

## CHAPTER 99. APPROVE/AMEND OPERATIONS SPECIFICATIONS FOR CLASS D OR INSTRUMENT FLIGHT RULES PART 133 OPERATIONS

### SECTION 1. BACKGROUND

#### 1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE: 1342

**3. OBJECTIVE.** The objective of this task is to determine whether the proposed Operations Specifications (OpSpecs) for a Title 14 of the Code of Federal Regulations (14 CFR) part 133 operator to conduct Class D and/or instrument flight rules (IFR) operations are acceptable. Successful completion of this task results in the issuance or amendment of OpSpecs.

#### 5. GENERAL.

*A. Authority.* Because of the special nature of Class D or IFR external-load operations, §§ 133.33(f) and 133.45 require OpSpecs.

*B. Definitions.* OpSpecs are issued to either outline the operations that the certificate holder is allowed to conduct, supplement the operating rules, or outline limitations that are not specifically covered in the regulations.

**7. IFR OPERATIONS IN INSTRUMENT METEOROLOGICAL CONDITIONS (IMC).** IFR operations in IMC are permitted while carrying external-loads if all of the following criteria are met:

*A. The rotorcraft is certificated* for flight under IFR and is operated in the configuration used for the IFR certification.

*B. The pilot is instrument rated* and current under 14 CFR part 61.

*C. Only persons essential* to the external-load operation are transported between the base of operation and the lift site.

*D. OpSpecs are approved* and issued to the operator.

**9. CLASS D OPERATIONS.** OpSpecs for the conduct of Class D operations will be issued to outline the operations that an external-load certificate holder is allowed to conduct and may contain limitations not specifically covered in the regulations.

*A. Inspector Review.* Inspectors must carefully evaluate an application for OpSpecs to ensure that the OpSpecs are not used as a regulatory device.

*B. Contents of the OpSpecs.* The OpSpecs issued for part 133 Class D operations will contain, but not be limited to, the following:

(1) the make, model, and registration numbers of rotorcraft authorized for use;

(2) the provisions of the Rotorcraft Load Combination Flight Manual, with necessary conditions and limitations;

(3) the procedures for weight and balance control of authorized rotorcraft including methods of determining the ability of a helicopter with one engine inoperative to hover at the operating weight and in the density altitude conditions that exist at the time a Class D load is carried. Examples include performance charts or actual pre-operational performance flight test;

(4) the authorized regulatory deviations and any other items that the Administrator determines are necessary to cover a particular situation; and

(5) the types of approved personnel lifting devices and how many persons can be carried in each.

*C. Approval Authority.* OpSpecs may be approved by the principal operations inspector (POI) or an inspector authorized by the Flight Standards District Office (FSDO) manager.

(1) *Initial Certification.* OpSpecs for Class D or IFR operations may be approved after being reviewed by the POI.

(2) *Amendment.* OpSpecs for the amendment of a certificate to add Class D, IFR, or both may be approved after review by the POI or an inspector authorized by the FSDO manager.

*D. Amendment Requested by Operator.* For an amendment requested by the operator, an application to amend existing OpSpecs is made by completing the

upper half of the signature side of a blank FAA Form 8400-8, Operations Specifications, and entering the new, proposed OpSpecs. The operator then submits the original and one copy of this form to the certificate holding district office (CHDO) at least 15 days before the date the amendment is to become effective. However, if a lesser processing time is approved by the CHDO, a shorter filing period may be accepted.

(1) The approving authority must ensure the proper review and coordination of OpSpecs. Approval, signature, and distribution of an amendment is the same as for original issuance.

(2) If a request for amendment cannot be approved, the operator is advised in writing of the reasons for denial. Within 30 days, an operator may petition the Administrator for reconsideration of the refusal to amend. In this case, no change in the OpSpecs will take place until the Federal Aviation Administration (FAA) makes a determination after considering the operator's petition. It is recommended that the operator forward the petition in writing directly to the Director, Office of Flight Standards, AFS-1, 800 Independence Avenue, SW., Washington, DC 20591, for the final decision. The Director has been delegated the authority to make the final decision on petitions for reconsideration of OpSpecs issued under part 133.

