

**Cape Air Tarmac Delay Policy**  
**No customer should be subjected to a tarmac delay of 90-minutes or more.**

**A. General**

Cape Air has developed this Long Tarmac Delay Procedures document in accordance with Section 42301 of the FAA Modernization and Reform Act of 2012 and 14 CFR section 259.4 (b). While the FAA's guidance for the plan indicates a delay threshold of three hours, Cape Air has chosen to impose a shorter time frame (90-minutes) due to the operating locations and size of aircraft operated. This will be instituted for both domestic and international flights and will be contingent upon the following (§259.4 (b) (1) and (b) (2)):

- The pilot-in-command determines there is a safety-related or security-related reason (e.g. weather, a directive from an appropriate government agency) why the aircraft cannot leave its position on the tarmac to deplane passengers
- Air traffic control advised the pilot-in-command that returning to the gate or another disembarkation point elsewhere in order to deplane passengers would significantly disrupt airport operations.

The remainder of this document outlines Cape Air's plan for providing adequate services to our passengers both on the aircraft and at the gate during a long delay. Cape Air will assure sufficient resources to implement the plan (§259.4 (b) (7)).

Cape Air will provide this plan to the required airport authorities at each U.S. large, medium or small hub airport and non-hub airport that it serves, as well as its regular U.S. diversion airports. Additionally, the plan will be provided to and coordination will be made with respective U.S. Customs and Border Patrol (CBP) and Transportation Security Administration (TSA) representatives at these airports. (§259.4 (b) (8), (b) (9) and (b) (10))

**B. Terms and Definitions**

**Tarmac Delay:** The elapsed time that customers are delayed on the ground. A Tarmac Delay can be a departure delay (taxi out), a ground delay at a diversion station, or an arrival delay (taxi in).

**SHARES FLIFO:** is the official source for flight times.

**Departure Delays (taxi out):** The tarmac time begins using the OUT time of the flight, and ends either when the flight airborne (OFF), or when the flight blocks in – either at a gate, or a remote location where customers can be deplaned.

**Diversions:** The tarmac time begins using the ON time at the diverted city, and ends either when the flight airborne (OFF), or when the flight blocks in – either at a gate, or a remote location where customers can be deplaned. An IN time at a diversion location is ignored unless it can be verified that the customers had the opportunity to deplane.

**Arrival Delays (taxi in):** The tarmac time begins with the ON time and ends either when the flight blocks in – either at a gate, or a remote location where customers can be deplaned.

**C. Safety Priority**

Safety is our first and highest priority. We are committed to preserving the safety and security of our customers and employees and meeting their essential needs on board an aircraft that is on the ground for an extended period

of time without access to the terminal. As such, we have developed internal procedures and plans to ensure that all appropriate action will be taken to maintain a safe, reliable and efficient operation.

#### **D. Tarmac Delay Procedures and Reporting**

To the extent they are consistent with our safety mandate, tarmac delays will be monitored and responded to as follows:

##### **1. Delay Reporting Procedures**

The DOT provides specific technical guidance for reporting the times associated with aircraft movement (e.g. OUT, OFF, ON, IN). We are allowed to stop the “clock” on tarmac delays when the customers have the opportunity to deplane (i.e. when the aircraft door is opened and the customers are allowed to exit the aircraft). After an OUT time, we will register an IN time when the aircraft door is opened – whether at a gate or at a hardstand location – and the customers have the opportunity to deplane. Following this, when the aircraft door closes, we will register a new IN time.

This is not an automated process. The exact times are confirmed after the event and if necessary are corrected within our systems to ensure accuracy.

##### **2. Prior to the Tarmac Delay Event**

When disruptive weather is anticipated at a certain station(s) such that irregular operations or long tarmac delays are likely, the SOC Supervisor will be the Customer Service Coordinator responsible for monitoring and coordinating solutions for the effects of flight delays or cancellations on passengers.

- SOC will consider implementation of preventative measures to reduce the probability of long tarmac delays, e.g., cancellations, traffic management initiatives (ground stops, ground delay programs), etc.
- The impacted station(s) will review this tarmac delay contingency plan:
  - Plan to delay boarding of aircraft and departure (when possible) for flights that have an assigned EDCT, or a known ground stop.
  - The station(s) should make pre-boarding announcements to the customers advising them that a long tarmac delay is possible. SOC may identify certain flights where this pre-board announcement is appropriate.

