

§ 139.217

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(c) Furnish the applicable portions of the approved airport certification specifications to the airport personnel responsible for their implementation;

(d) Make the copy required by paragraph (b) of this section available for inspection by the Administrator upon request; and

(e) Provide the Administrator with one complete and current copy required by paragraph (b) of this section.

§ 139.217 Amendment of airport certification manual or airport certification specifications.

(a) The Regional Airports Division Manager may amend any airport certification manual or any airport certification specifications approved under this part, either—

(1) Upon application by the certification holder; or

(2) On the Regional Airports Division Manager's own initiative if the Regional Airports Division Manager determines that safety in air transportation or air commerce and the public interest require the amendment.

(b) An applicant for an amendment to its airport certification manual or its airport certification specifications shall file its application with the Regional Airports Division Manager at least 30 days before the proposed effective date of the amendment, unless a shorter filing period is allowed by that office.

(c) At any time within 30 days after receiving a notice of refusal to approve the application for amendment, the certificate holder may petition the Administrator to reconsider the refusal to amend.

(d) In the case of amendments initiated by the Regional Airports Division Manager, the office notifies the certificate holder of the proposed amendment, in writing, fixing a reasonable period (but not less than 7 days) within which the certificate holder may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Regional Airports Division Manager notifies the certificate holder of any amendment adopted or rescinds the notice. The amendment becomes effective not less than 30 days after the certificate holder receives notice of it,

except that prior to the effective date the certificate holder may petition the Administrator to reconsider the amendment, in which case its effective date is stayed pending a decision by the Administrator.

(e) Notwithstanding the provisions of paragraph (d) of this section, if the Regional Airports Division Manager finds that there is an emergency requiring immediate action with respect to safety in air transportation or air commerce that makes the procedures in this paragraph impractical or contrary to the public interest, the Regional Airports Division Manager may issue an amendment, effective without stay on the date the certificate holder receives notice of it. In such a case, the Regional Airports Division Manager incorporates the finding of the emergency, and a brief statement of the reasons for the finding, in the notice of the amendment. Within 30 days after the issuance of such an emergency amendment, the certificate holder may petition the Administrator to reconsider either the finding of an emergency or the amendment itself or both. This petition does not automatically stay the effectiveness of the emergency amendment.

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

Subpart D—Operations

§ 139.301 Inspection authority.

Each certificate holder shall allow the Administrator to make any inspections, including unannounced inspections, or tests to determine compliance with this part.

§ 139.303 Personnel.

Each certificate holder shall maintain sufficient qualified personnel to comply with the requirements of its airport certification manual or airport certification specifications and the applicable rules of this part.

§ 139.305 Paved areas.

(a) Each certificate holder shall maintain, and promptly repair the pavement of, each runway, taxiway, loading ramp, and parking area on the

airport which is available for air carrier use as follows:

(1) The pavement edges shall not exceed 3 inches difference in elevation between abutting pavement sections and between full strength pavement and abutting shoulders.

(2) The pavement shall have no hole exceeding 3 inches in depth nor any hole the slope of which from any point in the hole to the nearest point at the lip of the hole is 45 degrees or greater as measured from the pavement surface plane, unless, in either case, the entire area of the hole can be covered by a 5-inch diameter circle.

(3) The pavement shall be free of cracks and surface variations which could impair directional control of air carrier aircraft.

(4) Except as provided in paragraph (b) of this section, mud, dirt, sand, loose aggregate, debris, foreign objects, rubber deposits, and other contaminants shall be removed promptly and as completely as practicable.

(5) Except as provided in paragraph (b) of this section, any chemical solvent that is used to clean any pavement area shall be removed as soon as possible, consistent with the instructions of the manufacturer of the solvent.

(6) The pavement shall be sufficiently drained and free of depressions to prevent ponding that obscures markings or impairs safe aircraft operations.

(b) Paragraphs (a)(4) and (a)(5) of this section do not apply to snow and ice accumulations and their control, including the associated use of materials such as sand and deicing solutions.

(c) FAA Advisory Circulars in the 150 series contain standards and procedures for the maintenance and configuration of paved areas which are acceptable to the Administrator.

§ 139.307 Unpaved areas.

(a) Each certificate holder shall maintain and promptly repair the surface of each gravel, turf, or other unpaved runway, taxiway, or loading ramp and parking area on the airport which is available for air carrier use as follows:

(1) No slope from the edge of the full-strength surfaces downward to the existing terrain shall be steeper than 2:1.

(2) The full-strength surfaces shall have adequate crown or grade to assure sufficient drainage to prevent ponding.

(3) The full-strength surfaces shall be adequately compacted and sufficiently stable to prevent rutting by aircraft, or the loosening or buildup of surface material which could impair directional control of aircraft or drainage.

(4) The full-strength surfaces must have no holes or depressions which exceed 3 inches in depth and are of a breadth capable of impairing directional control or causing damage to an aircraft.

(5) Debris and foreign objects shall be promptly removed from the surface.

(b) Standards and procedures for the maintenance and configuration of unpaved full-strength surfaces shall be included in the airport certification manual or the airport certification specifications, as appropriate, for compliance with this section.

§ 139.309 Safety areas.

(a) To the extent practicable, each certificate holder shall provide and maintain for each runway and taxiway which is available for air carrier use—

(1) If the runway or taxiway had a safety area on December 31, 1987, and if no reconstruction or significant expansion of the runway or taxiway was begun on or after January 1, 1988, a safety area of at least the dimensions that existed on December 31, 1987; or

(2) If construction, reconstruction, or significant expansion of the runway or taxiway began on or after January 1, 1988, a safety area which conforms to the dimensions acceptable to the Administrator at the time construction, reconstruction, or expansion began.

(b) Each certificate holder shall maintain its safety areas as follows:

(1) Each safety area shall be cleared and graded, and have no potentially hazardous ruts, humps, depressions, or other surface variations.

(2) Each safety area shall be drained by grading or storm sewers to prevent water accumulation.

(3) Each safety area shall be capable under dry conditions of supporting snow removal equipment, and aircraft rescue and firefighting equipment, and supporting the occasional passage of