VOLUME 2  AIR OPERATOR AND AIR AGENCY CERTIFICATION
AND APPLICATION PROCESS

CHAPTER 8  CERTIFICATION OF A PART 137 OPERATOR

Section 1  The Certification Process of a Part 137 Operator

2-966 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE. 1202.

2-967 OBJECTIVE. This task determines that an applicant for a Title 14 of the Code of Federal Regulations (14 CFR) part 137 certificate meets the rules governing the operation of agricultural aircraft by private or commercial operators. This guidance applies to manned aircraft as well as certificated or noncertificated Unmanned Aircraft Systems (UAS). Successful completion of this task results in either issuance of a Private or Commercial Agricultural Aircraft Operator Certificate or denial of a certificate.

2-968 GENERAL. Before beginning any process, inspectors should review Volume 2, Chapter 1, Section 1, and the Web-based Operations Safety System (WebOPSS). Certification of a part 137 operator that wishes to use a UAS requires the inspector to have additional knowledge of Public Law (PL) 112-95, FAA Modernization and Reform Act of 2012, Section 333, Special Rules for Certain Unmanned Aircraft Systems; the 14 CFR part 11 exemption process; 14 CFR part 107; and Volume 16. Certification of an operator using a small UAS requires an inspector to have knowledge of part 107. Please be aware, the operator of a UAS either cannot comply with several sections in part 137, or those requirements are not applicable to UAS operations. Therefore, an applicant proposing to use a UAS must receive a grant of exemption with relief of the appropriate sections of part 137 before the certification process reaches the Demonstration and Inspection Phase. UAS that weigh less than 55 pounds are operated under part 107 and will require an exemption to sections of part 137 to legally conduct operations. UAS that weigh 55 pounds or more must be operated under an exemption and that exemption will include relief from sections of 14 CFR parts 61, 91, and 137. The phrase “unless otherwise exempted” is used numerous times in this volume and refers to an operator’s exemption, whether they are operating a small UAS under part 107 or under a PL 112-95, Section 333 exemption for a UAS that weighs 55 pounds or more.

2-969 PREAPPLICATION PHASE.

A. Basic Eligibility Requirements. During initial contact with an applicant proposing a part 137 operation, the inspector must determine if the proposed operation is applicable to part 137, and whether the applicant will become certified with a manned aircraft or a UAS. In making this determination, the inspector considers the following basic eligibility requirements:

1) The applicant should apply for either a Private or a Commercial Operator Certificate, per part 137, § 137.19.

   a) The private agricultural aircraft operator may not conduct operations over property unless the operator is the owner or lessee of the property or has ownership or other legal
interest in the crops located on the property. (See Volume 3, Chapter 52, Section 1, subparagraph 3-4233D, Proof of Property Interest.) In addition, the private operator may not conduct operations for compensation or hire over a congested area (refer to § 137.35). A commercial agricultural aircraft operator is not limited by these conditions.

b) The private operator/applicant for manned aircraft operations must hold a Private, Commercial, or Airline Transport Pilot (ATP) Certificate with appropriate ratings.

c) The private operator/applicant for unmanned aircraft (UA) operations must hold an exemption from § 137.19(b). The exemption will dictate the level of certificate the applicant must hold (e.g., Remote Pilot, Sport Pilot, Recreational Pilot, and/or Private Pilot Certificate).

d) The commercial operator/applicant for manned aircraft operations must have available the services of a pilot with a current Commercial or ATP Certificate with appropriate ratings. (The applicant may be the available pilot.)

e) The commercial operator/applicant for UA operations must hold an exemption from § 137.19(b). The exemption will dictate the level of certificate the applicant must hold (e.g., Remote Pilot, Sport Pilot, Recreational Pilot, and/or Private Pilot Certificate).

2) The applicant must show proof of the availability of at least one aircraft that is properly certificated, Airworthy, and equipped for the proposed agricultural operations, unless otherwise exempted.

3) The applicant for a Commercial Operator Certificate must have the appropriate knowledge and skills or have the services of a chief supervisor of agricultural operations who has the appropriate knowledge and skills applicable to the aircraft used (manned aircraft or UA).

B. Exceptions to Part 137. The following are exceptions to part 137 applicability:

1) A public aircraft (manned aircraft or UA), whether it is a state or local government entity or a Federal entity conducting agricultural aircraft operations, need not comply with the certification rules of part 137, but must comply with certain operating rules of part 137. A public aircraft is one used exclusively in the service of any government or any political subdivision thereof and not engaged in carrying persons or property for commercial purposes. (Refer to 14 CFR part 1, § 1.1.) For more information on public aircraft operations (PAO), refer to Volume 3, Chapter 14, Section 2 and Advisory Circular (AC) 00-1.1, Public Aircraft Operations.

2) The holder of a 14 CFR part 133 certificate may conduct an agricultural aircraft operation involving only the dispensing of water on forest fires by rotorcraft external-load means without meeting the part 137 certification requirements. (Refer to §§ 137.11(d) and 137.29(e).)

