

VOLUME 12 INTERNATIONAL AVIATION

CHAPTER 4 PART 129 OPERATIONS

Section 3 Part 129 Part B Operations Specifications—En Route Authorizations and Limitations

Source Basis:

- Section 129.5, Operations Specifications.
- Section 129.7, Application, Issuance, or Denial of Operations Specifications.
- Section 129.9, Contents of Operations Specifications.
- Section 129.11, Amendment, Suspension and Termination of Operations Specifications.
- Section 129.17, Aircraft Communication and Navigation Equipment for Operations Under IFR or Over the Top.
- Administrative.

3.1 GENERAL.

3.1.1 Purpose. This section provides the Federal Aviation Administration (FAA) policy requirements and aviation safety inspector (ASI) guidance associated with the standard Part B (En Route Authorizations and Limitations) operations specifications (OpSpec) paragraphs and their templates available for issuance to each foreign air carrier or foreign person operating under Title 14 of the Code of Federal Regulations (14 CFR) part 129.

3.1.2 Scope. This section is applicable to all FAA Flight Standards Service (FS) personnel and International Field Offices (IFO) having responsibilities associated with part 129 foreign air carrier activities and international aviation operations.

Note: Advisory circulars (AC) referenced throughout this section provide guidance for compliance with specific regulations. They define acceptable means, but not the only means, of accomplishing or showing compliance with regulations.

3.1.3 Safety Assurance System (SAS) Activity Recording (AR) Codes.

- a) Operations: 1326, 1327.
- b) Maintenance: 3315, 3316.
- c) Avionics: 5315, 5316.

3.1.4 Regulatory References. All regulatory references in this section are found in 14 CFR unless otherwise indicated.

3.2 DEFINITIONS. See Volume 12, Chapter 1, Section 1, Definitions, Abbreviations, and Acronyms, for information associated with this section.

3.3 PART B OPSPECS.

Note: FAA policy associated with part 129 Part B OpSpecs may be immediately accessed by clicking on the appropriate following paragraph number: [B035](#), [B051](#), [B056](#).

OPSPEC B035—CLASS I NAVIGATION EN ROUTE IN U.S. AIRSPACE USING AREA OR LONG-RANGE NAVIGATION SYSTEMS (OPTIONAL FOR FOREIGN AIR CARRIERS OPERATING TO THE UNITED STATES).

a) General. The FAA authorizes an operator to conduct Class I navigation within the United States using an Area Navigation (RNAV) system or long-range navigation system (LRNS) in accordance with part 129, § 129.17 by issuance of OpSpec B035. The RNAV system or LRNS must be installed in accordance with approved data and be operational except in accordance with an approved minimum equipment list (MEL). The airplane make, model, and series (M/M/S) and the manufacturer and model of the RNAV system or LRNS authorized for this type of navigation must be listed in B035, Table 1, Aircraft and Navigation Equipment. Only a single navigation system needs to be specified.

b) Criteria Acceptable to the FAA. The FAA issues B035 for en route navigation using RNAV or LRNS operations in accordance with, but not limited to, the following:

1) International Civil Aviation Organization (ICAO) Doc 9613, Performance-Based Navigation (PBN) Manual.

2) Joint Aviation Authority (JAA) Temporary Guidance Leaflet (TGL) Number 10, Airworthiness and Operational Approval for Precision RNAV Operations in Designated European Airspace.

3) If adopted by the Civil Aviation Authority (CAA), equivalent standards to AC 20-138, Airworthiness Approval of Positioning and Navigation Systems, and AC 90-110, Instrument Flight Procedure Service Provider Authorization Guidance for Space-based Instrument Flight Procedures.

4) For Q-routes, if adopted by the CAA, equivalent standards to AC 90-100, U.S. Terminal and En Route Area Navigation (RNAV) Operations.

Note: Principal inspectors (PI) must coordinate all acceptable criteria other than that specified in subparagraphs b)1) and 2) with the International Program Division, who will coordinate with the Flight Technologies and Procedures Division, as appropriate.

c) Foreign Air Carrier Actions. A foreign air carrier applying to the FAA for the issuance of B035 must provide the responsible IFO with evidence that the State of the Operator has approved the foreign air carrier for this operation. The approval must include:

1) A statement from the State of the Operator's CAA stating:

- That the foreign air carrier is approved for en route navigation using RNAV or LRNS in accordance with XXXX (e.g., ICAO Doc 9613) criteria;

- That the aircraft and aircraft equipment are eligible and approved for en route navigation using RNAV or LRNS; and
 - That the flightcrews are trained in procedures for en route navigation using RNAV or LRNS.
- 2) RNAV system or LRNS make and model (M/M), and part number(s) approved.
 - 3) Any other pertinent information.

