

**Subpart B—Certification**

**§ 139.101 Certification requirements: General.**

(a) No person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any scheduled passenger operation of an air carrier operating an aircraft having a seating capacity of more than 30 passengers without an airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport certification manual for that airport.

(b) Unless otherwise authorized by the Administrator, no person may operate a land airport in any State of the United States, the District of Columbia, or any territory or possession of the United States, serving any unscheduled passenger operation of an air carrier operating an aircraft having a seating capacity of more than 30 passengers without a limited airport operating certificate, or in violation of that certificate, the applicable provisions of this part, or the approved airport specifications for that airport.

[Doc. No. 25698, 55 FR 48214, Nov. 19, 1990]

**§ 139.103 Application for certificate.**

(a) Each applicant for an airport operating certificate or a limited airport operating certificate must submit an application, in a form and in the manner prescribed by the Administrator, to the Regional Airports Division Manager.

(b) The application must be accompanied by two copies of an airport certification manual or airport certification specifications, as appropriate, prepared in accordance with subpart C of this part.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987, as amended by Amdt. 139-16, 54 FR 39295, Sept. 25, 1989]

**§ 139.105 Inspection authority.**

Each applicant for an airport operating certificate or a limited airport operating certificate must allow the Administrator to make any inspections, including unannounced inspections,

or tests to determine compliance with—

- (a) The Federal Aviation Act of 1958, as amended; and
- (b) The requirements of this part.

**§ 139.107 Issuance of certificate.**

(a) An applicant for an airport operating certificate is entitled to a certificate if—

- (1) The provisions of § 139.103 of this subpart are met;
- (2) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with—
  - (i) Subpart D of this part, and
  - (ii) Any limitations which the Administrator finds necessary in the public interest; and
- (3) The Administrator approves the airport certification manual.

(b) An applicant for a limited airport operating certificate is entitled to a certificate if—

- (1) The provisions of § 139.103 of this subpart are met;
- (2) The Administrator, after investigation, finds that the applicant is properly and adequately equipped and able to provide a safe airport operating environment in accordance with—
  - (i) The provisions of subpart D listed in § 139.213(a) of this part, and
  - (ii) Any other provisions of this part and any limitations which the Administrator finds necessary in the public interest; and
- (3) The Administrator approves the airport certification specifications.

**§ 139.109 Duration of certificate.**

An airport operating certificate or a limited airport operating certificate issued under this part is effective until it is surrendered by the certificate holder or is suspended or revoked by the Administrator.

**§ 139.111 Exemptions.**

- (a) An applicant or a certificate holder may petition the Administrator under § 11.25, Petitions for Rule Making or Exemptions, of this chapter for an exemption from any requirement of this part.
- (b) An applicant or a certificate holder, enplaning annually less than one-

quarter of 1 percent of the total number of passengers enplaned at all air carrier airports, may petition the Administrator under § 11.25, Petitions for Rule Making or Exemptions, of this chapter for an exemption from all or part of the rescue and firefighting equipment requirements of this part on the grounds that compliance with those requirements is, or would be, unreasonably costly, burdensome, or impractical.

(c) Each petition filed under this section must be submitted in duplicate to the Regional Airports Division Manager.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987, as amended by Amdt. 139-16, 54 FR 39295, Sept. 25, 1989]

#### § 139.113 Deviations.

In emergency conditions requiring immediate action for the protection of life or property, involving the transportation of persons by air carriers, the certificate holder may deviate from any requirement of subpart D of this part to the extent required to meet that emergency. Each certificate holder who deviates from a requirement under this paragraph shall, as soon as practicable, but not later than 14 days after the emergency, report in writing to the Regional Airports Division Manager stating the nature, extent, and duration of the deviation.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987, as amended by Amdt. 139-16, 54 FR 39295, Sept. 25, 1989]

### Subpart C—Airport Certification Manual and Airport Certification Specifications

#### § 139.201 Airport operating certificate: Airport certification manual.

(a) An applicant for an airport operating certificate must prepare, and submit with an application, an airport certification manual for approval by the Administrator. Only those items addressing subjects required for certification under this part shall be included in the airport certification manual.

(b) Except as provided in paragraph (c) of this section, each certificate holder shall comply with an approved airport certification manual that

meets the requirements of §§ 139.203 and 139.205.

(c) A certificate holder with an approved airport operations manual on December 31, 1987, may use the manual in lieu of the manual required by paragraph (b) of this section until December 31, 1988. Until the certificate holder has an approved airport certification manual, it shall comply with § 139.207 as if that section applied to its airport operations manual.

[Doc. No. 24812, 52 FR 44282, Nov. 18, 1987; 53 FR 4119, Feb. 12, 1988]

#### § 139.203 Preparation of airport certification manual.

(a) Each airport certification manual required by this part shall—

- (1) Be typewritten and signed by the airport operator;
- (2) Be in a form that is easy to revise;
- (3) Have the date of initial approval or approval of the latest revision on each page or item in the manual and include a page revision log; and
- (4) Be organized in a manner helpful to the preparation, review, and approval processes.

(b) FAA Advisory Circulars in the 139 series contain standards and procedures for the development of airport certification manuals which are acceptable to the Administrator.

#### § 139.205 Contents of airport certification manual.

(a) Each airport certification manual required by this part shall include operating procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with—

(1) The provisions of subpart D of this part; and

(2) Any limitations which the Administrator finds necessary in the public interest.

(b) In complying with paragraph (a) of this section, the airport certification manual must include at least the following elements:

(1) Lines of succession of airport operational responsibility.

(2) Each current exemption issued to the airport from the requirements of this part.