C. Restricted and Experimental Category Aircraft. Restricted category aircraft may be used in agricultural operations, per part 91, § 91.313(c). Under certain conditions, aircraft with experimental (amateur-built) certification may also be used in private agricultural operations, per § 91.319.
D. **The Certification Team.** For a part 137 certification, the office manager or unit supervisor usually selects at least one Operations inspector, one Maintenance inspector, and one Avionics inspector, as required for a team. One person is designated as the certification project manager (CPM). All correspondence, both to and from the applicant, shall be coordinated with the CPM.

E. **Certification Service Oversight Process (CSOP).** The Flight Standards District Office (FSDO) manager will initiate CSOP upon receipt of the part 137 application from either a private or commercial applicant.

   NOTE: See Volume 10, Chapter 12, Section 1, Flight Standards Certification Services Oversight Process, for detailed information/guidance on CSOP.

F. **Establishment of a FSDO File for the Applicant.** This file forms the basis for the eventual operator file if certification is successful. It also provides information for justifying the denial of a certificate.

G. **Job Aids.** The Part 137 Certification Job Aid (Figure 2-50) can be useful to the certification team and the applicant. The certification team may also wish to provide the applicant with a blank Part 137 Sample Schedule of Events (Figure 2-51) for the applicant’s use. The applicant may, however, submit a certification schedule in any form as long as it is acceptable to the certification team.

H. **The Preapplication Meeting.** If the certification team has determined a preapplication meeting is necessary, that meeting should include, but not be limited to, the following:

   - An overall review of the Letter of Intent (LOI) (see Figure 2-52, Part 137 Sample Letter of Intent),
   - A review of the applicable 14 CFR parts and ACs, and
   - A review and discussion of the upcoming certification process.
   - A discussion on any required exemptions needed if a UAS will be used.
Figure 2-50. Part 137 Certification Job Aid

NOTE: Parts of the job aid may not apply to Unmanned Aircraft Systems (UAS) operations due to issued exemptions.

<table>
<thead>
<tr>
<th>14 CFR PART 137 CERTIFICATION JOB AID</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF OPERATOR:</td>
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<td></td>
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<tr>
<td>ADDRESS:</td>
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</table>

Page one

<table>
<thead>
<tr>
<th></th>
<th>INSP. INITIAL</th>
<th>DATE</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Initial contact handled by:</td>
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<tr>
<td>2.</td>
<td>Letter of Intent (LOI).</td>
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<td>3.</td>
<td>Preapplication meeting.</td>
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<td>4.</td>
<td>Applicant has a current edition of Advisory Circular (AC) 137-1, Certification Process for Agricultural Aircraft Operators, and understands how to obtain guidance through the Flight Standards Information Management System (FSIMS).</td>
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<td>5.</td>
<td>Formal application meeting.</td>
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<td>6.</td>
<td>Application for private agricultural certificate submitted. FSDO manager will initiate the Certification Service Oversight Process (CSOP) upon receipt of the application.</td>
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<td>7.</td>
<td>Application for commercial agricultural certificate submitted. FSDO manager will initiate CSOP upon receipt of the application.</td>
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<td>8.</td>
<td>Aircraft is certificated and Airworthy, unless otherwise exempted.</td>
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<td>9.</td>
<td>Is UAS operated under an exemption?</td>
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<tr>
<td>10.</td>
<td>Aircraft is equipped for agricultural operations.</td>
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<td>11.</td>
<td>Aircraft inspected by Airworthiness inspector.</td>
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<td></td>
<td>a. Inspection of installation and function of load-carrying or attaching devices.</td>
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<td></td>
<td>b. Optional equipment installations inspected.</td>
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<td></td>
<td>c. Airworthiness Directives (AD) record current.</td>
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<td></td>
<td>d. Installation and function of spray or diffusion equipment and jettisoning device.</td>
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<td></td>
<td>e. In-house or contract maintenance observed.</td>
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### Figure 2-50. Part 137 Certification Job Aid (Continued)

<table>
<thead>
<tr>
<th>14 CFR PART 137 CERTIFICATION JOB AID</th>
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<tbody>
<tr>
<td>NAME OF OPERATOR:</td>
</tr>
<tr>
<td>CERTIFICATION TEAM NAME</td>
</tr>
<tr>
<td>Specialty</td>
</tr>
<tr>
<td>ADDRESS:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>INSP. INITIAL</th>
<th>DATE</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
</table>

11. Applicant has services of appropriate chief supervisor and pilots.
   
   a. Knowledge test passed (14 CFR part 137, § 137.19(e)(1)).
   
   b. Skill test passed (§ 137.19(e)(2)).
   
   c. For congested area operations, each pilot in command (PIC) meets the requirements of § 137.53(b)(1) through (2).
   
   d. UAS pilots not meeting § 137.19 hold an exemption.

12. Congested area operations proposed.

   a. Basic congested area plan (CAP) submitted for approval.
      
      (1) Plan provides for approval by appropriate government officials.
      
      (2) Plan provides for air traffic control (ATC) coordination, if needed.
      
      (3) Plan includes a complete description of the operations.
      
      (4) Plan lists all involved aircraft by make, model, and N-number.
      
      (5) Plan lists all involved pilots by name, certificate, grade, and number.
      
