

**REPUBLIC AIRLINES
CONTINGENCY PLAN FOR LENGTHY TARMAC DELAYS**

OBJECTIVE -

The safety and security of our customers, employees and airline is our highest priority. Republic Airlines is committed to minimizing customer inconvenience, as well as meeting the essential needs of our customers while on board an aircraft during extended periods of time when the aircraft is on the ground, either before taking off or after landing with no opportunity for its passengers to deplane (commonly referred to as a lengthy tarmac delay).

This Contingency Plan For Length Tarmac Delays sets forth Republic's procedures, policies and guidelines to provide that appropriate actions are taken during lengthy tarmac delays to maintain a safe, reliable and efficient operation, minimize customer inconvenience and comply with applicable legal and regulatory requirements, including Department of Transportation (DOT) Regulations and 49 U.S.C. § 42301.

REGULATORY BACKGROUND -

The United States Department of Transportation (DOT) issued regulations in 14 C.F.R. Part 259 requiring each certificated U.S. airline operating aircraft with 30 or more seats to adopt Contingency Plans for Lengthy Tarmac Delays for its scheduled and public charter flights. In addition, the FAA Modernization and Reform Act of 2012 requires U.S. air carriers using aircraft with 30 or more seats to submit to DOT for review and approval Contingency Plans for Lengthy Tarmac Delays. 49 U.S.C. § 42301. The Contingency Plan must contain a number of requirements, including that the airline will not permit an aircraft to remain on the tarmac at a U.S. airport for more than three (3) hours for domestic U.S. flights and for more than four (4) hours for international flights that depart from or arrive at a U.S. airport before allowing passengers the opportunity to deplane if they so desire, unless there is a valid safety or security reason (as determined by the pilot-in-command) not to deplane passengers or air traffic control advises that deplaning would significantly disrupt airport operations. In addition, the regulations require that during a lengthy tarmac delay the airline must provide (a.) adequate food and potable water no later than two (2) hours after the aircraft left the gate or has touched down (unless the pilot-in-command determines that safety or security reasons preclude such service); (b.) operable lavatories; (c.) comfortable cabin temperatures; and (d.) access to adequate medical attention if needed. Airlines are required to notify passengers every 30 minutes once a tarmac delay exists of the status of the delay and of the opportunity to deplane if one exists and (wherever possible) the cause of the delay. Airlines are required to coordinate their Contingency Plans for Lengthy Tarmac Delays with (1) all small hub, medium hub, large hub and non-hub U.S. airports served by the airline, and regular U.S. diversion airports; and (2) the United States Customs & Border Protection and the Transportation Security Administration at such airports.

TARMAC DELAY COUNTDOWN & ACTION PLAN

Republic Airlines has implemented the following guidelines to minimize inconvenience to passengers during lengthy tarmac delays and to comply with U.S. law and DOT regulations. Lengthy tarmac delays require oversight and coordination among Republic's System Operations Control (SOC), Dispatch, flight crew and local station operations.

- **The return to gate rule.** An aircraft is not permitted to remain on the tarmac at a U.S. airport for more than three (3) hours for a domestic U.S. flight, and for more than four (4) hours for an international flight, before allowing passengers the opportunity to deplane if they so desire, unless one or both of the exceptions discussed below apply.
- **The tarmac delay clock.** For a departure, the **tarmac delay clock** begins at the point when passengers no longer have the opportunity to deplane the aircraft and ends at the point when the aircraft returns to the gate (or another disembarkation point) and passengers are afforded the opportunity to deplane if they so desire or the flight takes off. Once the aircraft leaves the gate again, the tarmac delay clock starts again. For an arrival, the **tarmac delay clock** begins at the point when the aircraft touches down at the destination or diversion U.S. airport and ends at the point when the aircraft arrives at the gate (or another disembarkation point) and passengers are afforded the opportunity to deplane.

- **Exceptions to the return to gate rule.** The return to gate requirement does not apply in the following circumstances:
 1. If the pilot-in-command (PIC) determines that there is a safety or security related reason not to deplane passengers or move the aircraft from its position on the tarmac; or,
 2. If air traffic control advises the PIC that returning to a gate or permitting passengers to disembark/ deplane elsewhere would “significantly disrupt” airport operations. The DOT has provided further guidance on what constitutes “significant disruption”:
 - Accommodating an aircraft’s desire to taxi due to the three (3) hour tarmac delay rule would require airborne holding that would result in reportable arrival delays.
 - Utilizing an active runway to taxi, precluding the use of that runway for arrivals or departures would result in reportable arrival and/or departure delays.
 - Taxiing tarmac delayed aircraft would place other aircraft in jeopardy of violating the three (3) hour tarmac rule.
 - Displacement of other departure aircraft to accommodate the tarmac delay aircraft would increase their departure delay by more than an additional fifteen (15) minutes.
 - Interrupting an arrival event that would result in diversions or airborne holding of three (3) or more aircraft to accommodate the taxi of a tarmac delay aircraft to the ramp, gate or alternate deplaning area.