##### **3. When Tarmac Delays Reach 45 Minutes**

For all flight arrivals and departures that may result in a tarmac delay, Cape Air will ensure at the 45 minute mark the following occurs (§259.4 (b) (3), (b) (4) and (b) (5)):

- The pilots will make an announcement to the customers giving them relevant information about the delay and will make subsequent announcements at least every 20 minutes, even if no new information is available. Passengers will be given the opportunity to deplane from the aircraft that is at the gate or another disembarkation area with the door open if the opportunity to deplane actually exists (§259.4 (b) (5) and (b) (6)).
- The pilots will coordinate with the Flight Attendant to determine the following information. If needed, the pilots will coordinate with the station personnel to cure any deficiencies. This will be contingent upon the pilots determining that safety or security considerations do not preclude such service (§259.4 (b) (3) and (b) (4)).
  - Adequate food and water are available
  - That the restroom facilities are adequate and operable

- That the cabin temperature is comfortable
- Adequate medical attention is available, if needed
- The SOC Dashboard will display special alerts regarding excessive delays.

#### **4. When Tarmac Delays Reach 90 Minutes**

For all flight arrivals and departures that may result in a tarmac delay, Cape Air will ensure at the 90-minute mark the following occurs (§259.4 (b) (6)):

- Unless departure is imminent, the pilot in command will coordinate with SOC / Station Ops / ATC to reposition the aircraft to a location where all customers can be allowed to deplane.
- An email alert will be sent to the members of the “Guam Leadership Group”:
  - These notifications will repeat as often as required until the delay ends.
  - SOC and / or Station Ops will respond by replying (to all) to these alerts with additional information on the status of the delayed flight.
- SOC will contact United Operations Control Center (OCC) and will participate in any special conference calls.
- If it is not possible, despite this procedure, to safely deplane customers, or any necessary ATC approvals have not been obtained, we will continue to make every reasonable effort to provide food and beverages, restroom facilities, and otherwise meet the essential needs of our customers.

#### ***NOTE:***

*At any point during the long tarmac delay, if the main cabin door is to be opened for the purpose of deplaning a customer – whether at a gate or a remote location – the Flight Attendant will make an announcement informing all customers of their right to deplane. (§259.4 (b) (6))*

#### **5. Following the Tarmac Delay Event**

- The pilot in command will submit an Event / Incident / Accident (EIA) report to the Safety Department with detailed information regarding the delay, including whether customers were offered the opportunity to deplane. In cases where the customers were not offered the opportunity to deplane, this report shall specify the safety, security, ATC or other reason that prevented deplaning.
- The Flight Attendant will submit a report to the Inflight Base Manager describing the event.
- Station Ops Personnel (or the Station Manager) will also submit an EIA to the Safety Department with detailed information regarding the delay, including what services were provided to the aircraft during the delay (catering, lav servicing, etc.) and when customers were given the opportunity to deplane.
- The Regional Director – Guam will submit a report to United’s OCC and Cape Air’s Director of Safety and Compliance, with detailed information regarding the delay.
- The Safety Department will forward all tarmac delay EIAs to Airport Services and Guam Leadership.
- SOC will maintain a monthly log of all flights that exceed these parameters, which will include any pertinent information concerning the delays, and whether or not the customers were provided the opportunity to deplane.
- All reports referred to in this section will be retained for two (2) years.

#### **6. Emergency Contingency Plan (§42301 a)**

As outlined in the steps above, Cape Air will ensure that when delay times are reached, adequate food, water, restroom facilities, comfortable cabin temperatures, and access to medical treatment for passengers

aboard the aircraft at the airport when the departure of a flight is delayed or the disembarkation of passengers is delayed.

Additionally Cape Air will coordinate with partner airlines to share facilities and make gates available at the airport in an emergency to the extent possible.

Passengers will be allowed to deplane following an excessive tarmac delay as outlined in this document. This will be offered even if a flight is diverted to a commercial airport other than the originally scheduled airport. Deplaning will be contingent upon these factors:

- The pilot-in-command determines there is a safety-related or security-related reason (e.g. weather, a directive from an appropriate government agency) why the aircraft cannot leave its position on the tarmac to deplane passengers
- Air traffic control advised the pilot-in-command that returning to the gate or another disembarkation point elsewhere in order to deplane passengers would significantly disrupt airport operations.