      (6) Plan includes appropriate maps, charts, and diagrams.
      
      (7) Plan has a specific method for discontinuing the operation in the event of a hazard.
      
   b. Plan clearly describes who is actually conducting the operation and what is being contracted.
Figure 2-50. Part 137 Certification Job Aid (Continued)

<table>
<thead>
<tr>
<th>14 CFR PART 137 CERTIFICATION JOB AID</th>
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</thead>
<tbody>
<tr>
<td>NAME OF OPERATOR:</td>
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<tr>
<th></th>
<th>INSP. INITIAL</th>
<th>DATE</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
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<tbody>
<tr>
<td>13. Applicant understands agricultural aircraft operating limitations.</td>
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<tr>
<td>a. Limitations of 14 CFR part 91, § 91.313(b) and (c) and/or any applicable conditions and limitations (C&amp;L) listed in an exemption held by the operator.</td>
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<td>b. Prohibitions on passenger carrying.</td>
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<td>c. Weight and Balance (W&amp;B) limits.</td>
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<td>d. Limits on operating without position lights.</td>
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<td>e. Limits on congested area dispensing.</td>
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<td>f. Limits on nonstandard traffic patterns.</td>
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<td>g. Limits of § 91.119 during ferry to/from dispensing site.</td>
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<td>a. Name of each person to whom services were provided.</td>
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<td>b. Date services were provided.</td>
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<td>c. Name and quantity of material dispensed.</td>
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<td>d. Name of each pilot used and date § 137.19(e) was met.</td>
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<tr>
<td>e. Knowledge of the need to keep records for 1 year.</td>
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<td>15. Certificate number obtained from the Aviation Data Systems Branch (AFS-620).</td>
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<td>17. Certification report and FSDO file prepared.</td>
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<td>18. Surveillance plan established.</td>
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Figure 2-50. Part 137 Certification Job Aid (Continued)

<table>
<thead>
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<th>14 CFR PART 137 CERTIFICATION JOB AID</th>
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<tbody>
<tr>
<td>NAME OF OPERATOR:</td>
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<td></td>
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<tr>
<td>CERTIFICATION TEAM NAME</td>
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<td>Specialty</td>
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<td>ADDRESS:</td>
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<tbody>
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<td>INSP. INITIAL</td>
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<tr>
<td>19. Other</td>
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Note:
1. Operators may be exempt from certain requirements in this job aid. Refer to the operator’s exemption for specific relief or additional requirements. See exemption C&L.

Remarks:

Inspectors’ signatures:
Figure 2-51. Part 137 Schedule of Events

<table>
<thead>
<tr>
<th>14 CFR PART 137 SCHEDULE OF EVENTS</th>
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<tbody>
<tr>
<td><strong>NAME OF OPERATOR:</strong></td>
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<tr>
<td>Name</td>
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<tr>
<td><strong>ADDRESS:</strong></td>
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<table>
<thead>
<tr>
<th>Event</th>
<th>Applicant Date Ready</th>
<th>FAA Date Received</th>
<th>FAA Date Returned</th>
<th>FAA Date Applied/Accepted</th>
<th>Inspector Initial</th>
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</thead>
<tbody>
<tr>
<td>1. Letter of Intent (LOI).</td>
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<tr>
<td>3. Chief Supervisor Knowledge and Skill Test.</td>
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<td>4. Other Pilots Knowledge and Skill Test.</td>
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<td>5. Aircraft Lease/Proof of Availability.</td>
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<td>6. Aircraft Conformity Inspection (Airworthiness).</td>
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<td>7. Aircraft Records (Airworthiness).</td>
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<td>10. Other:</td>
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Check with FSIMS to verify current version before using.
Figure 2-52.  Sample Part 137 Letter of Intent

[Operator’s Letterhead]

[Date]

[Responsible FAA Flight Standards District Office (FSDO) address]

Sir/Madam:

This is to notify the Federal Aviation Administration (FAA) of our intent to become
a certificated Commercial [or Private] Agricultural Aircraft Operator under Title 14 of the Code
of Federal Regulations (14 CFR) part 137.

We plan to begin operations on [date], and are ready for your certification inspection at this time. Operations will be confined to [location] and will involve the operation of [number and type of aircraft].

Enclosed is FAA Form 8710-3, Agricultural Aircraft Operator Certificate Application, in duplicate.

Sincerely,

[Operator’s name and title]

Attachments

2-970  FORMAL APPLICATION PHASE. If the certification team decides to have a formal application meeting, all members of the team should be present, barring unanticipated circumstances. If one member cannot be present, another qualified inspector of the same specialty should attend. Most likely the team will have called the meeting due to discrepancies with the application or the team perceived the applicant to be unsure of what was expected. If the proposed operation is complex, the certification team may decide to hold a formal application meeting.

    NOTE: An applicant intending to use a UAS in his or her operation must have made petition for an exemption by the beginning of this phase.

