AIRPORT EMERGENCY CONTINGENCY PLAN TEMPLATE
V 3.2 March 30, 2012

Section 42301 of the FAA Modernization and Reform Act of 2012[1] (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

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[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.

STEWART INTERNATIONAL AIRPORT
EMERGENCY CONTINGENCY PLAN

Stewart International Airport (SWF) 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 the PANYNJ General, Manager Rich Heslin at rheslin@panynj.gov. Stewart International Airport 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, Stewart International Airport 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).

Stewart International Airport has the ability to accommodate diverted flights; however we strongly encourage aircraft operators to contact Airport Operations at (845) 567-1562 for prior coordination of diverted flights, except in the case of a declared in-flight emergency. Specific facility constraints include the following: Limited capacity to accommodate passengers when required to separate International and Domestic carriers in the same facility. The terminal and select hangar facilities have been identified as areas that will be used to accommodate and/or hold passengers. In addition, a Federal Inspection Station (FIS) can be used to clear international passengers in the main terminal facility to allow for the processing of International passengers with approval from United States Customs & Border Protection (CBP).

During diversion events Stewart International may issue 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: Stewart International Airport (SWF)

Name and title of person preparing the plan: Christopher M. Hall, Operations Manager

Preparer contact number: 845-838-8240

Preparer contact e-mail: chall@swfny.com

Date of submission of plan: May 11, 2012

Airport Category: Non Hub

Contact Information

In the event of diversion or other irregular operations events, aircraft operators should contact the Airport Senior Operations Officer at 845-838-8237 for assistance.

Plan to Provide for the Deplanement of Passengers Following Excessive Tarmac Delays[2]

Stewart International Airport 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 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 as soon as the airlines experiencing excessive tarmac delays requests it and /or indicates the need for assistance. In addition, the airport will coordinate the transportation of passengers to and from aircraft parked in a remote location throughout the airport to a facility to facilitate the deplaning and enplaning process as warranted.

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

Gates three (3) through six (6) at Stewart International Airport are under common use leases to air carriers and are controlled by the airport. Additionally, gates One (1), Two (2), Seven (7), and Eight (8) at SWF 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 gate, to the maximum extent practicable.

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

Stewart International Airport has defined sterile areas capable of accommodating a limited number of international passengers. We will coordinate with local CBP officials and/or the watch commander at Newark Liberty Airport to determine which of the four (4) predetermined locations (2nd floor of Terminal, FIS, and/or Atlantic Aviation), will be utilized during the event. We have developed 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. In addition, the airport will coordinate the transportation of passengers to and from aircraft parked in a remote location throughout the airport to a facility to facilitate the deplaning and enplaning process as warranted.

Public Access to the Emergency Contingency Plan

Stewart International Airport 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 (www.PANYNJ.gov)