Automated Messaging via ACARs

A series of automated (ACARs) messages have been developed that will be transmitted from dispatch to any aircraft involved in a lengthy tarmac delay at predetermined intervals (60, 90, 120, and 150 minutes for domestic flights and 60, 90, 120, 150, 180 and 210 for international flights). The automated messages reflect the action described in the tarmac delay action checklist for the respective time threshold. For example, the 90 Minutes ACARS message reads:

90 MIN TDP MSG
ADVISE YOU ARE NOW IN A TARMAC DELAY SITUATION
ESTIMATED WHEELS UP TIME –
CURRENT POSITION ON FIELD -
PAX STATUS –
LAVS OK -
FOOD & WATER ONBOARDCHECKLIST COMPLETE – “

Before Boarding

If we anticipate a flight may be subject to a lengthy ground delay, before boarding passengers we will attempt to make a general announcement informing passengers of the possibility of a lengthy onboard ground delay. This will enable passengers to take appropriate action, such as determining whether they want to board or seek alternate transportation, cancel travel plans, or reschedule the trip consistent with our ticketing policies.

After Boarding

If we learn that a flight may be subject to a lengthy ground delay after passengers have boarded and while still at the gate, we will make a general announcement to inform passengers about the possibility of a lengthy onboard ground delay. If the main cabin door is open, we will make every reasonable attempt to provide passengers with an opportunity to deplane. Passengers will be advised that if they deplane the aircraft, the flight may leave without them.

Affording Passengers the Opportunity to Deplane

Upon returning to a gate (or approved remote disembarkation point), in compliance with Federal Regulations, an announcement will be made by either the flight crew or a customer service representative that the opportunity to deplane (if so desired) is being afforded to passengers. Provided that all passengers on the flight are afforded the opportunity to deplane the aircraft, there is no requirement that all passengers need to deplane.

After Passengers Have Been Afforded the Opportunity to Deplane

Once a flight has returned to the gate (or an approved remote disembarkation point) following a tarmac delay situation, it is at Republic's discretion as to when the flight will re-depart the gate, reschedule, or (if necessary) cancel. A new departure time will not be less than 20 minutes prior after the "in" time of the gate return, if any passengers chose to deplane during the return to gate or disembarkation point. Reasonable efforts will be made to re-board passengers who choose to momentarily deplane following a tarmac delay situation. However, passengers should be advised that if they deplane, the flight may leave without them and that Republic may not be able to off-load their checked baggage. Republic is not required to re-board passengers or wait for passengers who chose to deplane.

On Board Provisions & Catering

DOT regulations require that each passenger be provided with adequate food and potable water not later than two (2) hours after the aircraft leaves the gate (in the case of a departure) or touches down (in the case of an arrival), unless the PIC determines that safety or security reasons preclude such service. Snack foods, such as granola bars are considered by DOT to be "adequate food."

In compliance with DOT regulations, Republic provisions each flight with a Tarmac Delay Kit (TDK), containing a sufficient number of (granola-bar type) snacks for each passenger and allowing for distribution during a lengthy tarmac delay. Additionally, Republic's flight attendants will provide beverage service(s) to passengers throughout any lengthy tarmac delay, as safety conditions allows, and dependent on aircraft movement, ensuring that at least one complete beverage and snack service has been provided no later than 2 hours after the aircraft leaves the gate (in the case of a departure) or touches down (in the case of an arrival). Alcoholic beverages will not be served during lengthy tarmac delays.

If cabin provisioning (lavatories, potable water, tarmac delay kits) are insufficient to meet customers' needs, the flight should return to a gate (or an approved, remote disembarkation point) to ensure that the 2-hour food and water requirement is satisfied.

Lavatory & Potable Services

Regulations require that assurances be made that lavatory facilities on board are operable. If all of aircraft's lavatories are not operable, the flight must return to the gate. If some, but not all lavatories are not operable, depending on the extent to which the operable lavatories are able to accommodate the passengers, the flight may need to return to a gate sooner than the primary timeline indicates.

Attending to Medical and Special Needs

Passenger medical needs and special service requests must be attended to promptly during a tarmac delay situation. If a medical situation arises on board an aircraft during a tarmac delay, the flight crew will: (a.) contact our certified medical consulting agency for medical consultation regarding the situation, and/or (b.) in the event of an on-board medical emergency, return to a gate or disembark the passenger for treatment with the assistance of airport emergency personnel to allow for medical attention from medical professionals.