2-971  THE DOCUMENT COMPLIANCE PHASE. The application and evidence of an appropriately equipped aircraft must be reviewed during the Document Compliance Phase, unless they were satisfactorily reviewed in the formal application meeting (if so, then this phase can be eliminated). If an applicant or operator proposes to use a UAS in part 137 operations, the inspector must verify there are no discrepancies between the primary documents, such as the exemption or associated operating documents, and the proposed operation. If a discrepancy exists, the inspector should contact the General Aviation and Commercial Division for guidance. If the applicant will become certificated with a UAS, the applicant must provide the CPM with
the make, model, and series (M/M/S), if applicable, of the UAS or the type, registration number (FA number), and serial number of the UAS to be used.

NOTE: The Federal Aviation Administration (FAA) guidance for issuance of Special Flight Authorizations (SFA) for foreign-registered manned aircraft is contained in FAA Order 8130.2, Airworthiness Certification of Products and Articles, Chapter 7, Special Flight Authorizations (SFA) for Foreign Civil Aircraft. There are no provisions in FAA Order 8130.2 or Order 8130.34, Airworthiness Certification of Unmanned Aircraft Systems and Optionally Piloted Aircraft, for issuance of SFAs for UAS. If a foreign-registered UAS needs an SFA to operate in the United States, this would require coordination and deviation approval from the Airworthiness Certification Section (AIR-113).

2-972 THE DEMONSTRATION AND INSPECTION PHASE. During this phase, the applicant will demonstrate the ability to comply with all applicable 14 CFR parts, any conditions and limitations (C&L) in an exemption or waiver (if held), and safe operating practices.

NOTE: An applicant planning to use a UAS may not begin this phase without having a granted exemption in hand for all the applicable 14 CFR parts.

A. Private Operators. Private agricultural aircraft operators are not required to maintain any records pertinent to their operation. However, this does not preclude the use of a written record to present evidence of informing personnel of their duties and responsibilities.

B. Commercial Operators. Each holder of a Commercial Agricultural Aircraft Operator Certificate must maintain, and keep current at the primary base of operations, certain specific records. Commercial operators may also wish to keep a written record to indicate that personnel have been informed of their duties and responsibilities (§ 137.71).

C. Time Limitation. The required records must be kept at least 12 months. The operator must make the records available for inspection by the FAA upon request.

2-973 THE CERTIFICATION PHASE.

A. Issuance of Certificate. The Air Operator Certificate number is obtained from the Aviation Data Systems Branch, as described in Volume 2, Chapter 1, Section 3. When the certification team has concluded that the applicant meets the qualifications for an Agricultural Aircraft Operator Certificate, prepare FAA Form 8430-21, Operating Certificate, using the date the final inspection was successfully completed as the effective date. (See Figure 2-53, FAA Form 8430-21, Sample Private Agricultural Aircraft Operator Certificate; and Figure 2-54, Sample Commercial Agricultural Aircraft Operator Certificate, for samples.)

B. Signature and Certificate Facsimile. The original certificate, signed by the FSDO manager, is given to the operator. A copy of the certificate is placed in the FSDO file for the operator. A facsimile of the certificate must be carried on board each aircraft or be in possession of the pilot in command (PIC) if operating a UAS.
C. Private or Commercial Operator. The certificate and its copies must show that the certificate is for either a private operator or a commercial operator.

D. WebOPSS Templates. The appropriate authorizing documents must be issued to the operator from WebOPSS.

Figure 2-53. FAA Form 8430-21, Sample Private Agricultural Aircraft Operator Certificate
Figure 2-54. FAA Form 8430-21, Sample Commercial Agricultural Aircraft Operator Certificate
2-974 DISPOSITION OF FILE.

A. Certification Successful. If the application and other documents are approved and the demonstrations are acceptable, the applicant receives an Agricultural Aircraft Operator Certificate and WebOPSS documents. The FSDO file must contain copies of the application and a copy of the operator’s certificate in addition to the other applicable material indicated in the remainder of this section.

B. Certification Unsuccessful. If the certification attempt is denied, the application is returned to the applicant as a notice of disapproval. The FSDO file must contain a copy of the notice of disapproval, with appropriate remarks pertaining to the denial.

2-975 PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of the regulatory requirements of part 137 and FAA policies and qualification as an aviation safety inspector (ASI) (Operations).

B. Coordination. This task requires coordination with the airworthiness unit.

2-976 REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):
   - Title 14 CFR Parts 1, 43, 61, 107, and 137.
   - AC 137-1, Certification Process for Agricultural Aircraft Operators.

B. Forms:
   - FAA Form 8000-36, Program Tracking & Reporting System Data Sheet.
   - FAA Form 8430-21, Operating Certificate (see Figure 2-53 and Figure 2-54).

C. Job Aids:
   - Figure 2-50, Part 137 Certification Job Aid.
   - Figure 2-51, Part 137 Schedule of Events.
   - Sample letters and figures.

2-977 PREAPPLICATION PHASE PROCEDURES.

A. Initial Inquiry. Upon initial inquiry from an applicant, ask for the location of the principal base of operation. If the principal base of operation is in the jurisdiction of another FSDO, provide the applicant with the location and telephone number of that office. However, continue to give the applicant information to begin certification.
B. Applicant Resources. Make sure the applicant is aware of the certification and operating requirements of parts 43, 61, 91, 107, and 137. The applicant should have current copies of parts 91 and 137 and AC 137-1. If there is any question, explain the following:

- General applicability and definition of terms;
- Certification requirements, including what may be applicable to UAS;
- Operating rules;
- Required records and reports of part 137; and
- The exemption process.

