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 section 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. The certificate-holding district office (CHDO) should become familiar with the guidance in each section of this chapter before beginning the certification project. During the certification process, the CHDO and the Safety Analysis and Promotion Division (AFS-900) team will form a Certification Project Team (CPT). The certification project manager (CPM), appointed by the CHDO, will work jointly with a Certification Team Leader (CTL) appointed by AFS-900. The CPM and CTL must agree that all requirements for each gate have been met in order for the certification process to pass from one phase to another. If the CPM and CTL do not reach agreement, they will elevate the issue to the CHDO manager and the AFS-900 assistant manager assigned to the certification. An applicant will not be certificated until the CHDO, the regional Flight Standards division (RFSD) 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.

NOTE: All five phases of this certification process involve the use of the Safety Assurance System (SAS). Refer to Volume 10, the SAS Automation User Guide (AUG), and the SAS External Portal Enhanced Checklist (EPEC) to be aware of current policy and automation updates as the process continues.

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 of the applicant’s submissions for completeness and accuracy.

3) Evaluating the design of the applicant’s operating systems.

4) Determining if the applicant’s systems are performing as intended and producing the desired results.

5) Completing 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’s (FAA) public website (http://www.faa.gov), and advise them that the information available on this website 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, required by 14 CFR part 5. CHDO personnel will advise the applicant to contact the SMS Program Office (SMSPO) before they begin to develop processes and procedures that their manual system will describe. Information on the design and implementation of an SMS is available through the SMSPO’s National Coordinator via email at 9-NATL-SMS-ProgramOffice@faa.gov, and on the FAA public website at http://www.faa.gov/about/initiatives/sms/specifc_by_aviation_industry_type/121.

C. Certification Service Oversight Process (CSOP) Initiation. When the Preapplication Statement of Intent (PASI) (FAA Form 8400-6) is received, the CHDO manager will initiate the CSOP using the guidance in Volume 11, Chapter 13, Section 1.

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. The email should include a request to schedule the Initial Certification Briefing and Preliminary Risk Assessment (PRA) Workshop conducted by the Certification and Evaluation Program Office (CEPO). The CEPO will work with the CHDO to establish a time to conduct an Initial Certification Briefing and PRA Workshop for the benefit of the CPT and the applicant. This Initial Certification Briefing should be conducted as soon as possible after the CSOP has been completed.

E. Certification Process Overview. The certification process contains 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. Each phase provides detailed guidance in the form of action statements that must be accomplished to fulfill its function and identifies the individuals responsible for each action. Sections 1 through 5 of this chapter contain the details for each phase.

F. Request for Deviation. If the CPM and CTL agree that it is necessary to deviate from this process, the CTL sends a written request to the CEPO Manager. The CEPO Manager will determine if it is acceptable to grant this request and notify the CPM and the AFS-900 assistant manager in writing. The CPM enters all documentation relating to the deviation request in the Project Management Tool (PMT). Deviations to this process that are not approved as described above will be reported as a nonconformance in accordance with the Aviation Safety (AVS) Quality Management System (QMS).
2-298 SUMMARY OF PHASES. Figure 2-90, Phases and Gates for Initial Certification, depicts the following phases.

A. Phase 1: Preapplication. The applicant will contact the CHDO for initial inquiries regarding certification. When the applicant is ready to submit a PASI, they will use the SAS External Portal to submit it. 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 once a CPM has been assigned.

B. Phase 2: Formal Application. 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, accuracy, and regulatory compliance 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 Phase 2 Gate 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 appropriate Data Collection Tools (DCT) to collect data for use in determining if the air carrier’s operational system design and Safety Risk Management (SRM) process meet regulatory requirements.

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

D. Phase 4: Performance Assessment (PA). Inspectors use appropriate DCTs during this phase to collect data for use in determining 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 Phase 4 Gate 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).
2-299 PHASE 1: PREAPPLICATION.

A. PASI (FAA Form 8400-6, Preapplication Statement of Intent). Application for certification will be made using the SAS External Portal.
B. Request for Formal Application Meeting. The purpose of this meeting is to:

- Inform the applicant of the next steps in the process; and
- Determine if the applicant’s 14 CFR part 5 and part 119, § 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 in advance of the proposed date of the meeting. This will allow the FAA time to prepare resources. The request must contain the items listed in section 1 of the PAC (see Figure 2-91, Preapplication Checklist). The applicant will submit the letter of request and all documents required by the PAC using the SAS External Portal.

2) CHDO Manager. Advise AFS-900 that an applicant has requested a formal application meeting via email at AFS-900-Management-Team@FAA.gov. This email should include the name and contact information for the assigned CPM and a copy of the PASI.

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 CEPO Manager. Assign the AFS-900 assistant manager and CTL.

