Welcome to the 14th issue of the NATA Safety 1st *Flitebag*, our quarterly online safety newsletter, supporting the NATA Safety 1st Management System (SMS) for Air Operators.

This quarterly newsletter will highlight known and emerging trends, environmental and geographical matters, as well as advances in operational efficiency and safety. Subsequent issues include a section with a roundup of real-time incidents and events, along with lessons learned. Flight and ground safety have been enhanced and many accidents prevented because of shared experiences.

SMS: WE GET QUESTIONS

NATA's Safety 1st Management System for Air Operators:
http://www.nata.aero/web/page/671/sectionid/559/pagelevel/2/tertiary.aspx

An SMS is a set of work practices and procedures put into place to improve the safety of all aspects of your operation. These procedures are put into place because smart companies realize that the potential for errors always exists. Work practices provide the best defense against errors that could ultimately result in incidents or accidents.

Research has shown that most accidents and incidents can be traced to human error. We still address these errors out on the ramp, in the cockpit, and in maintenance. But we have grown smarter over the years to trace some of these errors back to management, thus the term safety *management* system. Believe it or not, most factors that lead to accidents are under the control of the organization, rather than individuals. Since the greatest threats to aviation safety are embedded within organizations, preventing accidents requires organizational action.

A comprehensive SMS is a systematic, comprehensive process for managing risk. A successful management system provides for goal setting, planning, documentation and measuring your performance. Having a good SMS can be seen in the way people work on a day-to-day basis. SMS refers to this as an organization's culture or the way business is done at your operation. Ideally, your company's culture is woven into the fabric of your operation and is exhibited by everyone within your company every minute of every day.

To be successful, your operation's SMS must contain four key elements or pillars of safety management: safety policy, safety risk management, safety assurance and safety promotion. Don't be intimidated by these terms; it's not as hard as you think, and you may be doing many of these already. Your SMS will ensure that you do them, document them and encourage everyone at your operation to understand and participate.

But we're a small operation: Do we *really* need an SMS?

Size does not exempt an operation from having an accident or incident. It should certainly not determine whether you have a SMS or not. Being a small operation could work to your advantage. The smaller your operation, the easier it may be to implement your SMS.

As a smaller operation, implementation should go more quickly. There are fewer people that require communication and coordination to get your SMS underway. And communication is one of the key components to the success of your SMS.

In This Issue:

One of the biggest issues we hear at Safety 1st is that it's way too difficult for a small organization to implement an SMS. They use this as an excuse not to even consider a SMS. The irony of this is that not having a safety management system puts this operation at undue risk in the long run. And implementing it may be much easier than a larger company's experience. Everything is relative. After all, it's a small company and coordinating safety among a couple of people is not as intricate as it is with dozens or hundreds of coworkers.

Can you provide us with a "completed" SMS manual?

The aviation industry constantly tells the FAA that "one size does not fit all" when it waves the regulatory wand across all aviation entities. When it comes to SMS, "one size" does not fit all operations either. Providing a completed manual doesn't make it yours. SMS takes a bit of sweat equity, but the bottom line is if you develop your safety program, it will indeed reflect safety at your operation. Don't misconstrue this to mean there isn't any help to be given. There is a lot of guidance on SMS from Safety 1st to help you with your safety manual. (Keep reading and we'll get there.)

Will a SMS cost a lot?

Your Safety Management System doesn't need to cost an arm and a leg. It does, however, require time, attention and resources. And again, if you're a small operation, you may be able to implement your SMS without adding new personnel, whereas some larger operations may need to hire a full-time safety manager

Costs may also include guidance and the purchase of safety-related reference materials. You may even want to attend formal safety training to help develop various portions of your SMS during implementation. Take advantage of all the resources available! What ever the costs, keep in mind they will be minimal in comparison to an accident or incident. You'll be able to manage safety issues proactively before they lead to an incident or accident. An SMS can reduce losses and directly impact your bottom line.

Safety 1st is here to help

Having an SMS will help you manage risk at your operation. NATA is committed to assisting with this process. We have developed SMS for both ground and air operators. Investigate for yourself at http://www.nata.aero/web/page/671/sectionid/559/pagelevel/2/tertiary.aspx or call (800) 808-6282 and ask for Russ Lawton (SMS Air Operators) or Amy Koranda (SMS Ground Operations). We are here to help every step of the way.