C. Other Regulations. Advise the applicant that he or she is responsible for complying with other Federal, state, and/or county aerial application regulations.

D. LOI. Determine if an LOI (Figure 2-52) is required based on the size and scope of the operation. (See subparagraph 2-977F below for content.) If no LOI is required, give the applicant three copies of the application.

E. PTRS. Open the PTRS file.

F. FSDO Review of the LOI. Within 30 business-days of the FAA’s receipt of an LOI, review it to determine if the information is complete, accurate, and acceptable.

1) The LOI should contain the following items:

- Specific type of Agricultural Aircraft Operator Certificate for which he or she is applying (commercial or private);
- Company legal name and any doing business as (DBA) names, principal operations base address, primary airport address, mailing address (if applicable), and telephone numbers;
- Responsible person(s) who can sign the LOI;
- Email address;
- Type of aircraft to be operated;
- Estimated date when operations or services will begin;
- Names and addresses of any management personnel or chief supervisor; and
- In the case of a corporation, the Articles of Incorporation.

2) Determine if the applicant meets the eligibility requirements for certification. (Refer to detailed eligibility requirements in § 137.19.) If the applicant does not satisfy these, or holds an exemption granting relief from or has petitioned for an exemption requesting relief from these, discuss the specific areas that must be complied with before certification can begin.
G. Application. If the applicant appears to meet the basic eligibility requirements, give the applicant a copy of FAA Form 8710-3, or have the applicant download the form.

1) Discuss how to complete these forms with the applicant.

2) Advise the applicant to download the form and submit it electronically. The original form can then be scanned and distributed electronically. These are distributed as follows: one in the FSDO file for the operator and one to the applicant.

3) Explain the certification process to the applicant, including the requirements for:
   - The Preapplication Phase,
   - The Formal Application Phase,
   - The Document Compliance Phase,
   - The Demonstration and Inspection Phase, and
   - The Certification Phase.

H. Preapplication Meeting.

1) Determine if a preapplication meeting is necessary based on the following considerations about the applicant:
   - Previous part 137 operating experience;
   - Size and scope of operation;
   - Manned aircraft or UA to be used;
   - Area of operation; and
   - Applicant’s ability to comply with requirements.

2) If a preapplication meeting is not necessary, schedule a date and time for a formal application meeting.

3) If a preapplication meeting is necessary, schedule a date and time. At the meeting, discuss the following:
   a) Area of Operation (local or across district boundaries):
      - Location of principal operations base, and
      - Location of probable satellite sites.
   b) Type of operation:
      - Private or commercial operator;
      - Manned aircraft or UA;
      - Economic poisons or other dispensing material; and
      - Operating as individual, corporation, or partnership.
   c) Previous experience with part 137 operations.
d) Category and class of aircraft (helicopter or airplane) or UAS.

e) Qualifications and experience of chief supervisor.

f) Applicability of parts 91 and 137.

g) AC 137-1.

h) Any previous or pending enforcement action.

4) Advise an applicant who plans to use a UAS that they must have made petition for an exemption from the applicable sections of part 137 by the time the Formal Application Phase begins.

I. FSDO Records. If not already accomplished, the inspector may record visits, conferences, and telephone calls in the PTRS record 1202.

J. FSDO Working File. Establish a FSDO working file. Place any correspondence and additional documents in this file.

K. Other FSDO Actions. Query the Enforcement Information System (EIS) and Accident Incident Data System (AIDS) to determine the applicant’s enforcement history.

1) If a certificate suspension or revocation order indicates that the applicant cannot be certificated while the order is in effect, inform the applicant in writing (see Figure 2-60, Part 137 Letter Confirming Termination of Process at Applicant’s Request) that until the enforcement is fulfilled, the applicant is ineligible for certification.

2) Place the EIS and AIDS output in the file.

L. Termination of Preapplication Phase. This ends the Preapplication Phase. Begin the Formal Application Phase with the receipt of the completed application form.

2-978 FORMAL APPLICATION PHASE PROCEDURES.

A. Application Review. Within 30 business-days of receipt, review the application only to determine if it is of sufficient quality to continue with certification. Review it in depth in the Document Compliance Phase. (A sample application is shown in Figure 2-55, Sample FAA Form 8710-3, Agricultural Aircraft Operator Certificate Application.)

B. Application Inaccurate or Incomplete. If the application is not complete or accurate, notify the applicant in writing (see Figure 2-56, Part 137 Letter Indicating Application is Not Correct) of needed changes before certification can be continued.
C. Necessity of Formal Application Meeting. Determine if the optional formal application meeting is necessary.

1) If a formal application meeting is not necessary, schedule the certification inspection of the principal base of operations. Review with the applicant the procedures required during the Demonstration and Inspection Phase.

2) If a formal application meeting is necessary, schedule a date and time.

