



AIRPORT EMERGENCY CONTINGENCY PLAN TEMPLATE V 3.3 April 27, 2012

[Section 42301](#) of the FAA Modernization and Reform Act of 2012¹ (the Act) requires airport operators to submit emergency contingency plans to the U.S. Department of Transportation (DOT) that describe how “following excessive tarmac delays” airport operators will “to the maximum extent practicable”:

- Provide for the deplanement of passengers;
- Provide for the sharing of facilities and make gates available at the airport; and
- Provide a sterile area following excessive tarmac delays for passengers who have not yet cleared United States Customs & Border Protection (CBP).

The Act states that the following airport operators must submit contingency plans:

- Operators of commercial airports, further defined as large hub, medium hub, small hub and nonhub airports.
- Operators of airports used for diversions by air carriers that provide “covered air transportation”. Covered air transportation is further defined as scheduled or public charter passenger air transportation provided by an air carrier that operates an aircraft that as originally designed has a passenger capacity of 30 or more seats.

In its February 24, 2012, [Federal Register notice](#), the DOT clarified these applicability requirements, stating that large, medium, small, and non-hub airports—as defined using [calendar year 2010 passenger enplanement data](#)—must submit contingency plans. These plans must be submitted to the DOT by May 14, 2012 for their review and acceptance. According to the Act, these plans need to be updated by airport operators and resubmitted for DOT approval every five years.

The DOT is in the process of setting up an electronic submittal mechanism for these contingency plans and has advised airports to delay to submittal their plans until DOT publishes additional guidance regarding plan submittal processes. DOT plans to provide this guidance by mid-April 2012.

Because of unique differences in the physical characteristics and capabilities of airports as well as differences in the terms of their leases with air carriers and other tenants, this template will

¹ Pub. L. 112-95.

provide several versions of suggested text for the various sections required in the plans. Member airports are encouraged to model their plans after an option that best matches their individual circumstances.

Because airports may be subject to significant penalties (up to \$27,500 per violation) for not complying with the provisions contained in the plans they submit, we urge members to limit the content of the formal plans they submit to the Secretary of Transportation only to those elements that are required by the legislation. Additional details for execution of the plan should be included in separate internal documents, such as Irregular Operations (IROPS) Contingency Plans.

The Airport Cooperative Research Program recently published Report 65, “Guidebook for Airport Irregular Operations (IROPS) Contingency Planning”, which can provide valuable information on developing detailed contingency plans. We urge member airports to incorporate such detailed guidance into internal IROPS contingency plans, but **NOT** in Emergency Contingency Plans submitted to the DOT under paragraph 42301 of the Act.

ACRP Report 65 is available at:

<http://www.trb.org/Main/Blurbs/166569.aspx>

Additional information can be found in “Development of Contingency Plans for Lengthy Airline On-Board Ground Delays” developed by a national task force of airline and airport officials chartered by DOT in 2008. The report is available at:

<http://airconsumer.dot.gov/publications/TarmacTFModelContingencyPlanningDocument.pdf>.

We recommend that airport operators document the events and actions related to diversion activity, especially if these events and actions are directly related to your emergency contingency plan. Examples include times and manner in which the airport is notified about diverting aircraft, the times and manner in which diverting aircraft operators contact the airport for assistance, any proactive efforts made by the airport to contact or assist diverting aircraft operators, and any conditions or circumstances that prevented the airport operator from providing requested assistance. Such documentation is essential to establishing the timelines of events during diversion events and illustrating that you assisted diverting aircraft “to the maximum extent practicable.”

Please contact Chris Oswald (coswald@aci-na.org), Dick Marchi (rmarchi@aci-na.org) or Natalie Johnston (natalie.johnston@aaae.org) if you have questions or comments.

<AIRPORT NAME> EMERGENCY CONTINGENCY PLAN

<Airport name> has prepared this Emergency Contingency Plan pursuant to §42301 of the FAA Modernization and Reform Act of 2012. Questions regarding this plan can be directed to <Name> at <e-mail address>. <Airport name> is filing this plan with the Department of Transportation because (1) it is a commercial airport or (2) this airport may be used by an air carrier described in USC 42301(a)(1) for diversions.