2) CHDO Manager, CPM, and CTL. Identify CPT members. The CHDO manager must ensure that the CPT includes inspectors qualified to approve/accept manuals, programs, minimum equipment lists (MEL)/Configuration Deviation Lists (CDL), etc., and inspectors that function as principal inspectors (PI) during the certification process, as required. The CPM, with the CTL’s concurrence, approves/accepts all submissions during Phases 2 through 4, as required. The CHDO manager must assign PIs to the applicant before Phase 5 begins.

D. Coordinate and Conduct the PRA Workshop and Initial Certification Briefing.

1) CTL. Schedule the Initial Certification Briefing presented by AFS-900 to the CPT and CHDO management.

2) CPM. Coordinate with the CTL and contact the applicant to schedule the Initial Certification Briefing and PRA Workshop.
NOTE: The Initial Certification Briefing should be presented prior to the PRA Workshop; however, circumstances permitting, both may be accomplished on the same day.

3) CEPO Team. Conduct the Initial Certification Briefing using the PowerPoint presentation on the CEPO Knowledge Services Network (KSN) site. Conduct the PRA Workshop using the instructions in Figure 2-92, Preliminary Risk Assessment Workshop Instructions. The applicant’s PRA process must be accepted prior to returning any manuals during the initial review. The applicant will use the PRA process when revising any manual that has been returned to them.

E. Automation Preparation. See the SAS AUG for more information and the SAS EPEC New Applicant. It is important to follow the instructions in the EPEC New Applicant in sequence.

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 SAS document management system.

4) CPM. Ensure the PIs open the appropriate PTRS codes:
   - Operations: 1202.
   - Maintenance: 3202.
   - Avionics: 5202.

5) PI(s). Coordinate with the CPM, CTL, and representative of the applicant and draft OpSpecs in WebOPSS.

6) CPM. Ensure that the applicant has submitted all SAS configuration data through the SAS External Portal.
### Section 1
#### Documentation Required at Formal Application Meeting

<table>
<thead>
<tr>
<th>Document/Manual</th>
<th>Verified by</th>
<th>Date</th>
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<tbody>
<tr>
<td>Formal Application Letter</td>
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<tr>
<td>Preapplication Statement of Intent (PASI) (FAA Form 8400-6)</td>
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<td>Completed proposed Schedule of Events (SOE)</td>
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<td>List of Proposed Operations Specifications (OpSpecs) Paragraphs</td>
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#### Required Management Personnel Résumé, Qualification Summary (QS), and Quality Audit Forms (QAF)

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<thead>
<tr>
<th>Management Position</th>
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<td>Director of Maintenance</td>
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<td>Director of Operations</td>
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<td>Chief Pilot</td>
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<td>Chief Inspector</td>
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<td>Director of Safety</td>
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<td>Applicant’s Accountable Executive (14 CFR Part 5) Designation Letter</td>
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### Section 2
#### Documentation Required at Formal Application Meeting

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<th>Document/Manual</th>
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<tr>
<td>Updated PASI (FAA Form 8400-6)</td>
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<td>CPM/CTL Acceptance of PRA Process</td>
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<td>Evidence of Economic Authority Request</td>
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<td>Letters of Incorporation, etc.</td>
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<td>Proposed Draft OpSpecs From WebOPSS</td>
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<td>Deviation or Exemption Requests</td>
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<td>Self-Audited Element Design Data Collection Tools (ED DCT)</td>
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<tr>
<td><strong>NOTE:</strong> The ED DCT version must be current within 90 calendar-days of this submission.\n</td>
<td>Initial Compliance Statement (to Include 14 CFR Parts 5, 117, 119 and 121)</td>
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<td>The Compliance Statement will be revised as manual references are changed throughout the certification process. This should be a living document after certification.\n</td>
<td>Company Manuals and Programs (see instructions)</td>
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<tr>
<td>Initial Cadre Check Airman (ICCA) Training Plan</td>
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<td>Facility Lease Agreements or Proof of Ownership</td>
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<td>Outsourcing Contractual Agreements</td>
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<td>Aircraft Lease or Proof of Ownership</td>
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<td>Current Aircraft Equipment List</td>
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<td>Aircraft Interior Configuration Document</td>
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<td>Aircraft Information Form</td>
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<td>Status of Drug and Alcohol Program Testing</td>
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<td>Status of Security Program</td>
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<td>Status of Environmental Assessment (EA)</td>
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<td>Status of Hazardous Materials (Hazmat) Program and Hazmat Training Program</td>
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See page 2 for instructions.
Instructions for Completing the Preapplication Checklist

This form is primarily for the use of the applicant. The applicant may use the “Verified by” and “Date” columns at their discretion.

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

- Updated FAA Form 8400-6, Preapplication Statement of Intent (PASI).
- Completed required management personnel résumé, qualification summary (QS), and quality audit forms (QAF).
- Proposed Schedule of Events (SOE).
- Completed list of proposed Operations Specifications (OpSpecs).
- SMS Accountable Executive designation letter.