D. Formal Application Meeting. Discuss the items which would have been covered in a preapplication meeting or any discrepancies in the application thus far. Confirm that if the applicant is using a UAS, they have petitioned for an exemption from the applicable sections of parts 107, 137, and other 14 CFR parts if the UAS weighs 55 pounds or more.

E. Termination of Formal Application Phase. This completes the Formal Application Phase. The next phase is the Document Compliance Phase (normally conducted in the FSDO).
Figure 2-55. Sample FAA Form 8710-3, Agricultural Aircraft Operator Certificate Application
Figure 2-56. Sample Part 137 Letter Indicating Application is Not Correct

[FAA Letterhead]

[Date]

[Applicant’s name and address]

Dear [applicant’s name]:

The enclosed Federal Aviation Administration (FAA) Form 8710-3, Agricultural Aircraft Operator Certificate Application, is being returned because [cite the specific item number on the application form and discrepancy].

I am also enclosing additional forms for your use in resubmitting your application. The new application should be submitted no later than [date of the letter plus 30 business-days] so that the certification process will not be terminated.

Sincerely,

[Name and signature of Operations inspector]

2-979 DOCUMENT COMPLIANCE PHASE PROCEDURES. After accepting the application, the team must ensure each document is complete and correct through an in-depth review.

A. Document Review. The certification team evaluates at least the following:

1) The Application (FAA Form 8710-3). The form should be filled out in its entirety, except for block 7B (as directed by block 7A) and block 10, as required.

   a) In block 1, the applicant indicates either Private or Commercial Operator Certificate, if economic poisons will be dispensed, and that the application is for original issuance.

   b) Block 2 is for the name, business name, mailing address, and telephone number of the applicant. The applicant lists here all DBAs that will be used.

   c) Block 3 is the applicant’s principal operations base physical address and phone number.

   d) In block 4, the applicant specifies whether the application is for an individual, a corporation, or a partnership.

   e) In block 5, applicants for a Commercial Operator Certificate must indicate the name of the chief supervisor, if it is other than the applicant.
f) In block 6, the applicant indicates the chief supervisor’s grade of certificate;
category, class, and type ratings; and certificate number.

g) Block 7A, indicate yes or no, and block 7B.

h) In block 8, the applicant indicates the registration number and
make and model (M/M) of aircraft and whether they are equipped for liquid or solid dispensing.

i) In block 9, the applicant lists any other pilots employed and their certificate
numbers.

j) Block 10 is for any pertinent remarks the applicant may have.

k) In block 11, the applicant or authorized officer signs and dates the application.
Signatures on all copies must be original.

l) The reverse side is the inspector’s report, where the certification team
indicates the acceptability of the inspections. Figure 2-57, Sample FAA Form 8710-3, Reverse
Side, Inspector’s Report, shows a typical example.

2) **Chief Supervisor (commercial operators only) and Pilot Qualifications**
(§ 137.19):

- Pilot currency requirements (part 61),
- Any existing letters of competency,
- Aircraft records (airworthiness),
- Registration certificate,
- Airworthiness Certificate,
- Aircraft maintenance documents, and
- Requirements of § 137.31 (shoulder harness).

3) **UAS Operations.**

a) If an applicant or operator proposes to use a UAS in part 137 operations, the
inspector must verify there are no discrepancies between the primary documents, such as the
exemption, waiver, Certificate of Authorization (CoA), or associated operating documents, and
the proposed operation. If a discrepancy exists, the inspector should ensure the proposed
operations are in compliance with the applicant’s exemption and applicable rules.

b) If the applicant will become certificated with a UAS, the applicant must
provide the CPM with the M/M/S, if applicable, of the UAS or the type, registration number
(FA number), and serial number of the UAS to be used.

**B. Unsatisfactory Items.** If there are any unsatisfactory items, advise the applicant that
they must be corrected before certification can continue.
### C. Terminating the Document Compliance Phase

When all documents are satisfactory, conclude the Document Compliance Phase. The next phase is the Demonstration and Inspection Phase.

**Figure 2-57. Sample FAA Form 8710-3, Reverse Side, Inspector’s Report**

| INSPECTION REPORT - For FAA Use Only  
<table>
<thead>
<tr>
<th>(To be completed by the General Aviation for Flight Standards District Office)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMPLIANCE WITH APPLICABLE REGULATIONS</strong></td>
</tr>
<tr>
<td><strong>1. PILOTS</strong></td>
</tr>
<tr>
<td>A. CERTIFICATES</td>
</tr>
<tr>
<td>B. RATING(S)</td>
</tr>
<tr>
<td>C. KNOWLEDGE TEST</td>
</tr>
<tr>
<td>D. SKILL TEST</td>
</tr>
<tr>
<td><strong>2. AIRCRAFT</strong></td>
</tr>
<tr>
<td>A. CERTIFICATED</td>
</tr>
<tr>
<td>B. AIRWORTHY</td>
</tr>
<tr>
<td>C. EQUIPPED FOR AGRICULTURAL OPERATIONS</td>
</tr>
</tbody>
</table>

4. DISTRICT OFFICE ACTION

<table>
<thead>
<tr>
<th>CERTIFICATE ISSUED</th>
<th>APPLICATION DISAPPROVED</th>
<th>DATE INSPECTION COMPLETED</th>
</tr>
</thead>
</table>