(3) New OpSpecs must be prepared when the name of the operator changes. Otherwise, if the certificate number and the effective date of the original issuance are retained, it is not necessary to prepare new OpSpecs when an operator's certificate is amended or reissued.

*E. Amendment Requested by CHDO.* When the CHDO determines that an amendment to the OpSpecs is necessary in the interest of safety, a notice of the proposed amendment is given to the operator by telephone or in writing. If the decision is made to adopt the amendment after careful consideration of all relevant matter presented, an original and one copy of FAA Form 8400-8, including that amendment, is prepared by the CHDO. The amended OpSpecs are then forwarded to the operator with the letter that gives notice of the adoption.

(1) The operator should sign the receipted copy of the OpSpecs and return it to the CHDO. The signature does not constitute notification of adoption by the Administrator, and it does not indicate acceptance by

the operator. This signature merely confirms the operator's receipt of that page of the OpSpecs.

(2) Rescission of a notice of proposed amendment is accomplished with a letter (figure 99-1) informing the operator that the amendment is rescinded and that the existing OpSpecs continue to be in effect.

(3) A person may petition for reconsideration of an amendment to the OpSpecs. If the petitioner does so, the effective date of the amendment is stayed pending a decision by the Administrator.

**11. CANCELLATION.** The Administrator may amend or rescind OpSpecs under the authority of Title 49 of the United States Code (49 USC), 44709 (formerly Section 609 of the Federal Aviation Act of 1958).

## SECTION 2. PROCEDURES

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

*A. Prerequisites.* This task requires knowledge of part 133 requirements and FAA policies, and qualification as an aviation safety inspector (operations), with experience in external-load operations.

*B. Coordination.* This task may require coordination with the airworthiness unit within the CHDO, with other FSDO's, appropriate Air Traffic Facilities, and the Regional Office.

### 3. REFERENCES, FORMS, AND JOB AIDS.

#### *A. References.*

- 14 CFR Parts 1, 61, 91 and 133
- Advisory Circular 133-1, Rotorcraft External-Load Operations in Accordance with FAR Part 133
- Approved Rotorcraft Flight Manual
- Approved Data for Lifting Devices

#### *B. Forms.*

- FAA Form 8400-8, Operations Specifications
- FAA Form 8710-4, Rotorcraft External-Load Operator Certificate Application
- FAA Form 8000-36, PTRS Data Sheet

#### *C. Job Aids.*

- Sample letters and figures

### 5. PROCEDURES.

#### *A. PTRS.* Open PTRS file.

*B. Form Review.* Review FAA Forms 8400-8 and 8710-4 for content and accuracy if the applicant is a new operator.

#### *C. Class D OpSpecs.* (Figure 99-2).

##### *(1)* Class D OpSpecs must contain:

- (a)* the full name of the operator, including any d/b/a's
- (b)* an applicability section
- (c)* an authorized operations section
- (d)* a limitations section
- (e)* the aircraft authorizations

*(f)* a description of the personnel lifting devices

*(2)* An airworthiness inspector reviews the aircraft maintenance records.

*(3)* Inspect documentation that the personnel lifting devices are approved and properly placarded.

*(4)* Ensure that the Class D training program was approved.

*(5)* Ensure that the operator's Rotorcraft Load Combination Flight Manual was approved.

*(6)* Determine whether the chief pilot completed a knowledge and skill test for that operation and type of rotorcraft.

#### *D. IFR Authorization OpSpecs.* (Figure 99-3).

*(1)* OpSpecs for an IFR authorization must contain:

- (a)* the full name of the operator, including any d/b/a's;
- (b)* an applicability section;
- (c)* an authorized operations section;
- (d)* a limitations section; and
- (e)* the aircraft authorizations.

*(2)* An airworthiness inspector should determine whether the aircraft is equipped and certificated for IFR operations.

*(3)* Examine the pilots' flight records for rating and currency in IFR operations under part 61.

