

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

CERTIFICATE OF WAIVER OR AUTHORIZATION

ISSUED TO

Battle Creek Hot-Air Balloon Championships, Inc. Philip E. Clinger, Competition Director

ADDRESS

3140 5th Avenue Battle Creek, Michigan 49037

This certificate is issued for the operations specifically described hereinafter. No person shall conduct an operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.

OPERATIONS AUTHORIZED

Balloon Festival within 10NM of N42° 18' 29.73", W085° 14' 47.42" at W. K. Kellogg Airport (KBTL) from the surface to 9,000 FT AGL.

Attachment A: Dates and Times

Attachment B: Special Provisions

ERP, Security Plan, Balloon Competition Manual

Balloon Area Operations Map

LIST OF WAIVED REGULATIONS BY SECTION AND TITLE
14 CFR section 91.119(b) and 91.119(c)

STANDARD PROVISIONS

1. A copy of the application made for this certificate shall be attached to and become a part hereof.
2. This certificate shall be presented for inspection upon the request of any authorized representative of the Administrator of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.
3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein.
4. This certificate is nontransferable.

NOTE – This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance

SPECIAL PROVISIONS

Special Provisions Nos. 1 to 24, inclusive, are set forth on the reverse side hereof.

This certificate is effective from 06/29/2023 to 07/04/2023, inclusive, and is subject to cancellation at any time upon notice by the Administrator or his authorized representative.

BY DIRECTION OF THE ADMINISTRATOR

KENNETH D
HINZMAN

Digitally signed by KENNETH D
HINZMAN
Date: 2023.06.22 08:56:45
-04'00'

Kenneth D. Hinzman

(Signature)

AFG-GRR-FSDO-09

(Region)

6/22/2023

(Date)

Manager

(Title)

ATTACHMENT A

ISSUED TO: Battle Creek Hot Air Balloon Championships, Inc.

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DATES EFFECTIVE: 06/29/2023thru 07/04/2023

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Hour	Date	Event
18:30-21:15	06/29/2023	Balloon Launch
06:30-10:30	06/30/2023	Balloon Launch
18:30-21:15	06/30/2023	Balloon Launch
06:30-10:30	07/01/2023	Balloon Launch
18:30-21:15	07/01/2023	Balloon Launch
06:30-10:30	07/02/2023	Balloon Launch
18:30-21:15	07/02/2023	Balloon Launch
06:30-10:30	07/03/2023	Balloon Launch
18:30-21:15	07/03/2023	Balloon Launch
06:30-10:30	07/04/2023	Balloon Launch
18:30-21:15	07/04/2023	Balloon Launch

ATTACHMENT B

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Common Special Provisions.

Failure to comply with any standard or special provision is a violation of the terms of this Certificate of Waiver (CoW) or Certificate of Authorization (CoA) and justification for cancellation of this Certificate and constitutes a violation of Title 49 of the United States Code Section(s) 44711(A)(2)(B) and/or 44711(A)(5).

1. The FAA has the authority to cancel or delay any or all acts or events if the safety of persons or property on the ground or in the air, are in jeopardy or there is a violation of the terms of the CoW.
2. Philip E. Clinger, or the Air Boss will ensure that notification is made to the Leidos Flight Service Station(AFSS) 1-877-487-6867 of the date, time, place, demonstration areas, altitudes, nature of the activity, and duration of the operation and request that a Notice to Airmen (NOTAM D or TFR) be issued.
 - a. Such notice shall be accomplished by providing the controlling flight service station (FSS) with a copy of the CoW, at least 48 hours before the event and no more than 72 hours before the event.
 - b. A Class D NOTAM is issued for the entire aviation event. Class D NOTAM verification is required.
3. Philip E. Clinger, named in Item 2 on FAA Form 7711-2 must ensure that participants are thoroughly briefed on special field rules, the established demonstration area, flying display area, and aerobatic box (other defined areas within the waived/authorized airspace), manner and order of events, and special provisions of the CoW or CoA, before beginning the activities each day.
 - a. No person may participate in any event listed on the CoW unless that person has signed a statement acknowledging receipt of a briefing on the provisions of the CoW.
 - b. For team performances, only the team leader is required; however, a delegate may represent the team leader, provided the person is a pilot member of the team. The team leader or delegate must brief each member of the team and will provide the name of each person on the team he/she will brief before the performance
4. All civil aircraft and pilots participating in the aviation event shall provide the requested data to establish qualifications and airworthiness to the event organizer and if required be available for FAA inspection at the time and place agreed upon by Philip E. Clinger and the FAA IIC.

NOTE: FAA Checklists, Status Forms, and Job Aids can be used to gather data in advance to establish performer qualifications and aircraft airworthiness.

NOTE: CoW special provisions never supersede aircraft airworthiness operating limitations. Pilots should review their aircraft operating limitations prior to participating in an aviation event to ensure they are familiar and can comply with the requirements as specified.

5. For civil aircraft, only required flight crewmembers by type design, safety pilots as listed in

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FAA Order 8900.1, Volume 3, Chapter 6, or those persons required to participate in the demonstration (wing walkers, stunt persons, participants integral to the performance, and those conducting safety related functions) will be carried on any aircraft engaged in demonstrations authorized by this CoW. Additional crewmembers or essential personnel may not participate without specific approval by Philip E. Clinger, the airboss, and the IIC.