INSPECTORS SIGNATURES

FAA Form 8710-3 (10/12) SUPERSEDES PREVIOUS EDITION
### Figure 2-58. Sample FAA Form 8710-3, Reverse Side, Inspector’s Report Completed

#### INSPECTION REPORT - For FAA Use Only
(To be completed by the General Aviation for Flight Standards District Office)

<table>
<thead>
<tr>
<th>COMPLIANCE WITH APPLICABLE REGULATIONS</th>
<th>NOT REQUIRED</th>
<th>SATISFACTORY</th>
<th>UNSATISFACTORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. PILOTS</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>A. CERTIFICATES</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>B. RATING(S)</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. KNOWLEDGE TEST</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. SKILL TEST</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. AIRCRAFT</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>A. CERTIFIED</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>B. AIRWORTHY</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. EQUIPPED FOR AGRICULTURAL OPERATIONS</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

15. REMARKS (Include an explanation of denial if application is disapproved).

This applicant has been employed as a chief supervisor by other operators for the past six (6) years and is establishing his own business. According to our records, neither he nor his pilots have been involved in an accident during dusting or spraying operations.

<table>
<thead>
<tr>
<th>CERTIFICATE ISSUED</th>
<th>APPLICATION DISAPPROVED</th>
<th>INSPECTORS SIGNATURES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>[Signed]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>William F. Worth, Operations Inspector</td>
</tr>
</tbody>
</table>

DATE INSPECTION COMPLETED
01/21/1990

[Signed]
Steve C. Boyington, Maintenance Inspector
A. Conduct Knowledge and Skill Test. You may accept a letter of competency or a logbook endorsement by an FAA inspector as meeting the requirement for a knowledge and skill test for the chief supervisor. A chief supervisor who has a letter of competency or logbook endorsement (from the FAA) may administer tests to other agricultural pilots employed by the operator for which he or she is the chief supervisor. If the chief supervisor has passed a state agricultural exam, it is not necessary to test on chemical knowledge. (See Volume 5, Chapter 11, Section 1.)

NOTE: A chief supervisor must be qualified via the knowledge and skill test for an airplane, rotorcraft, UAS, or all three by being tested and passing all applicable portions of § 137.19(e)(2). If the chief supervisor will oversee UAS operations, he or she must have passed a knowledge and skill test for UAS operations as well.

1) If any test is failed, notify the pilot immediately, following the procedures in Volume 5, Chapter 11, Section 1. Reschedule the appropriate portion of the test.

2) If the pilot passes the test, issue a Statement of Competency Letter or make a notation in the pilot’s logbook. Use Volume 5, Chapter 11, Section 1, Figure 5-198, Statement of Competency Letter, or Figure 5-199, Sample Logbook Endorsement, as applicable. (If a logbook entry is used, make a memorandum for the FSDO file for the operator.)

B. Inspect Records and Recordkeeping Requirements. Inspect the applicant’s record system:

- Commercial operators (§ 137.71),
- Private operators (none are required), or
- EIS/AIDS profile on applicant and personnel, record in PTRS “Comments” section, if necessary.

C. Inspect Aircraft. (Airworthiness.)

- Manned aircraft: According to Airworthiness Certificate held.
- UA: According to part 107 or C&L held in an exemption.

D. Conduct Base Inspection. See Volume 6, Chapter 6, Section 1.

E. Terminating Demonstration and Inspection Phase. When all demonstrations and inspections are complete, conclude the Demonstration and Inspection Phase. The next phase is the Certification Phase.

2-981 CERTIFICATION PHASE PROCEDURES. When all certification requirements have been met, complete inspection reports and checklists. Have the administrative staff prepare the Operating Certificate.

A. Prepare and Issue the Operating Certificate. Use FAA Form 8430-21 for an Agricultural Aircraft Operator Certificate (Figure 2-53 or Figure 2-54). Obtain a certificate...
number during certification and its resolution, following the procedures in Volume 2, Chapter 1, Section 3. The following information must be typed on the appropriate form when preparing the certificate for issuance:

1) Enter the certificate holder’s full legal name directly below the words, “This certifies that ….” Other names, such as DBAs, shall be listed on the Agricultural Aircraft Operator Certificate in accordance with § 137.55, as well as on template A001 in WebOPSS.

2) Enter the address of the certificate holder’s principal base of operations directly below the certificate holder’s name. (Do not use a Post Office Box address unless it also reflects the physical location of the principal base of operations.)

3) Do not modify the preprinted certification statement of authority. Complete the statement by typing either “Private Agricultural Aircraft Operations” or “Commercial Agricultural Aircraft Operations” in the space provided. Indicate whether dispensing of economic poisons is prohibited or allowed.

4) Obtain the final certificate number from Aviation Data Systems Branch in accordance with Volume 2, Chapter 1, Section 3.

5) Enter the date all requirements for certification were met.

6) Type the four-character alphanumeric designator, city, and state of the certificate-holding district office (CHDO) into the “Issued at” space of the form (e.g., EA18, Richmond, VA).