Special service needs (including, but not limited to unaccompanied minors, mobility assisted passengers, non-English speaking passengers) will be identified by both the flight crew and System Operations Control.

Operational Priority

Once a tarmac delay (either departure or arrival) exists, and this Contingency Plan has been activated, the situation **should receive the primary attention** of Operational personnel, including Dispatch, Station Operations, System Operations Control and Republic Executive Leadership. Personnel and resources should be focused on resolving the lengthy tarmac delay situation, and if necessary placing the lengthy tarmac delay situation ahead of normal on-going operations.

The Dispatch Coordinator is designated by Republic Airlines as the person responsible for monitoring delays, cancellations, excessive tarmac delays, and their direct impact on customers.

Flight Operations

The pilot-in-command (PIC) of a tarmac-delayed aircraft is responsible for notifying air traffic and/or ground control that action is requested to comply with the 3-hour/4-hour tarmac delay rule. The request should be made in a timely manner so as to ensure compliance with the rule and reflect local operating conditions, such as available taxiways or other aircraft movements. ATC is not responsible for ensuring compliance or for tracking the time individual flights are delayed. The request for action or clearance from the PIC should include the reason, such as "tarmac-related delay," and the time by which the aircraft must be airborne or passengers must be allowed to deplane.

TARMAC DELAY ACTION CHECKLIST

Tarmac Delay Clock

Dispatch, SOC, Operations

30 minutes into Delay

The Republic **flight crew** (or a marketing carrier representative) will make an announcement regarding the status of the delay, including the reason(s) for the tarmac delay if known, and the expected length (as best known at the time).

If still at the departure gate with the main cabin door open, passengers will be advised if the opportunity to deplane is available.

60 minutes into Delay

The **flight crew** will again make an announcement as to the status and cause of the delay.

90 minutes into Delay

- (a) The **flight crew** will again make an announcement as to the status and cause of the delay.
- (b) **Dispatch** will notify the flight crew, thru an automated (ACARs) message that a Tarmac Delay situation now exists, reminding the crew of need to complete one full food and beverage service prior to 2 hours into the delay?
- (c) **Dispatch** will inquire to the flight crew as to the following items:
 - Expected wheels-off time?
 - Position in departure queue?
 - Cabin & passenger status?
 - Lavatory status?
 - Available food & water?
 - Medical or Special Needs?
- (d) **The dispatch coordinator** upon receiving notice from the dispatcher, **will**
 - Confirm any special service needs on board the impacted flight.
 - Instruct the station to begin securing a gate in the event a return is needed.
 - Notify the station management of the extended tarmac delay situation.
- (e) Notification will be sent to Manager, Dispatch, Director, Customer Service, Vice President, System Operations and FAA 119 Director of Operations.

120 minutes into Delay

- (a) The **flight crew** will again make an announcement as to the status and cause of the delay.
- (b) Notify crew, thru automated (ACARs) message that one full food and beverage service must now have been completed.
- (c) **Dispatch** will inquire to the flight crew as to the following items:
 - Expected wheels-off time?
 - Position in departure queue?
 - Cabin & passenger status?
 - Lavatory status?
 - Available food & water?
 - Medical or Special Needs?
- (d) Notify crew, that unless airborne within the next 30 minutes, flight will be advised to return to the gate, affording passengers the opportunity to deplane if they so desire.
- (e) The dispatch coordinator will update the station, instructing the station to have sufficient resources available and be ready to deplane the aircraft before the 3-hour mark for domestic flights and the 4-hour mark for international flights. If the station is unable to confirm that it will be able to deplane the aircraft either at the gate or on the tarmac using buses or other safe means (as determined by the pilot in command), before the 3-hour mark for domestic flights and the 4-hour mark for international flights, the dispatch coordinator will attempt to contact the Airport as well as other airlines to request assistance.
- (f) The Manager, Dispatch will be updated on the situation, and will update Director,

Customer Service and Vice President of Flight Operations as well as FAA 119 Director of Operations.

150 minutes into Delay (a) The **flight crew** will again make an announcement as to the status of the delay. Dispatcher will notify PIC that, to be in compliance with DOT regulations, the flight will now need to immediately begin a return to gate, affording customers the opportunity to deplane if they so desire, unless an approved exception is invoked.

(b) The dispatch coordinator will continue to update the station, instructing the station to have sufficient resources available and ready to deplane aircraft before the 3-hour mark for domestic flights and the 4-hour mark for international flights. If the station is unable to confirm that it will be able to deplane the aircraft either at the gate or on the tarmac using buses or other safe means (as determined by the pilot in command), before the 3-hour mark for domestic flights and the 4-hour mark for international flights, the dispatch coordinator will continue to attempt to contact the Airport as well as other airlines to request assistance.