Note: The FAA and PIs are not responsible for evaluating a foreign air carrier's training program. Air carrier training programs are evaluated and approved by the State of the Operator CAA. PIs may accept equipment eligibility that has been determined eligible and approved by a foreign air carrier's CAA when it is also documented by the Airplane Flight Manual (AFM) or other FAA-recognized means.

d) PI Actions. After the Principal Operations Inspector (POI) and Principal Avionics Inspector (PAI) have reviewed all of the documents provided by the foreign air carrier and agree that the foreign air carrier has been authorized by the State of the Operator CAA in accordance with acceptable criteria to the FAA, B035 may be issued.

e) Q-Routes. Q-routes can be flown using Global Positioning System (GPS) or distance measuring equipment (DME)/DME/Inertial Reference Unit (IRU). In some cases, sufficient ground-based navigation sources are inadequate/unavailable to support DME/DME/IRU operations. When this occurs, the route must be annotated "GNSS REQUIRED." Q-route procedures require the aircraft's track-keeping accuracy remain bounded by +/- 2 nautical miles (NM) for 95 percent of the total flight time. Unless the RNAV route specifically requires GPS or Global Navigation Satellite System (GNSS) equipment, aircraft on the RNAV route must be within air traffic control (ATC) radar surveillance and communication (except for operations in Alaska).

f) Technical Standard Orders (TSO). RNAV aircraft is equipped in accordance with:

- 1) For the lower 48 states Q- or T-routes, one of the following:
 - i. TSO-C145, Airborne Navigation Sensors Using the Global Positioning System Augmented by the Satellite Based Augmentation System (SBAS);
 - ii. TSO-C146, Stand-Alone Airborne Navigation Equipment Using the Global Positioning System Augmented by the Satellite Based Augmentation System (SBAS); or
 - iii. TSO-C196, Airborne Supplemental Navigation Sensors for Global Positioning System Equipment Using Aircraft-Based Augmentation.
- 2) For Q-routes in Alaska, any of the three TSOs listed above (same as those for the lower 48 states).

3) For T-routes in Alaska, per Special Federal Aviation Regulation (SFAR) 97, Special Operating Rules for the Conduct of Instrument Flight Rules (IFR) Area Navigation (RNAV) Operations Using Global Positioning Systems (GPS) in Alaska, either of the following:

- i. TSO-C145; or
- ii. TSO-C146.

Note: B035 does not include Q-routes in the Gulf of Mexico, as those are not in U.S. sovereign airspace.

g) Y- or T-Routes. Y-routes are RNAV routes between Florida and Puerto Rico through the area known as the West Atlantic Route System (WATRS). They were previously referred to as T-routes, but the letter T is now being used exclusively for terminal operations. Although FAA ATC provides Air Traffic Services (ATS) in the WATRS, this is international airspace (not U.S. sovereign airspace) and, as such, the FAA does not issue OpSpecs. A foreign air carrier who wants to operate in this airspace should consult the Aeronautical Information Publication (AIP) for requirements and get approval/authorization from their CAA.

h) Gulf of Mexico. The Gulf of Mexico is in international waters. Oceanic airspace is divided into oceanic control areas (OCA) and delegated to a controlling authority bordering that region. The division among authorities is done by international agreement through the ICAO.

1) For the Gulf of Mexico, U.S. air traffic controls the northern part of the Gulf, Mexico's air traffic controls the southern portion, and Cuba's air traffic controls the eastern tip. All operators must be approved by their State of the Operator (per ICAO Annex 6) to transit any part of the world (to include the Gulf of Mexico) safely.

2) Operators are responsible for reviewing and complying with the AIP of each State. Following is a link to the U.S. AIP on the Air Traffic Plans and Publications website at http://www.faa.gov/air_traffic/publications/. Information about conducting operations on Q-routes in the Gulf of Mexico, including equipment eligibility requirements, can be found in the Notices to Airmen Publication (NTAP) available at https://www.faa.gov/air_traffic/publications/notices/.

