

Attachment 8

to Operations Group Factual Report

DCA06MA064

FAA MEMORANDUM



Federal Aviation Administration

Memorandum

Date: NOV 22 2006

To: Director of Accident Investigation, AAI-1
Attn: Kim Burtch, AAI-220

From: James J. Ballough, Director, Flight Standards Service, AFS-1 ^{Ref}
_{for}

Prepared by: Colleen M. Cleary, AFS-140

Subject: NTSB Information Request 06.128; AAI-220 memo dated 9/28/06

This memorandum is in response to the NTSB's request for information about the accident involving Comair flight 5191 on August 27, 2006, at Lexington, Kentucky.

Specifically, the Board asked the following questions:

1. Does the FAA have a policy on takeoffs on an unlit runway at night by a Part 121 airlines. I cannot find any regulation preventing this—if there is one please let me know.

AFS Response: 14 CFR sections 121.97 and 121.117 place the burden on the air carrier to determine if an airport (runway) is adequate for the operation, to include lighting. It is understood that the POI would review the data an air carrier has gathered to determine if an airport is acceptable or not. In the case of the Lexington accident, the NOTAM on reduced lighting would not have been a factor because it was a temporary condition and not part of the start up of service.

14 CFR section 121.590 requires that an air carrier, and the pilots being used by an air carrier, must use a certificated land airport in the United States that is classified for the type airplane to be operated and the type of operation to be conducted. This means an airport has to be certificated and maintained under 14 CFR part 139 to be used by an air carrier. 14 CFR section 139.1 addresses the rule's applicability for the certification and operation of airports in the United States. Section 139.311 specifies that the certificate holder (airport operator) must provide and maintain lighting systems for air carrier operations when the airport is open at night. Deviations are authorized by Opspec for such items such as flare pots in lieu of standard runway lighting. If the runway lighting is not available at night, or a suitable substitute authorized by the Administrator is not available, neither the air carrier, nor the pilot being used by an air carrier, may operate if it is contrary to their Opspec. A copy of Comair's Opspec C067 is attached for

your reference, showing no such authorization for alternate runway lighting was approved for Lexington airport.

2. Does the FAA have a policy on Part 121 carriers departing from a 75 foot wide runway? Is there any restriction on the width of the runway for Part 121 carriers?

AFS Response: While the FAA has no operation or certification regulations that address runway width requirements, they are addressed in an airports document, Advisory Circular (AC) 150/5300-13, Airport Design. This document is an airports design document and not an operations document. However, airplanes fall into different design groups (ADG) from I to VI based on wing span. Runways are to be designed to the highest ADG planned to operate from that runway. If an airport wants to receive FAA funds for runway improvements, it must conform with guidance in the AC or have an FAA-approved modification to standards. Airport operators generally use FAA funding for runway projects; therefore, in effect the design criteria in the AC becomes an "airports operations document." In order to conform with the AC, airports generally restrict operations on runways to aircraft in the ADG that the runway is designed for. This is noted in the airport facility directory, such as "runway 26 restricted to single-engine daylight operations only." It is up to the flightcrew and the air carrier to comply with these restrictions. Air traffic is obligated to advise the flightcrew of these restrictions (through the airport facility directory) but have no overriding authority of the flightcrew's decision.

Note: A review of the CL-600-2B19 AFM Limitations, Pilot Reference Manual, and Type Certificate Data Sheet have no explicit regulation or certification restriction that would have prohibited their taking off on a 75-foot wide runway. There is an AFM runway slope limitation but no limitations as to runway width. Of interest is the Pilot Reference Manual that indicates the pavement width for a 180-degree turn is 75 feet.

Attachment

U.S. Department
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Operations Specifications

**C067. Special Authorizations, Provisions, and Limitations
For Certain Airports**

HQ Control: 11/15/04
HQ Revision: 040

a. The certificate holder is authorized to conduct operations into the specific airports listed in Table 1 for such things as:

(1) Airports that may require special aircraft performance charts and equipment or required special lighting for airports—flare pots, RBI, or required special navigation and communications equipment, etc.,

(2) Airports that require a curfew notation

(3) Airports with unpaved runways or runways constructed on frozen lakes and rivers

(4) For Flag or Supplemental destination airports that do not have an available alternate in accordance with 14 CFR Section 121.621(a)(2) or 121.623(b) that are dispatched in accordance with the required fuel reserves set forth in Section 121.641(b) or 121.645(c) as applicable, may be listed along with any special provisions or limitations.

b. Uncertificated Airports.

(1) In accordance with Section 121.590 (c) and (e), a Part 121 certificate holder may be authorized to conduct passenger-carrying airplane operations into an airport (non-military) operated by the U.S. Government that is not certificated under Part 139 if those airports to be used:

(a) Meet the equivalent safety standards for airports certificated under Part 139, and

(b) Meet the equivalent airport classification requirements under Part 139 to serve the type airplanes to be operated and the type of operations to be conducted.

(2) Authorization to serve such airports may be granted by entering the location/identifier of each airport, and the M/M airplanes (if applicable) to be operated in Table 1:

(a) Certificate holders should obtain permission from the airport manager of non-military airports to operate at these airports in advance of the commencement of operations.

(b) This permission is not needed for operations at joint-use civil and military airports.

Note: Do not list airports from the Special Pilot-in-Command Qualification Airport list (OpSpec C050) when there is no additional prerequisite for the certificate holder beyond the requirements of 14 CFR Section 121.445.

Table 1 – Airports and Special Provisions

Airport Location/Identifier	Aircraft M/M (enter N/A if not applicable)	Special Provisions and Limitations and Special Flight Crewmember Training
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Operations Specifications

KEYW	CL-600-2B19	<p>Day or Night VFR is authorized as follows: Between the EYW VOR or the FISHHOOK (FIS) NDB and Key West (KEYW) airport for CL-65 aircraft and subject to the following limitations; (1) Reported visibility will be at least 3 statute miles and a ceiling of 2000'. (2) Minimum weather for dispatch to KEYW: The main body of the forecast will indicate a ceiling that will be at least 2000 feet above the airport elevation and the visibility will be at least 3 statute miles at ETA. The conditional phrases (TEMPO or PROB) of the forecast will indicate a ceiling that will be at least 1000 feet above the airport elevation and the visibility will be at least 1 statute mile at ETA. (3) Flight will be under positive radar control until in position for descent and landing under visual conditions. (4) An alternate airport will be listed for each flight operation to KEYW.</p>
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1. The Certificate Holder applies for the Operations in this paragraph.
2. Support information reference:
3. These Operations Specifications are approved by direction of the Administrator.

APPROVED BY: (Signature) 11/7/2005 11:14:10 AM
 Wohlhueter, James
 Principal Operations Inspector

4. Date Approval is effective: 01/07/2005 Amendment Number: 2
5. I hereby accept and receive the Operations Specifications in this paragraph.

(Signature) 12/10/2004 12:10:04 PM
 Piper, Michael F.
 Director of Operations Date: 12/10/2004