Section 2. The applicant submits the following items through the FAA SAS External Portal at least 15 business-days prior to the formal application meeting:

- An updated PASI (FAA Form 8400-6) (only if you have made changes to the original PASI).
- Accepted Preliminary Risk Assessments (PRA).
- Evidence of economic authority request.
- Corporate documents.
- Proposed draft OpSpecs from WebOPSS.
- Deviation or exemption requests.
- The self-audited ED DCTs (ED DCT version must be current within 90 calendar-days of submission).
- Initial Compliance Statement (to include 14 CFR parts 5, 117, 119, and 121).
- 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 Control Program (WBCP); Fatigue Risk Management Plan (FRMP); Fatigue Education and Awareness Training (FEAT); aircraft modifications; aircraft manufacturers’ maintenance, flight, operating, and performance manuals; training programs, and courseware).
- 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.
- Aircraft Interior Configuration Document (Commonly called a List of Passenger Accommodations (LOPA)).
- Aircraft Information Form.
- Status of Drug and Alcohol Program testing.
- Status of security program.
- Status of Environmental Assessment (EA).
- Status of hazardous materials (hazmat) program and hazmat training program.
Preliminary Risk Assessment Workshop Instructions

The Preliminary Risk Assessment (PRA) Workshop should be scheduled when a 14 CFR part 121 applicant has completed the Certification Service Oversight Process (CSOP) process.

1.0 Start PRA Process

The Purpose of the PRA Workshop:
- Educate the applicant to appropriately apply the 14 CFR part 5 Safety Risk Assessment (SRA) process to their systems through a PRA.
- Develop an acceptable PRA worksheet that documents the results of the PRAs.
- Identify 5 PRAs that align with the Safety Assurance System (SAS) Master List of Functions (MLF) systems for the peer group that must be accepted by the certification project manager (CPM) prior to the 15 business-day Preapplication Checklist (PAC) submission. These 5 PRAs will be selected from Flight Operations, Operational Control, Aircraft Technical Operations, Onboard Operations, and Ground and Station Operations.

The Purpose of the PRAs:
- Determine whether the applicant’s risk assessment documentation for each assigned system is complete as defined by the applicant’s worksheet.
- Determine whether the documented results are rational, flow from one recording requirement to the next, and include a risk acceptance signoff of any risk mitigation action plans.

Attendance:
- FAA: CPM, Certification Team Leader (CTL), and other Certification Project Team (CPT) members that may be available.
- Applicant: The 14 CFR part 5 and part 119, § 119.65 required management, if available. If the required management personnel are not available, there should be sufficient managers attending the meeting who will have the authority to make risk decisions in the five SAS MLF Systems. Recommend at least the following:
  - Director of Maintenance.
  - Director of Operations.
  - Accountable Executive.
  - Director of Safety.

2.0 Initial Scheduling:
- AFS-900 management is notified by the certificate-holding district office (CHDO) of the new certification.
- Schedule in coordination with the initial CEPO Initial Certification Briefing.
3.0 Workshop Preplanning:

NOTE: It is recommended that there be two presenters.

- Ensure the purpose/objective of meeting is understood.
- Verify the applicant, CPM, and CTL will be present.
- Verify that applicant participants have a fundamental knowledge of SMS and the purpose of the workshop, and have reviewed the training materials sent by the SMS Program Office.
- Event Logistics: Coordinate/confirm dates, workshop length of time, and any special needs. Confirm facility adequacy, location and equipment needs.
  - Projector.
  - Whiteboard and/or butcher paper.
  - Note pads and pencils.
  - Ensure distribution of meeting material to CPT and certificate holder:
    - Handout 1, Risk Indicators.
    - Handout 2, Part 5 Subpart C.

4.0 PRA Worksheet Workshop

- Present PRA Workshop PowerPoint (Available on the CEPO Knowledge Services Network (KSN) > Shared Documents > Master PowerPoints for Briefings).
- Conduct a practice exercise on hazard and risk identification using one of the PRA topics.
- The CPM accepts the PRA worksheet design and makes Program Tracking and Reporting Subsystem (PTRS) entry. (See Volume 17, Chapter 2 for recording requirements.)

5.0 Accepting PRAs (Submitted on Worksheets Designed at the Workshop)

- The CPM receives and assigns the applicant’s completed PRAs for review.
- When all PRAs have met the requirements of the PRA Checklist, the CPM will notify the applicant that their PRA process has been accepted as required by section 2 of the PAC.

NOTE: This PRA process will be used by the applicant for any required revisions until their Safety Risk Management (SRM) system is accepted in Phase 3.

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NOTE: Section 119.39(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 calendar-days. Inactivity of greater than 90 days may be cause to terminate the certification process, or the process may be terminated 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.

RESERVED. Paragraphs 2-300 through 2-305.