Federal Aviation Administration

FAA INFO HIGHLIGHTS SMS CONCERNS

Last week the FAA published an Information for Operators (InFO) document explaining that while the international standards require an aggressive approach to the implementation of Safety Management Systems (SMS) that the United States is still unable to even offer official recognition of programs to air carriers.

InFO 08053 explains that the International Civil Aviation Organization (ICAO) has established a requirement for member States to impose SMS requirements on operators. The current deadline to complete this step is January 1, 2009,

although a delay may still occur. While some States have acted to adopt SMS requirements, the U.S. has not yet established a regulatory requirement for the program.

The FAA has published guidance material in the form of AC 120-92, *Introduction to Safety Management Systems for Operators,* which provides air carriers with information necessary to establish an SMS program.

Because there is no existing SMS mandate, the FAA is now working to file a difference with ICAO. The lack of an SMS regulation, and more importantly the inability for the FAA to issue a formal approval or acceptance of an air carrier's program could prove quite problematic for air carriers, including Part 135 operators, conducting international operations in the future.

Any nation that has an SMS requirement may choose to accept or reject the FAA difference. Acceptance of the difference would allow U.S. carriers to continue to conduct flights to that nation. However a rejection of the difference could prohibit operations.

NATA strongly cautions operators not to take the FAA's lack of existing regulation or formal SMS approval process as an indication that these items are not still imminent. The FAA has initiated a process to evaluate rulemaking options, and NATA is working closely with the agency to develop an approval or acceptance mechanism for those air carriers that have already started an SMS program. Regardless of FAA regulatory requirements, international operators will likely need to begin the SMS implementation sooner rather than later.

To avoid future operational restrictions because an SMS is not implemented, NATA encourages all operators to become familiar with the SMS concept and begin action to implement a program. Typically, it takes 3-4 years to establish a fully implemented SMS program.

More information on SMS programs for air charter operators is available on the NATA Safety 1st Air SMS Webpage. Click here to download FAA InFO 08053.

CHECKLISTS, MONITORING AND MULTITASKING IN COCKPIT OPERATIONS NOTICE NUMBER: NOTC1434

An interesting presentation prepared by researchers from the NASA Flight Cognition Laboratory that helps us identify threat and error associated with checklists and system monitoring. It also recommends training tips that will help defend against these threats. Increased awareness leads to superior situational assessment and optimum aircraft operation.

Check it out at https://www.faasafety.gov/files/notices/2008/Oct/Checklists_and_Monitoring_2.pdf

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For Immediate Release
October 16, 2008
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LESSONS LEARNED SAFETY LIBRARY

The Federal Aviation Administration (FAA) has established a one-of-a-kind online safety library that teaches “lessons learned” from some of the world’s most historically significant transport airplane accidents — especially how that knowledge can help maintain today’s extraordinary aviation safety record.

Back to the Future
Why study aircraft accidents that happened as long as 40 years ago? The FAA believes many of the lessons learned from these tragedies are timeless, and are relevant to today's aviation community. By learning from the past, aviation professionals can use that knowledge to recognize key factors, and potentially prevent another accident from occurring under similar circumstances, or for similar reasons, in the future.

The FAA’s Lessons Learned library, in its initial release, lists 11 major airplane accidents that made an impact on the way the aviation industry and the FAA conduct business today. The FAA’s goal is to stock the library with 40 more historically significant accidents by the end of 2009.

The 11 selected accidents now in the library are:

- Braniff L-188 (Electra) in Texas *(September 29, 1959)*
- Northwest L-188 (Electra) in Indiana *(March 17, 1960)*
- United Viscount 745D in Maryland *(November 23, 1962)*
- United 727 near Los Angeles *(January 18, 1969)*
- Eastern L-1011 in Florida *(December 29, 1972)*
- Continental DC-10 at LAX *(March 1, 1978)*
- Air Florida 737 at Washington, D.C. *(January 13, 1982)*
- British Airtours B737 at Manchester, UK *(August 22, 1985)*
- USAir 737 in Pennsylvania *(September 8, 1994)*
- ValuJet DC-9 in Florida *(May 11, 1996)*
- China Airlines 747 near Taipei *(May 25, 2002)*

Each accident entry features the accident investigation findings, resulting safety recommendations and subsequent regulatory and policy changes, if any. The entry also includes sections on the unsafe conditions that existed, precursors that pointed to an impending accident, and the basic safety assumptions made during the airplanes’ design, or that led to the airplanes’ continued operation.

