

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

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**NOTICE TO U.S. AIRPORTS REGARDING THE SUBMISSION OF UPDATED  
CONTINGENCY PLANS FOR LENGTHY TARMAC DELAYS**

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The U.S. Department of Transportation’s (Department) Office of Aviation Consumer Protection (OACP), a unit within the Office of the General Counsel, is issuing this notice to remind U.S. airports of the statutory obligation to submit updated tarmac delay contingency plans (“Contingency Plan for Lengthy Tarmac Delays”) to the Department for review and approval. Operators of large hub, medium hub, small hub, or non-hub U.S. airports are required to submit updated tarmac delay emergency contingency plans every five years to the Department for review and approval. 49 U.S.C. § 42301(d)(2). Covered airports last submitted their plans to the Department in May 2017. The Department will be accepting updated plans from covered airports **beginning on May 31, 2022**. The deadline for covered airports to submit their updated plans to the Department for this cycle is **June 24, 2022**.

The Department will follow the same submission and review process used in May 2017. Beginning on May 31, 2022 until June 24, 2022, covered airports should submit their plans through the following website: <https://filingtarmacdelayplan.dot.gov>. Most covered airports already have an existing account created for the previous submission cycles. If an airport is submitting a plan for the first time, it must register and create an account at <https://filingtarmacdelayplan.dot.gov> by doing the following: 1) click the hyperlink titled “Create Account to Submit Tarmac Delay Contingency Plan” in the blue sign-in box on the home page of the established website; 2) select “Airport” and locate your airport in the drop-down menu, and 3) click “submit” to be taken to the registration screen.

OACP will have 60 days from receipt of a plan to review and approve a plan or, if necessary, require modifications to the updated plan. 49 U.S.C. § 42301(e)(1). If OACP fails to approve or require modifications to an updated plan within the 60-day timeframe, the plan shall be deemed approved. 49 U.S.C. § 42301(e)(2).

For any questions (e.g., forgotten usernames or passwords), please contact Maegan Johnson, Senior Trial Attorney, or Vinh Nguyen, Senior Trial Attorney in the Office of the General Counsel, U.S. Department of Transportation, 1200 New Jersey Ave., S.E., W-96-429, Washington, DC 20590; Phone: (202) 366-9342; Email: [TarmacDelayEmailAccount@dot.gov](mailto:TarmacDelayEmailAccount@dot.gov).

**Frequently Asked Questions**

Because airports last submitted plans in May 2017, some airport representatives have asked for clarification or interpretation on certain issues. Below are answers to the frequently asked questions:

**1. Question: Which airports must submit tarmac delay contingency plans for review and approval?**

**Answer:** The statute requires operators of large hub, medium hub, small hub, or non-hub commercial U.S. airports, to submit a contingency plan for lengthy tarmac delays to the Secretary of Transportation for review and approval. In defining the hub size of an airport, the Department uses the airport-specific thresholds published by the Department's Bureau of Transportation Statistics (BTS). A large hub airport means an airport accounting for at least 1.00 percent of the total enplanements in the United States. A medium hub airport means an airport accounting for at least 0.25 percent but less than 1.00 percent of the total enplanements in the United States. A small hub airport means an airport accounting for at least 0.05 percent, but less than 0.25 percent of the total enplanements in the United States. A non-hub airport means an airport accounting for enplanements of more than 10,000 passengers but less than 0.05 percent of the total enplanements in the United States. A list of airport information for calendar year 2020 (the latest available data) is available on the FAA's website at:

[https://www.faa.gov/airports/planning\\_capacity/passenger\\_allcargo\\_stats/passenger/](https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/).

**2. Question: Does DOT have a sample of an approved tarmac delay contingency plan or a model tarmac delay contingency plan that airports can use as a guide in developing their own plan?**

**Answer:** Airports Council International – North America and the American Association of Airport Executives have jointly developed a template that airports can use as a reference. Airports can contact those organizations or the DOT contacts noted above for further information. Due to the unique conditions at each airport, however, DOT will not publish a sample of an approved tarmac delay contingency plan. Covered airports are required to post a copy of their approved contingency plan on their website.

The Airport Cooperative Research Program (ACRP) has also developed guidance materials in this area:

- Guidebook for Airport Irregular Operations (IROPS) Contingency Planning: <https://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=2808>;
- Being Prepared for IROPS: A Business Planning and Decision-Making Approach: <https://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=3262>; and
- IROPS Stakeholder Communication and Coordination: <https://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=3717>.

The ACRP guidance documents are not required by law and are intended to be reference materials for airports.

**3. Question: Many airports have developed comprehensive irregular operations plans that deal with issues outside of the requirements of the statute. Should airports submit those plans?**

**Answer:** Airports are free to submit plans that cover more than the statutory requirements; however, they are not required to do so. The Department’s review of airport contingency plans will concentrate on the statutory requirements for such plans.

**4. Question: My airport has already submitted an updated plan with the Department after receiving approval of the plan we submitted in May 2017. Is my airport required to submit another updated plan by June 24, 2022?**

**Answer:** Yes, all covered airports must submit an updated plan no later than June 24, 2022, regardless of whether they submitted an updated plan after the tarmac delay plan approval cycle in 2017. The language of the statute is clear: “An airport operator shall update each emergency contingency plan submitted by the operator under subsection (a) every 5 years and submit the update to the Secretary for review and approval.” 49 U.S.C. § 42301(d)(2). To the extent airports do not have any updates for their plans, they should resubmit the same plan.

**5. Question: How do I make updates to my plan outside of the plan submission cycle? Am I required to have my plan approved by DOT each time I submit an updated plan outside of the required resubmission cycle?**

**Answer:** Covered airports can always make updates to their plan using the plan submission website: <https://filingtarmacdelayplan.dot.gov>. Plans submitted outside the submission cycle are not required to receive approval from the Department.

**6. Question: Do I have to post my Tarmac Delay Contingency Plan on the homepage of my airport’s website? Can it be placed elsewhere on the website? And has the DOT approved another means of publishing/publicizing Airport Tarmac Delay Contingency Plans other than on an airport’s website?**

**Answer:** The statute requires airlines and airports to ensure public access to tarmac delay contingency plans after they are approved on their website or by such other means as determined by the Secretary. To ensure public access of tarmac delay contingency plans, 14 CFR 259.6 requires airlines to post their tarmac delay contingency plans on their website in an **easily accessible form** to ensure that consumers can easily find and review these documents. While section 259.6 applies to airlines, airports may follow the “easily accessible form” standard when posting airport tarmac delay contingency plans. In keeping with the guidance found in the Department’s Answers to Frequently Asked Questions Concerning the Enforcement of the

Second Final Rule on Enhancing Airline Passenger Protections, [https://www.transportation.gov/sites/dot.gov/files/docs/EAPP\\_2\\_UPDATE%20FAQ\\_2.pdf](https://www.transportation.gov/sites/dot.gov/files/docs/EAPP_2_UPDATE%20FAQ_2.pdf), one approach that would satisfy the “easily accessible form” standard is for an airport to provide a link on its homepage that say “Tarmac Delay Plan,” or similarly descriptive language. This link would take an individual from the homepage, directly to a place on another webpage that contains the text of the tarmac delay plan. At this time the DOT has not approved another means by which airports can ensure public access to tarmac delay plans.

By:

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