#### *E. Approval.*

*(1)* Indicate approval on FAA Form 8400-8 and sign (figure 99-4). If an original certification, perform the following tasks when all certification phases are completed:

*(a)* Send the original and one copy to the operator for signature. Instruct the operator to sign the bottom signature line and to return the copy to the FSDO.

*(b)* Place the copy of the signed OpSpecs in the FSDO file.

*(2)* Sign the OpSpecs for an amendment or additional authorization. Send the original and one

copy to the operator for signature. Instruct the operator to sign the bottom signature line and return the signed copy to the FSDO for placement in the office file.

*F. Disapproval.* Indicate disapproval for initial certification, amendment, and additional authorization on FAA Form 8400-8 (figure 99-5). Confirm the disapproval in writing (figure 99-6).

(1) Return the disapproved form to the operator.

(2) Place a copy of the disapproved OpSpecs in the FSDO file.

*G. PTRS.* Close PTRS.

**7. TASK OUTCOMES.** Completion of this task results in one or more of the following:

A. Issuance of original or amended OpSpecs

B. Issuance of a letter of denial of OpSpecs

C. Issuance of a letter withdrawing the proposed amendments

## **9. FUTURE ACTIVITIES.**

A. An inspector may review OpSpecs during a routine surveillance.

B. The operator or the FSDO may propose amendments to the OpSpecs.

C. The operator may appeal FAA amendments to the OpSpecs.

**FIGURE 99-1**  
**LETTER WITHDRAWING FAA-PROPOSED OPSPECS AMENDMENT**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant*]:

After reviewing your reply to the Operations Specifications (OpSpecs) amendment proposed by this office, we have decided to withdraw the amendment.

You may continue to operate under the specifications issued on [*date*] as part of part 133 Certificate Number [*number*].

Thank you for your cooperation in this matter.

[*POI's signature*]

**FIGURE 99-2  
SAMPLE OPSPECS FOR CLASS D OPSPECS**

[TYPE ONTO FAA FORM 8400-7]

Issued to: PAGEL Helicopters, Inc.

14 CFR part 133 Class D Operations

1. Applicability. These Operations specifications are issued under the authority of 14 CFR part 133. The certificate holder shall conduct Class D operations in accordance with 14 CFR part 133, part 91, and these operations specifications.

2. Operations Authorized. Class D external-load operations.

3. Limitations.

a. Carriage of persons is authorized only in compliance with policies and procedures which are outlined in the FAA approved Rotorcraft Load Combination Flight Manual. Operable voice communication equipment must be used and communications maintained among the pilot, hoist operator (if used), and at least one ground person who is designated as the principal ground coordinator.

b. Before conducting Class D operations involving the carriage of persons in a personnel lifting device the pilot-in-command must:

(1) Perform one engine inoperative hover calculations and determine that the aircraft is able to sustain a hover and maneuver to a landing in the event of a single power unit failure, considering total aircraft and load weight throughout all operations; and meteorological conditions at the beginning of and the forecast throughout the entire operation.

(2) Perform individual weight and balance calculations to assure the aircraft and its load is within the: a. total aircraft weight limits; b. total external load weight limits; c. lateral center of gravity limits; and d. longitudinal center of gravity limits.

c. These operations specifications become invalid and shall be surrendered when the holder no longer meets all requirements for certification or ceases operations, and upon expiration of the holder's Operating Certificate issued under part 133, whichever occurs first.

d. Personnel Lifting Devices. No person may be carried in a lifting device unless it has been approved by the FAA.

4. Aircraft Authorizations.

Make	Model	Maximum Lift		
		Reg. No.	Device Load	Lift Device
SK	S-64	N46CP	400 lbs.	Pugh Net
SK	S-61	N61VP	250 lbs.	Hoist

5. These operations specifications may be amended or rescinded by the Administrator.

**FIGURE 99-3  
SAMPLE OPSPECS FOR IFR OPERATIONS**

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**[TYPE ONTO FAA FORM 8400-7]  
OPERATIONS SPECIFICATIONS**

Issued to: PAGEL Helicopters, Inc.