OPSPEC B051—EN ROUTE VISUAL FLIGHT RULES (VFR) LIMITATIONS AND PROVISIONS—LARGE AIRPLANES (OPTIONAL).

a) Applicability. OpSpec B051 is issued to foreign air carriers who are authorized to conduct en route VFR operations using reciprocating- or turbopropeller-powered large airplanes. The purpose of B051 is to provide a higher level of safety in international air service or international air transportation operations by imposing certain restrictions and limitation above those that would normally be imposed by part 91 alone. These restrictions and limits are in accordance with those imposed on similarly situated U.S. operators operating under part 121. B051 imposes the following additional limitations and restrictions on foreign air carriers:

1) Limits VFR en route operations to VFR station-referenced Class I navigation (for guidance on VFR station-referenced Class I navigation, see Volume 4, Chapter 1, Section 3).

- 2) Requires that VFR fuel requirements meet those of ICAO Annex 6.
- 3) Imposes minimum VFR flight altitudes, which are greater than those required by part 91.
- 4) Imposes minimum visibilities.
- 5) Requires that the flightcrew have completed training on VFR station-referenced Class I navigation in accordance with their approved training program.

b) Prerequisites. Before issuing B051 to a foreign air carrier, the POI will ensure the following:

- 1) The foreign air carrier has a VFR station-referenced Class I navigation training program for flightcrew members approved by the State of Operator.
- 2) The foreign air carrier has the necessary radio navigation equipment installed to conduct VFR station-referenced Class I navigation in accordance with Volume 4, Chapter 1, Section 3.

c) Standard Cruising Altitudes. The standard cruising altitudes prescribed in B051 subparagraph (b)(4) may not always support VFR altitudes on certain routes. An example of this may be when there are recommended lower altitudes (other than listed in B051) on standard routes for part 91 operations as published in local airport or State directories.

d) Nonstandard Text Requests. The POI, with International Program Division concurrence, may prescribe other minimums for any route or part of a route where the safe conduct of the flight requires other altitudes. If the foreign air carrier is able to show that it is just as safe to fly at lower altitudes, after considering the character of the terrain, the quality and quantity of meteorological services, the navigational facilities available, and other flight conditions, they may apply for a nonstandard B051 prescribing VFR routes and procedures for specific operations. The procedures to apply for such a nonstandard B051 are described below. The foreign air carrier shall submit all nonstandard OpSpecs requests to the POI.

- 1) The request must contain enough supporting information, such as:
 - A statement of why the foreign air carrier cannot comply with the specific subparagraph;
 - The airports and routes specific to the operation;
 - The comparable level of safety;
 - Pertinent navigational equipment;
 - The type of aircraft;
 - Company procedures that ensure the safety of flight; and/or
 - Any other supporting documentation.

2) Further, the request must include a copy of B051 with the proposed nonstandard language inserted appropriately at the end of the OpSpec.

OPSPEC B056—VISUAL FLIGHT RULES (VFR) LIMITATIONS AND PROVISIONS—SMALL AIRPLANES AND HELICOPTERS (OPTIONAL).

a) **Applicability.** The FAA issues OpSpec B056 to foreign air carriers who are authorized en route VFR operations using small airplanes and/or helicopters. For additional detail, refer to the available template in the Web-based Operations Safety System (WebOPSS).

b) **Purpose.** The purpose of B056 is to provide a higher level of safety in international air service or international air transportation operations by imposing certain restrictions and limitations above those that would normally be imposed by part 91 alone, and that are in accordance with those imposed on similarly situated U.S. operators operating under part 135. En route operations may be operated under the VFR requirements of part 91, except as described in the boilerplate language of WebOPSS.

1) **Fuel requirements.** No foreign air carrier may begin a flight operation under VFR in:

i. An airplane, unless, taking into account both the meteorological conditions and any delays that are expected in flight, the airplane carries sufficient fuel and oil to ensure that it can safely complete the flight.

ii. A helicopter, unless, taking into account both the meteorological conditions and any delays that are expected in flight, the helicopter carries sufficient fuel and oil to ensure that it can safely complete the flight.

c) **Type of Navigation.** The ASI will select several options for the type of VFR navigation for B056 in “Select Data” based on the guidance in Volume 4, Chapter 1, Section 3.

d) **Prerequisites.** Before issuing B056 to a foreign air carrier, the POI will:

1) Ensure that the State of the Operator authorizes the foreign air carrier for VFR Class I navigation using “Station Referenced” and/or “Pilotage.”

2) Ensure that, if the State of the Operator authorizes station-referenced VFR Class I navigation, the State of the Operator prohibits VFR pilotage operations; or if the requirements in Volume 4, Chapter 1, Section 3 indicate that station-referenced VFR navigation is indicated, then the foreign air carrier must have the necessary radio navigation equipment installed to conduct VFR station-referenced Class I navigation in accordance with above guidance.