Most important, the lessons learned from the investigation are explained in detail, and grouped into relevant technical areas and common themes, such as organizational lapses, human error, flawed assumptions, preexisting failures and unintended consequences of design choices.

Knowledge is Power
The FAA believes that the Lessons Learned library can help foster a culture in which aviation professionals capture and use day-to-day information from certification, maintenance, and operational activities to improve safety. The expected benefits from examining the library include more consistent safety decisions and fewer safety problems caused by breakdowns in communication between design, maintenance and operational organizations.

The Lessons Learned library is at: http://accidents-ll.faa.gov/

Beyond the Tarmac
The model developed to create this Lessons Learned library may have applications beyond airplane accidents. The library format and lesson development process could be valuable to non-aviation disciplines in developing lessons learned for other industries. For example, universities could develop curricula addressing safety training for other occupations, especially in the human factors arena.

TWO TOP FAA STAFF TO RETIRE

FAA Acting Administrator Bobby Sturgell last week announced the retirement of two key FAA personnel. Nick Sabatini, the FAA's associate administrator for aviation safety and Ruth Leverenz, the FAA's acting deputy administrator are both slated to retire effective January 3, 2009.

An excerpt of the Dear Colleague from Sturgell announcing these two retirements can be found below:

A nearly 30-year veteran of the FAA, Nick has been Associate Administrator for Aviation Safety since June 2001, and before that he served as Assistant Manager and Manager of the Eastern Region's Flight Standards Division. His safety experience and leadership of the AVS organization for the past eight years has set the bar high and he will leave a legacy that will be difficult to match.

Over this period of time, the improvements in aviation safety have been nothing short of dramatic and the statistics are there to prove it. While improvements in safety are not the work of one man, outstanding leadership is critical to making improvements of that magnitude and Nick provided that in abundance. He not only demonstrated strong, effective leadership in his own right, but he also fostered it throughout his organization. Like good leaders in any field, he made those around him better.

Likewise, Ruth has had an outstanding career - 38 years of Federal service, the last 24 with the FAA. She has served as Director of the FAA Office of Budget, the agency's Chief Financial Officer, Assistant Administrator for Regions and Center Operations, and Regional Administrator in Southwest. Finally, since September 2007, she has served as the acting Deputy Administrator and my strong right hand.

As an executive in the FAA, Ruth's resume is virtually unique. But, again, her titles are not what make her special. What makes her special is that she has a unique ability to bring people together. She did that in the regions and I saw her work that magic up close and personal for the last several months here in the front office. For Ruth, it has never been about Ruth, but about the FAA and its mission. I firmly believe that you can achieve great things if you don't worry about who gets the credit, and Ruth is proof of this philosophy.

Commenting on Nick Sabatini's departure, NATA President James K. Coyne stated:

"Nick Sabatini will be very hard to replace. He has been the strongest, most effective safety advocate I've seen at the FAA in the past 25 years. Nick's breadth of knowledge on aviation safety issues guided him in addressing critical regulatory matters affecting the entire industry. I have enjoyed his enthusiasm, wit, and friendship. We are all saddened by his

decision to leave the FAA, but I look forward to his counsel and continued commitment to aviation safety in the years ahead."

FAASTeam - FAASafety.gov

General Aviation Safety Challenges 2008 - Part 2
Notice Number: NOTC1448

General Aviation Safety Challenges 2008 - Part 2

Aircraft Icing - What every Pilot should know

A few months ago, the Small Airplane Directorate released an informational article on density altitude for distribution through various flying organizations. The article gave pilots information that could help them improve their decision making and piloting skills. As the busy summer flying season is behind us and another winter season approaches, we wanted to discuss causes for accidents in icing conditions, and provide information to help keep you safe this winter.