14 CFR part 133 IFR Operations

1. Applicability. These operations specifications are issued pursuant to 14 CFR part 133. The certificate holder shall conduct operations under 14 CFR parts 61, 91 and 133 and these operations specifications when operating under instrument flight rules.
2. Operations Authorized. Pagel Helicopters, Incorporated is authorized to operate U.S. registered civil helicopters under Instrument Flight Rules, and in instrument meteorological conditions.
3. Limitations.
  - A. Except as provided in paragraph B, flight under instrument flight rules is authorized in visual meteorological conditions when the aircraft is operated beneath a ceiling and the operation has been approved by the air traffic control facility having jurisdiction over the air space.
  - B. Flight under instrument flight rules in instrument meteorological conditions may be conducted for the purpose of repositioning the aircraft and essential personnel to and from the external load operation site.
  - C. Operating in instrument meteorological conditions with any class of external load is prohibited.
  - D. These operations specifications become invalid and shall be surrendered when the holder no longer meets all requirements for certification or ceases operations, and upon expiration of the holder's Operating Certificate issued under part 133, whichever occurs first.

4. Aircraft Authorizations.

Make	Model	Registration No.
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5. These operations specifications may be amended or rescinded by the Administrator of the FAA.

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FIGURE 99-4  
FAA FORM 8400-8, SHOWING APPROVAL

U.S. Department of Transportation Federal Aviation Administration Washington, D.C.	Certificate No. _____
The Federal Aviation Administration issues the Operations Specification on the reverse side hereof to _____ _____	
_____ hereby makes application for amendment of the Operations Specifications appearing on the reverse side hereof, as follows:  Amendment supporting data (if insufficient space attach additional page)	
I certify that the statements submitted in connection herewith are true and that I am duly authorized to make this application on behalf of the applicant.	
Date <u>March 2, 1996</u>	<div style="text-align: center;">   <small>Signature</small>  <hr/>           President  <small>Title</small> </div>
The Operations Specifications set forth on the reverse side hereof are <u>approved</u>	
Amendment No. _____ Effective Date <u>March 10, 1996</u> Supersedes Specification dated _____	<div style="text-align: center;">         By direction of the Administrator    <small>Signature</small>  <hr/>         Principal Operations Inspector  <small>Title</small> </div>
Date _____	Received for the certificate holder by:  <div style="text-align: center;"> <hr/> <small>Signature</small>  <hr/> <small>Title</small> </div>

FIGURE 99-5  
FAA FORM 8400-8, SHOWING DISAPPROVAL

U.S. Department of Transportation Federal Aviation Administration Washington, D.C.		Certificate No. _____
The Federal Aviation Administration issues the Operations Specification on the reverse side hereof to _____ _____		
_____ hereby makes application for amendment of the Operations Specifications appearing on the reverse side hereof, as follows:  Amendment supporting data <i>(if insufficient space attach additional page)</i>   I certify that the statements submitted in connection herewith are true and that I am duly authorized to make this application on behalf of the applicant.		
Date <u>August 1, 1996</u>	<u><i>Gery L. Egel</i></u> <small>Signature</small> <u>President</u> <small>Title</small>	
The Operations Specifications set forth on the reverse side hereof are <u>disapproved</u>		
Amendment No. _____ Effective Date <u>August 16, 1996</u> Supersedes Specification dated _____	By direction of the Administrator <u><i>John L. Hightower</i></u> <small>Signature</small> <u>Principal Operations Inspector</u> <small>Title</small>	
Date _____	Received for the certificate holder by: _____ <small>Signature</small> _____ <small>Title</small>	

**FIGURE 99-6**  
**LETTER DISAPPROVING OPSPECS**

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FAA Letterhead

[*date*]

[*applicant's name and address*]

Dear [*applicant*]:

We have reviewed your proposed operations specifications (OpSpecs) for [*Class D operations or IFR operations, as appropriate*]. We cannot approve the OpSpecs until the following areas have been corrected:

- *Indicate all errors and how they must be corrected.*
- *Indicate a time period, such as 30 days, for the corrections to be made and the OpSpecs to be resubmitted.*

[*POI's signature*]