7) Submit the certificate to the FSDO manager for signature.

8) Enter the full title of the person signing the certificate in the space provided.

B. Certificate Denial. If any certification requirement is not met, issue a letter of denial (see Figure 2-59, Part 137 Letter Denying Certificate). Specify the reasons for denial.

C. Certification Report. Assemble a certification report containing the following:

- A copy of the LOI, if applicable,
- The certification job aid,
- The application,
- The Schedule of Events (SOE),
- A copy of the Operating Certificate issued,
- A summary of any difficulty encountered during certification and its resolution, and
- A copy of any deviations or waivers issued.

D. Disposition of the Certification File.

1) The FSDO shall retain the original certification report in the FSDO file for the operator.
2) If airplanes are to be housed outside of the CHDO’s jurisdiction, the principal operations inspector (POI) assigned to the operator shall notify the other FSDO and provide a copy of any portion or all certification files at their request.

E. **Minimum Equipment List (MEL).** If applicable, issue authorization D095 from WebOPSS to authorize operations with an MEL. (See Volume 4, Chapter 4, Section 2.)

F. **Enhanced Vital Information Database (eVID).** Enter all appropriate information in the eVID Air Operator Basic File and Air Operator Aircraft Auxiliary File.

G. **WebOPSS.** WebOPSS authorizations were not previously issued to part 137 operators, as this was done utilizing paper documents; however, the WebOPSS system is now used to provide a national standardized method for issuing regulatory authorizations, such as congested area operations. The use of WebOPSS also places the operator into the national database for receiving safety advisories and alerts. Enter all appropriate information in WebOPSS and issue at least the required letter of authorization (LOA) paragraphs A001, A002, A003, A004, A007, and A447. Paragraphs D137 and D095 are optional.

H. **FSDO File.** The CPM shall ensure an official FSDO file for the operator is established after certification is complete. The file shall contain at least the following:

- Material from any working file used up to this point;
- The certification report and attachments;
- EIS/AIDS profile on applicant and personnel, including negative reports, if applicable (optional);
- Surveillance reports (can be noted in the PTRS);
- General correspondence relevant to the operator or agency; and
- Record of visit, conference, or telephone call (if made).

I. **PTRS.** Make a PTRS entry for this task.

2-982 **TASK OUTCOMES.** Completion of the task results in either:

A. **Issuance of Certificate.** Issuance of a certificate authorizing operations under part 137.

B. **Denial of Certificate.** A record on file consisting of:

1) Written notification to the applicant denying the certificate (Figure 2-60) and the return of all original documents; or

2) A letter to the applicant confirming termination of the certification process per the applicant’s request (Figure 2-60).

2-983 **FUTURE ACTIVITIES.**

A. **Develop a Postcertification Plan.** When developing a postcertification plan, the inspector should plan to conduct additional surveillance or inspections during the first
90 calendar-days the organization is in business. Accomplishment of the surveillance may require assistance from other FSDOs.

**B. Conduct Surveillance.** According to the established postcertification plan, conduct surveillance at appropriate intervals and update WebOPSS and the Enhanced Flight Standards Automation System (eFSAS), if necessary.

**Figure 2-59. Sample Part 137 Letter Denying Certificate**

[FAA Letterhead]

[Date]

[Applicant’s address]

Dear [applicant’s name]:

This letter is to inform you that your application for an Agricultural Aircraft Operating Certificate under Title 14 of the Code of Federal Regulations (14 CFR) is denied. During the process of application, the following items were not in compliance with the requirements of 14 CFR parts 61 and 137:

[To the inspector: List only those items that were found not in compliance and cite the specific section. For example:

1. Pilot did not possess valid medical certificate (part 61, § 61.3(c)).

2. The aircraft presented for initial inspection did not have a properly installed shoulder harness (part 137, § 137.31(b)).]

Attempts by personnel from this office to determine if these discrepancies have been corrected have not been successful.

Sincerely,

[FSDO manager’s signature]
Figure 2-60. Sample Part 137 Letter Confirming Termination of Process at Applicant’s Request

[FAA Letterhead]

[Date]

[Applicant’s name and address]

Dear [applicant’s name]:

This letter confirms your request to terminate the certification process for the issuance of an Agricultural Operating Certificate (Title 14 of the Code of Federal Regulations (14 CFR) part 137).

All materials submitted for review are being returned with this letter. Any attempts to reapply after the date of this letter will require reinitiating the entire certification process.

Sincerely,

[FSDO manager’s signature]

Figure 2-61. Sample Part 137 Letter Indicating Applicant Ineligible for Certification Because of Existing Enforcement Action

[FAA Letterhead]

[Date]

[Operator’s name and address]

Dear [operator’s name]:

This letter is to inform you that you are ineligible for certification as an agricultural aircraft operator (Title 14 of the Code of Federal Regulations (14 CFR) part 137).

During the investigation of enforcement history, it was determined that [insert type of enforcement action].

If you have any questions concerning this matter or desire to reapply once the enforcement action has been fulfilled, please contact this office at [telephone number].

Sincerely,

[FSDO manager’s signature]

RESERVED. Paragraphs 2-984 through 2-1000.