The full article is available to ***download free*** by clicking on the link below or by cutting and pasting the URL into your web browser:

http://www.faasafety.gov/files/notices/2008/Nov/GAIcing.pdf

Get answers to questions like:

- What is the latest trend in icing related accidents?
- What causes accidents in icing conditions?
- What should I know about airplane icing certification?
- Can I use the autopilot in icing conditions?
- What about Ice Contaminated Tailplane Stall (ICTS)?
- Where can I find more information?

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October 29, 2008
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NEXTGEN GOAL: PERFORMANCE-BASED NAVIGATION

RNAV AND RNP EVOLUTION THROUGH 2025

The Next Generation Air Transportation System (NextGen) is the Federal Aviation Administration's (FAA) plan to modernize the National Airspace System (NAS) through 2025. Through NextGen, the FAA is addressing the impact of air traffic growth by increasing NAS capacity and efficiency while simultaneously improving safety, environmental impacts,

and user access to the NAS. The FAA is implementing new routes and procedures that leverage emerging aircraft navigation capabilities, including Performance-Based Navigation (PBN), which is helping FAA to achieve its NextGen goals.

What is Performance-Based Navigation?

PBN is a framework for defining navigation performance requirements (embodied in "navigation specifications") that can be applied to an air traffic route, instrument procedure, or defined airspace. PBN includes both Area Navigation (RNAV) and Required Navigation Performance (RNP) specifications. PBN provides a basis for the design and implementation of automated flight paths as well as for airspace design and obstacle clearance. Once the required performance level is established, the aircraft's own capability determines whether it can safely achieve the specified performance and qualify for the operation.

The FAA's *Roadmap for Performance Based Navigation* (updated in 2006) calls for:

Expediting the development of PBN criteria and standards.
Introducing airspace and procedure improvements in the near-term (2006-2012).
Providing benefits to operators who have invested in existing and upcoming capabilities.
Establishing target dates for the introduction of navigation mandates for selected procedures and airspace, with an understanding that any mandate must be rationalized on the basis of benefits and costs.
Defining new concepts and applications of PBN for the mid-term (2013-2018) and far-term (2019-2025), building synergy and integration with other capabilities toward the realization of NextGen goals.

As NextGen continues to evolve, commitments such as those detailed in the *Roadmap for Performance-Based Navigation* are being incorporated into the NextGen Implementation Plan. In fact, many NextGen solutions are dependent on RNAV and RNP implementation as enabling technology in the NAS, including:

Increased Capacity Using RNAV and RNP
Increased Flexibility in the Terminal Environment
Integrated Arrival/Departure Management
Optimized Profile Descent
Time-Based Metering Using RNAV and RNP Route Assignments
Trajectory-Based Operations

These advances in aircraft capabilities and air traffic system operations may contribute to reduced separation and support the transition from rules-based operations to performance-based operations, including RNAV and RNP.

What Is RNAV?

Area Navigation (RNAV) enables aircraft to fly on any desired flight path within the coverage of ground- or spaced-based navigation aids, within the limits of the capability of the self-contained systems, or a combination of both capabilities. As such, RNAV aircraft have better access and flexibility for point-to-point operations.

What Is RNP?

Required Navigation Performance (RNP) is RNAV with the addition of an onboard performance monitoring and alerting capability. A defining characteristic of RNP operations is the ability of the aircraft navigation system to monitor the navigation performance it achieves and inform the crew if the requirement is not met during an operation. This onboard monitoring and alerting capability enhances the pilot's situation awareness and can enable reduced obstacle clearance or

closer route spacing without intervention by air traffic control.

