT.

1) **AFS-900 Certification and Evaluation Program Office Manager.** Assign the AFS-900 Assistant Manager and Certification Team Leader (CTL).

2) **CHDO Manager, CPM, and CTL.** Identify CPT members. Ensure that the CPT members have completed appropriate SAS training.

D. Automation Preparation.

NOTE: See the SAS Automation User Guide (AUG) for more information.

- 1) **CTL.** Ensure the document management record is created.
- 2) **CPM.** Add the AFS-900 team members to the applicant team roster.
- 3) **CTL.** Ensure the appropriate CPT members have access to the document management system.
- 4) **CPM.** Ensure the principal inspectors (PI) open the appropriate PTRS codes. (Maintenance-3202; Avionics-5202; Operations-1202.)
- 5) **PI(s).** Coordinate with the applicant and draft OpSpecs in WebOPSS.

Figure 2-3-1A. Preapplication Checklist

Management Preparation		
Key company personnel view the following:	Verified by:	Date:
Review Certification Process Document (CPD)		
Section 1 Documentation Required at Formal Application (Subparagraph 2-299E1)) (60 Days)		
Document/Manual	Verified by:	Date:
Formal Application Letter		
Preapplication Statement of Intent (PASI), FAA Form 8400-6		
Completed proposed Schedule of Events (SOE)		
List of Proposed Operations Specifications (OpSpecs) Paragraphs		
Safety Management System (SMS) Safety Risk Management (SRM) documentation		
Safety Assurance System (SAS) Self-Audited Element Design Data Collection Tools (ED DCT)		
Required Management Personnel Résumé, Qualification Summary (QS), and Quality Audit Forms (QAF)		
Management Position:	Verified by:	Date:
Director of Maintenance QS QAF		
Director of Operations QS QAF		
Chief Pilot QS QAF		
Chief Inspector QS QAF		
Director of Safety QS QAF		
Applicant QS		
Section 2 Documentation Required at Formal Application (Volume 2, Chapter 3, Section 2, Subparagraph 2-307E) (15 Days)		
Document/Manual:	Verified by:	Date:
Updated PASI, Federal Aviation Administration (FAA) Form 8400-6		
Evidence of Economic Authority Request		
Corporate Documents		
Deviation and/or Exemption Requests		
Self-Audited ED DCTs NOTE: The ED DCT version must be current within 90 days.		
Compliance Statement (to include Title 14 of the Code of Federal Regulations (14 CFR) parts 5, 117, 119 & 121)		
Company Manuals and Programs		
Initial Cadre Check Airman (ICCA) Training Plan		
Facility Lease Agreements or Proof of Ownership		
Outsourcing Contractual Agreements		
Aircraft Lease or Proof of Ownership		
Current Aircraft Equipment List		
Layout of Passenger Accommodations (LOPA)		
Aircraft Information Form		
Status of Drug and Alcohol Program		
Status of Security Program		
Status of Environmental Assessment (EA)		
Status of Hazardous Materials (Hazmat) Program and Hazmat Training Program		

Figure 2-3-1B. Instructions to Complete the Preapplication Checklist

The applicant must submit the following items (Section 1) through the Federal Aviation Administration (FAA) Safety Assurance System (SAS) External Portal at least *60 calendar days* prior to the formal application meeting:

- Updated Preapplication Statement of Intent (PASI) FAA Form 8400-6.
- Completed required management personnel qualification summary and quality audit forms.
- Proposed Schedule of Events (SOE).
- Completed list of proposed Operations Specifications (OpSpecs).
- Safety policy and Safety Risk Management (SRM) components of the applicant's Safety Management System (SMS). The SRM must be completed before implementation of any new system being proposed or any operational procedures being developed.
- Self-audited SAS Element Design Data Collection Tool (ED DCT).

NOTE: For further information on the Preapplication Checklist (PAC) items refer to the following Web page:
http://www.faa.gov/about/initiatives/atos/air_carrier.

NOTE: The applicant must submit the following items (Section 2) through the FAA SAS External Portal at least 15 working days prior to the formal application meeting:

- An updated PASI FAA Form 8400-6 (only if you have made changes to the original PASI).
- Evidence of economic authority request.
- Corporate documents.
- Deviation or exemption requests.
- The self-audited ED DCTs (ED DCT version must be current within 90 days).
- Compliance statement (to include Title 14 of the Code of Federal Regulations (14 CFR) parts 117, 119, and 121, and proposed 14 CFR part 5).
- Company manuals and programs necessary to conduct daily operations. This would include, but may not be limited to, computer software program user manuals and engineering and program substantiation documents that support or justify the manual system or a program design (e.g., Weight and Balance (W&B) programs; aircraft modifications; aircraft manufacturers' maintenance, flight, operating, and performance manuals; training programs and courseware; and user manuals for dispatch programs that the applicant purchased and contracted).
- Initial Cadre Check Airman (ICCA) training plan.
- Lease or proof of ownership and facility lease agreements.
- Outsourcing contractual agreement.
- Aircraft lease or proof of ownership.
- Current aircraft equipment list.
- Layout of passenger accommodations (LOPA).

- Aircraft information form.
- Status of drug and alcohol program.
- Status of security program.
- Status of Environmental Assessment (EA).
- Status of hazardous materials (hazmat) program and hazmat training program.

RESERVED. Paragraphs 2-300 through 2-305.