This plan describes how, following excessive tarmac delays and to the extent practicable, <Airport Name> will:

- Provide for the deplanement of passengers;
- Provide for the sharing of facilities and make gates available at the airport; and
- Provide a sterile area following excessive tarmac delays for passengers who have not yet cleared United States Customs & Border Protection (CBP).

(OPTIONAL TEXT, AS APPLICABLE): <Name of Airport> has facility constraints that limit our ability to accommodate diverted flights or maintain the airport's safe operation and strongly encourages aircraft operators to contact the airport at <Contact Number> for prior coordination of diverted flights, except in the case of a declared in-flight emergency. Specific facility constraints include the following: <provide list of constraints>. We have noted these constraints in <Name of Airport's> Airport/Facility Directory record. During diversion events <Name of Airport> issues NOTAMs regarding its ability to accommodate diverted flights to ensure the safe and efficient operation of the airport and its ability to serve the civil aviation needs of the public during irregular operations events.¹

Airport Information

Name of Airport: _____

Name and title of person preparing the plan: _____

Preparer contact number: _____

Preparer contact e-mail: _____

Date of submission of plan: _____

Airport Category: Large Hub ☐ Medium Hub ☐ Small Hub ☐ Non Hub ☐

¹ The intent of this "Optional Paragraph" is to provide information regarding critical facility constraints that limit your airport's ability to accommodate diverted aircraft. Examples include lack of international passenger processing facilities, limited numbers of aircraft parking positions, inability to accommodate park or service certain types of aircraft, and limited fueling capacity. However, you may prohibit or limit any given type, kind or class of aircraft only if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

Contact Information²

In the event of diversion or other irregular operations events, aircraft operators should contact the Airport Duty Manager at <phone number> or <e-mail> for assistance.

Plan to Provide for the Deplanement of Passengers Following Excessive Tarmac Delays³

Option 1 (applies in cases where the airport operator does not own or operate ground service equipment but does require tenants to provide inventories of the GSE they operate): <Airport Name> does not own or operate any of the equipment needed to safely deplane passengers from air carrier aircraft and is, therefore, unable on its own to provide for the deplanement of passengers. Additionally airport personnel are not trained to assist in the deplanement of passengers using equipment owned or operated by air carriers or contract service providers. However, we have requested that each airline, ground handler and FBO operation on the airport provide us with a list of the equipment and resources they have for deplaning passengers and contact information. We will provide this inventory and contact information to airlines as soon as practicable after receiving requests from such airlines experiencing excessive tarmac delays at the contact number listed above.

Option 2 (applies in cases where the airport operator does not own or operate ground service equipment and does not require tenants to provide GSE inventories): <Airport Name> does not own or operate any of the equipment needed to safely deplane passengers from air carrier aircraft and is, therefore, unable on its own to provide for the deplanement of passengers. Additionally airport personnel are not trained to assist in the deplanement of passengers using equipment owned or operated by air carriers or contract service providers. We will provide a list of airlines, ground handlers, fixed base operators and others who may have the necessary equipment and personnel to safely deplane passengers to airlines as soon as practicable after receiving requests from such airlines experiencing excessive tarmac delays at the contact number listed above.

Option 3 (applies in cases where airports operate GSE): <Airport Name> has limited equipment and personnel needed to safely deplane passengers from air carrier aircraft. We will utilize this equipment to deplane passengers as soon as practicable after receiving requests from such airlines at the contact number listed above. We will also provide a list of airlines, ground handlers, fixed base operators and others who may have the necessary equipment and personnel to safely deplane passengers to airlines as soon as practicable after receiving requests from such airlines experiencing excessive tarmac delays at the contact number listed above.

² Some airports have indicated a reluctance to provide 24-7 airport contact information in a publically available contingency plan. If this is the case, we encourage airports to provide an alternative means of distributing such information to diverting airlines and describing this in the plan.

³ Additional text can be added to this section if applicable (e.g., plans to provide busing services from remote parking locations to the terminal, enumeration of specific ground handling capabilities that the airport operates, ground handling agreements that the airport has with third parties, the need for airlines requesting services to sign temporary ground handling agreements).

Plan to Provide for the Sharing of Facilities and Make Gates Available in an Emergency⁴

Option 1 (applies in cases where all gates are exclusive use): The gates at <Airport Name> are under exclusive lease to air carriers and are not controlled by the airport during those time periods when the tenant airline is using or scheduled to use the gates. We are unable to direct a tenant airline to accommodate another air carrier aircraft at its exclusively leased gate during those time periods when the gate is in use or scheduled to be in use. We will direct our tenant air carriers to make gates and other facilities available to an air carrier seeking to deplane at these exclusively-leased gates during those time periods the gates are not in use or not scheduled to be in use to the maximum extent practicable.