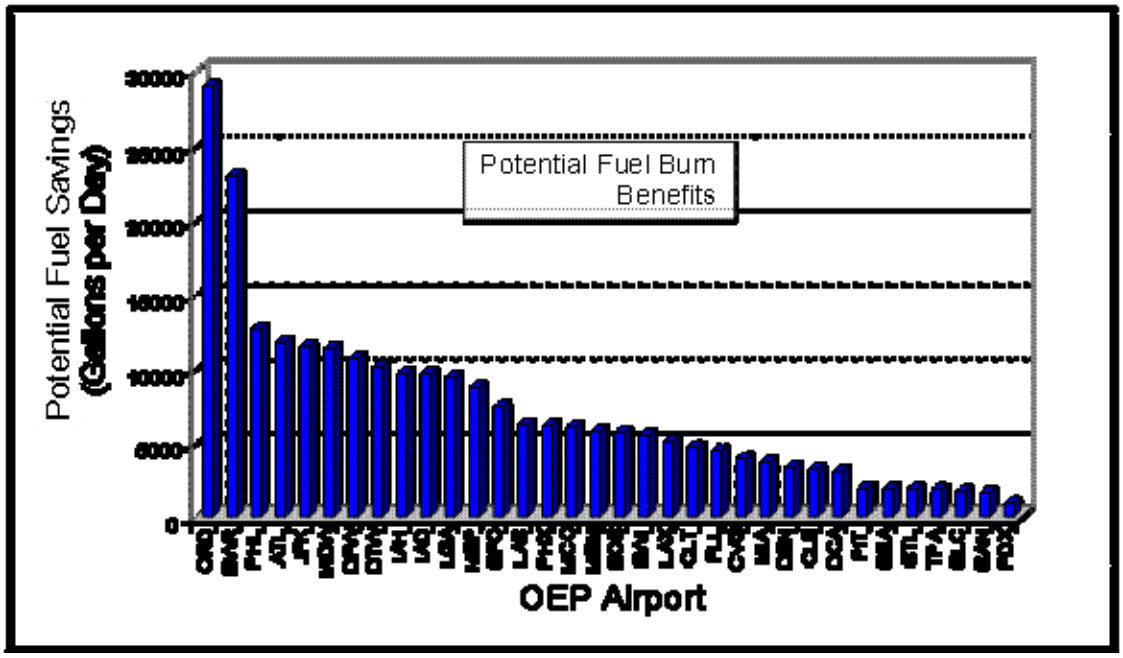
Certain RNP operations require advanced features of the onboard navigation function and approved training and crew procedures. These operations must receive approvals that are characterized as Special Aircraft and Aircrew Authorization Required (SAAAR), similar to approvals required for operations to conduct Instrument Landing System Category II and III approaches.

Global Support

The aviation community is pursuing the benefits of PBN through the implementation of RNAV and RNP-based air traffic routes and instrument procedures. In March 2007, the International Civil Aviation Organization (ICAO) completed the *PBN Manual* which involved collaboration with technical and operational experts from several countries. The ICAO *PBN Manual* provides a long-anticipated global harmonization of RNAV and RNP requirements – a leading priority of the aviation stakeholder community worldwide. To promote global awareness and understanding of the new Manual, FAA and the European Organization for the Safety of Air Navigation (EUROCONTROL), with the ICAO PBN Program Office, have presented seminars throughout the ICAO Regions. Nine of 10 planned seminars were completed as of September 2008. The final seminar is scheduled in December 2008.

Benefits

RNAV and RNP specifications facilitate more efficient design of airspace and procedures which collectively result in improved safety, access, capacity, predictability, operational efficiency, and environmental effects. Specifically, improved access and flexibility for point-to-point operations help enhance reliability and reduce delays by defining more precise terminal area procedures. They also provide fuel and emissions savings.



Modeled benefits for fuel and emissions savings for RNAV at OEP airports (MITRE, September 2007)

RNAV procedures can provide benefit in all phases of flight, including departure, en route, arrival, approach, and transitioning airspace. For example, Standard Terminal Arrivals (STARs):

Increase predictability of operations
Reduce controller/aircraft communications
Reduce fuel burn with more continuous vertical descents
Reduce miles flown in Terminal Radar Approach Control (TRACON) airspace
Reduce interaction between dependent flows in multiplex airspace

Phoenix (PHX) RNAV Arrivals

Since the implementation of two RNAV STARs at PHX in October 2006, there have been significant benefits noted, including 38 percent reduction in the time aircraft remain in level flight, user benefit savings estimated at $2 million annually, and reductions in carbon dioxide emissions estimated at 2500 metric tons annually.