6. No demonstrations shall be authorized or scheduled when a suspension of airport traffic or diversion of other aircraft traffic would cause a hardship to scheduled air carrier operations.
7. A control point shall be established where the certificate holder or responsible person shall direct the demonstration. Philip E. Clinger, shall be continuously available to the FAA IIC or designated representative and is the person designated as responsible for the overall safety of the event.
8. Supersonic and/or trans-sonic speeds are prohibited.
9. Adequate communication capability (electronic and visual) must be provided to maintain a safe operation, to control spectators, and to advise participants that the aerial demonstration has been halted or canceled. During a Military Jet Team performance (engine start to shut-down) the Air Boss, IIC, and team member communicating with the team lead must all be in direct communication.
10. A crowd line consisting of a physical barrier and/or adequate policing shall be provided to confine the spectators to designated areas. The spectator areas shall have well-defined lateral boundaries.
11. The demonstration shall be halted for any reason that is in the interest of safety. It shall also be halted when unauthorized aircraft enter the demonstration area, or when unauthorized persons or vessels enter the area underlying the flying display area/aerobatic box.
 - a. Only the minimum number of essential personnel necessary to support operations will be authorized in the flying display areas/aerobatic box.
 - b. The holder of the CoW, Philip E. Clinger assumes responsibility for the security of areas where unauthorized personnel and aircraft are not authorized access and for compliance with the aviation event security plan.
 - c. The FAA IIC has the responsibility to make the holder of the CoW Philip E. Clinger aware of any identified safety concerns and if necessary has the authority for canceling or delaying any or all acts if it is deemed necessary in the interest of safety.
12. Aircraft engines shall not be started and aircraft shall not be taxied in designated spectator areas or static display areas unless adequate measures are taken to protect the spectators.
 - a. Unguarded engine run areas where engines and propellers are turning must be at least 100 feet from the spectator area. In areas where aircraft with rotors turning must be at least 200 feet from the spectator area. These distances are measured from the critical wingtip, tail, tail rotor, or rotor-blade.

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- b. In guarded areas where engines and propellers are turning, the aircraft must be at least 50 feet from the spectator area. In areas where rotors are turning, the rotorcraft must be at least 100 feet from the spectator area. These distances are measured from the critical wingtip, tail, tail rotor, or rotor-blade. All aircraft must be guarded by wing walkers, marshalls, and either crowd monitors or barriers that prevent entry by unauthorized personnel.
13. In lieu of placing a large "X" on the runways to indicate the airport is closed, the control point may have spotters dedicated to detection of non-participating aircraft encroaching on the waived airspace. In the event that communications cannot be established with the encroaching aircraft, operations will be suspended until the aircraft either departs the area or lands and clears the active runways
14. Philip E. Clinger, will ensure that roads and buildings under the specified flying display area/aerobatic box are devoid of vehicular and pedestrian traffic and/or persons in accordance with security plan in attachment [C].
15. The following facilities shall be provided and readily available in accordance with the submitted emergency response plan at the demonstration site. Fire truck, Ambulance, Crash Rescue Vehicle/Paramedic, Marine Unit and police vehicles will be provided as included in the emergency response plan in attachment [C].
16. Aircraft equipped with operable ejection seats, ballistic parachutes, ballistic seat belts, on-board pyro technics, or jettisoned tanks must be identified as such to the event organizer and on-site crash rescue services. Information describing how to extricate each performer shall be provided to the on-site crash rescue services prior to the first performance.
17. Persons or aircraft not appearing on the CoW application and subsequently added to the CoW or CoA may not participate without specific approval by the responsible person or air boss, Philip E. Clinger, and the IIC. Proof of appropriate qualifications for crewmember(s), and an airworthy aircraft is required before the performance can be conducted at that event site. If applicable, the appropriate category show line must be established for that aircraft before the performance can be conducted at that event site.
18. In the event that a performance involves aircraft operating in the vicinity of parachutists, whether in free-fall or under deployed canopies, all pilots and the jump master or team leader of the parachutists involved shall be present at the aviation event safety briefing. The responsible person, Philip E. Clinger, or Air Boss shall ensure that each participant understands the details of the performance which shall include, at the minimum, the following information:
 - a. The number of jumpers performing,
 - b. The types of and/or colors of parachutes,
 - c. The exit altitude and deployment altitude,
 - d. The planned flight path prior to exit, as well as, the descent area of the jump aircraft,
 - e. The number, make(s)/model(s) and color of the aircraft involved, and

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- f. Procedures to be used in the event of an unexpected occurrence.
- 19. Unmanned Aerial Systems (UAS) Demonstrations are not authorized under this CoW.
- 20. Rocket Demonstrations are not authorized under this CoW.
- 21. Parachute Demonstrations are authorized under this CoW when a CoA is issued and included as attachment # J501 of this CoW authorizing the demonstration in accordance with all required special provisions and policy.

Balloon Event Special Provisions

- 22. Section 91.119(b) and (c) are waived to the extent necessary to allow participating balloons to compete in Battle Creek Hot-Air Balloon Championships, Inc. under the terms and conditions set forth in the FAA approved procedures section of the Balloon Operations Manual
- 23. The Balloon Operations Manual 2023 Field of Flight Organized Balloon Competition Manual is incorporated into this CoW and becomes a special provision thereof. Any action contrary to the terms, controls, procedures, and conditions pertaining to safety set forth in the FAA approved procedures is grounds for cancellation of this CoW.
- 24. Philip E. Clinger shall ensure that each participating event crewmember has read and understands the FAA approved procedures section of the Balloon Operations Manual 2023 Field of Flight Organized Balloon Competition Manual and the special provisions of this CoW.