Option 2 (applies in cases where all gates are preferential use): The gates at <Airport Name> are under preferential lease to air carriers and are not fully controlled by the airport during those time periods when the tenant's usage of that gate meets the usage specified in the preferential use lease. We may be able to direct a tenant airline to accommodate another air carrier aircraft at its preferentially leased gate during those time periods when the tenant airline is not using, or not scheduled to use, the gates. We will work with our tenant air carriers to make gates and other facilities available to an air carrier seeking to deplane at a gate during those time periods the gates are not in use or not scheduled to be in use, to the maximum extent practicable.

Option 3 (applies in cases where all gates are common use/airport owned): The gates at <Airport Name> are under common use gate leases permits, or agreements to air carriers and are controlled by the airport. We direct our common use air carrier users to make gates and other facilities available to an air carrier seeking to deplane at a gate to the maximum extent practicable.

Option 4 (applies in cases where there is a mix of exclusive use, preferential use, and common use/airport-owned gates): <Number> gates at <Airport Name> are under common use leases to air carriers and are controlled by the airport. Additionally, <number> gates at <Airport Name> are under preferential and/or exclusive leases to air carriers and are not fully controlled by the airport. We will direct our common use gate lessees, permittees or users to make gates available to an air carrier seeking to deplane at a gate to the maximum extent practicable. If additional gates are needed, we will direct tenant air carriers to make preferential and/or exclusive use gates and other facilities available to an air carrier seeking to deplane at a gate, during those time periods when the tenant airline is not using, or not scheduled to use, the gates, to the maximum extent practicable.

⁴ Additional text can be added to these sections regarding restrictions on gate use (e.g., The airport is unable to accommodate aircraft larger than XXX at our gates. Larger aircraft will need to deplane passengers from remote parking positions) or other facility constraints as applicable. You may also want to provide a gate plan showing the locations and sizes of common use/airport gates and parking positions.

Plan to Provide a Sterile Area for Passengers Who Have Not Cleared United States Customs and Border Protection⁵

Option 1 (applies if the airport has international passenger processing facilities): <Airport Name> has defined sterile areas capable of accommodating limited numbers of international passengers. We will coordinate with local CBP officials to develop procedures that will allow international passengers who have not yet cleared United States Customs and Border Protection to be deplaned into these sterile areas to the extent practicable.

Option 2 (applies if the airport does not international passenger processing capabilities and expects at least occasional international diversions): <Airport Name> does not have international passenger processing facilities. We will coordinate with local CBP and law enforcement officials to identify suitable areas and procedures for establishing a temporary sterile area into which international passengers on diverted aircraft who have not yet cleared United States Customs and Border Protection can be deplaned. Once these efforts are complete, we will coordinate with local CBP officials to develop procedures that will allow international passengers who have not yet cleared United States Customs and Border Protection to be deplaned into these sterile areas to the extent practicable.⁶

Public Access to the Emergency Contingency Plan

<Airport Name> will provide public access to its emergency contingency plan through one or more of the following means:

- Posting in a conspicuous location on the airport website (<http://your airport website.com>)
- Providing notice of the availability of the plan on the airport's social media accounts.
- Posting signs in conspicuous locations in the terminals.
- Advertising the availability of the plan in local newspapers of record.

⁵ ACI-NA is awaiting additional guidance from U.S. Customs and Border Protection (CBP) regarding their requirements for temporary sterile areas. Consequently, the text of this section is subject to change. Additional text can be added to these sections to reflect unique facility constraints and/or capabilities (e.g., limited CBP processing capability, inability of the airport to accommodate international deplanements and associated standing NOTAMS that have been issued to this effect). Additional text can also be added to reflect existing agreements that an airport operator has established with CBP regarding sterile areas.

⁶ For those airport operators that do not already have agreements in place with CBP regarding how to handle diverting international passengers, DOT suggests providing a brief description of your plans to develop these agreements (e.g., We contacted CBP Port Director <Name> on <Date> to discuss temporary sterile area requirements, we intend to submit a draft sterile area plan to CBP on <Date>.)