Similarly, RNAV Standard Instrument Departures (SIDs):

Reduce departure delay via diverging departure routes off the runway
Reduce interaction between dependent flows
Reduce controller/aircraft communications
Reduce miles flown in TRACON airspace
Increase predictability of operations

Atlanta (ATL) RNAV Departures

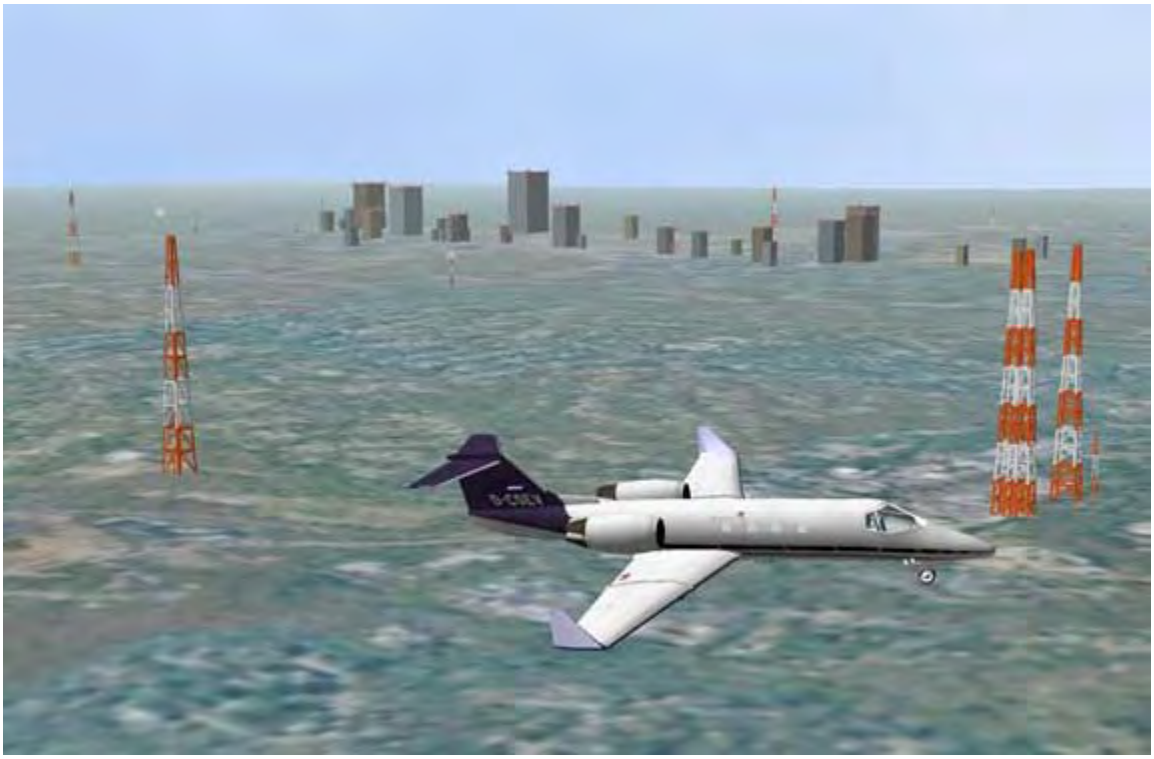
Atlanta RNAV SIDs have achieved fuel savings due to reduced departure delays of more than 2.5 minutes per flight. Annual fuel savings are estimated at $34 million, with cumulative savings of $105 million.

Dallas-Fort Worth (DFW) RNAV Departures

DFW departures on initially diverging routes (fanned departures) have resulted in improved separation efficiency and increased capacity by 11 to 20 operations per hour, with cumulative savings estimated at $25 million.

RNP SAAAR

RNP SAAAR approach procedures offer design flexibility and enhanced performance, allowing us to mitigate obstacles and de-conflict traffic as illustrated in the RNP SAAAR approach at Dekalb-Peachtree Airport (PDK) depicted below.



RNP containment provides separation from obstacles

Similarly, Ronald Reagan Washington National Airport's RNP SAAAR approach to Runway 19 was designed to avoid the protected areas near the nation's Capital and provide approved carriers with the ability to land in situations of decreasing visibility due to weather.