180 minutes (Domestic) Passengers must now be able to deplane unless an approved exception is invoked.

180 minutes (International) The **flight crew** will again make an announcement as to the status and cause of the delay.

210 minutes (International) The **flight crew** will again make an announcement as to the status and cause of the delay.

240 minutes (International) Passengers must now be able to deplane unless an approved exception is invoked.

DIVERSIONS & UNSCHEDULED AIRPORT ARRIVALS

A diversion is defined as a landing at an unscheduled destination, different from the planned arrival airport. All tarmac delay rules and regulations apply during diversions. The tarmac delay clock begins from the recorded ON time (runway landing) until the ACARs generated OFF time (wheels-up). The tarmac countdown stops at the time that the main cabin door is opened and an announcement is made by the Republic flight crew or ground personnel that passengers have the opportunity to deplane. If the lavatories or food/water requirements cannot be met when the aircraft posts an in time (brakes applied), the aircraft must immediately relocate to a gate or remote deplaning area and passengers must be given the opportunity to deplane.

ON BOARD PASSENGERS WILL NOT BE POLLED

Regulations require that an aircraft involved in an excessive tarmac delay situation be at a gate or at an authorized remote disembarkation location with the opportunity to deplane by no later than 3 hours (for a domestic flight) or 4 hours (for an international flight) after a tarmac delay situation begins.

Republic Airlines will initiate a return to gate, or movement to an authorized remote disembarkation location at least 30 minutes prior to the DOT mandated expiration of the tarmac delay clock (@3 hours for domestic operations, @4 hours for an international departure/arrival). Although passengers may not like the decision to return to the gate, the regulation is clear. Republic Airlines **will not** "poll" passengers on-board for their opinion on whether a flight should return to a gate or not.

INTERNATIONAL OPERATIONS

International flights are considered to be any departure (scheduled or charter) that is destined for a point outside of the United States, (including the Dominican Republic, Jamaica, Mexico, Canada and Costa Rica) or departing from a point outside the United States arriving at a domestic U.S. destination.

All rules, guidelines and policies apply to international operations. The only exception is that customers must be afforded the opportunity to deplane 240 minutes (4 hours) after passengers no longer had the opportunity to deplane.

CODE-SHARE OPERATIONS

The Tarmac Delay Contingency plan of the carrier under whose code the flight is marketed governs, if different from the operating carrier, unless the marketing carrier specifies in its Contract of Carriage that the operating carrier's plan governs.

RETENTION OF RECORDS & DOCUMENTATION

All communications or directions, including the acknowledgement of communications and directions, as well as all steps and actions taken to mitigate and manage the lengthy tarmac delay – by DOT Regulation, must be documented.

System Operations Control

All personnel (Dispatcher, Dispatch Coordinator, System Operations Control Shift Manager, and SCSM) are required to submit a report no later than the next business day detailing all steps taken to mitigate and manage any lengthy tarmac delay which required activation of the Republic Tarmac Delay Contingency Plan.

The regulations require that all documentation related to a lengthy tarmac delay or any flight where the Republic Tarmac Delay Contingency Plan is activated must be retained for at least two years.

Flight Operations

When a tarmac delay of 90 minutes or more occurs, the PIC will file an "Irregularity Report" within 24 hours, using the "Other" category and the free text to provide all necessary information. The report must contain the following information:

- Precise cause for the delay.
- Length of the delay, and all pertinent times.
- Time when aircraft returned to the gate or approved remote disembarkation location.
- An explanation for a tarmac delay that exceeded 3 hours (4 hours for international flights) without the aircraft returning to the gate/remote disembarkation point to enable passengers to deplane. All actions taken by the flight crew, and at what time interval, to minimize hardship for passengers, including provision of food and water, the maintenance and servicing of lavatory facilities, and medical assistance.
- Whether the flight ultimately took off on a departure delay/diversion or returned to the gate.

Station Operations

Station Managers or their designee at all stations are required to coordinate this contingency plan with the local airport authority, TSA and CBP, to ensure that passengers will be able to deplane an aircraft during a lengthy tarmac delay by either returning to the gate or using a remote location, and to coordinate how food and water can be safely delivered to an aircraft during such delays and how to safely deplane customers if access to a gate is not available. Plans must include how to safely deplane customers at a remote parking pad and cover items such as access to mobile stairs, buses and possible access to a remote airport building if needed.

Station Managers or their designee are required to meet with their local airport authority to discuss long tarmac delay plans and develop a cohesive agreement on services the airport authority can and will provide. This consists of back-up methods for inoperative equipment, provisioning and servicing of aircraft, as well as gate or remote pad parking considerations (including sharing facilities and making gates available during an emergency).