To date, FAA has authorized more than 250 RNAV procedures at 86 airports in 29 states.

RNAV 2005 – September 2008 [Cities in **bold** have OEP airports]

Alaska (Adak, Akhiok, Anaktuvuk Pass, Anchorage, Arctic Village, Atka, Golovin, Juneau, Kaltag, Ketchikan, King Cove, Nondalton, Palmer, Perryville, Petersburg, Ruby, Sitka, Willow)
Arizona (Glendale, Goodyear, **Phoenix**, San Carlos, Sedona, Tucson)
California (Alturas, Borrego Valley, California City, Long Beach, **Los Angeles,** Mojave, Oakland, **San Diego, San Francisco**, Santa Monica)
Colorado (Holyoke, Lake County, Nucla, Rifle, Walden)
Florida (Boca Raton, **Ft. Lauderdale,** Ft. Myers, **Miami,** Naples, **Orlando, Tampa**, West Palm Beach)
Georgia (**Atlanta**, Augusta)
Hawaii (Hana)
Idaho (Arco, Driggs, Grangeville, Hailey)
Illinois (**Chicago**)
Kentucky (**Covington**, Louisville)
Maryland (**Baltimore**)
Massachusetts (**Boston**, Nantucket)
Minnesota (**Minneapolis-St. Paul**)
Montana (Colstrip)
Nevada (Carson City, **Las Vegas**, Reno)

New Hampshire (Manchester)
New Jersey (**Newark**, Teterboro)
New York (**New York**)
North Carolina (**Charlotte**)
Ohio (**Cleveland**)
Oregon (**Portland**)
Pennsylvania (**Philadelphia**)
Rhode Island (Providence)
Tennessee (**Memphis**)
Texas (**Dallas-Ft. Worth, Houston**)
Utah (Heber City, Richfield, **Salt Lake City**)
Virginia (**Arlington, Dulles**)
Washington (**Seattle**)
Wyoming (Afton, Ten Sleep)

The FAA has authorized more than 130 RNP procedures at 45 airports in 25 states, one U.S. territory, and one country.

RNP 2005 – September 2008 [Cities in **bold** have OEP airports]

Alaska (Red Dog)
Arizona (Prescott, Tucson)
California (Bishop, Burbank, Palm Springs, Long Beach, **Los Angeles**, Monterey, Ontario, **San Francisco**, San Jose)
Ecuador (Quito)
Florida (**Ft. Lauderdale, Miami, Tampa**)
Hawaii (**Honolulu**, Lihue)
Georgia (**Atlanta**)
Guam (Agana)
Idaho (Hailey)
Indiana (Gary, Indianapolis)
Illinois (**Chicago**)
Maryland (**Baltimore**)
Minnesota (**Minneapolis-St. Paul**)
Missouri (Kansas City)
New Hampshire (Manchester)
New Jersey (**Newark**)
New York (**New York**)
Nevada (Reno)
Oklahoma (Oklahoma City)
Oregon (**Portland**)
Pennsylvania (**Pittsburgh**)
Texas (**Dallas-Ft. Worth**)
Virginia (**Arlington, Dulles**)
Washington (**Seattle**)
Wyoming (Jackson)

Looking to the Future

Performance-Based Navigation is a cornerstone of FAA's NextGen vision. As RNAV and RNP procedures are implemented in the NAS, they may provide additional end-to-end benefits by enabling a network of procedures at and between busy airports that will continue to enhance safety and capacity for industry and the flying public.

Resources

FAA RNAV/RNP Group
Roadmap for Performance-Based Navigation
Dekalb-Peachtree Airport (PDK) RNP SAAAR Video
Highways in the Sky (RNAV/RNP Informational Video)
Federal Aviation Administration
NextGen Implementation Plan
ICAO PBN Programme Office

LEGISLATIVE UPDATE

DOT Report Supports Consistency in FAA Regulatory Oversight

A Department of Transportation (DOT) report released last week titled Managing Risks in Civil Aviation: A Review of the FAA's Approach to Safety states the FAA's aviation safety field office staff has a "remarkable degree of variation in regulatory ideologies," and that such differences could lead to "mistakes in regulatory decision-making". In addition, the DOT was troubled by some of its findings stemming from the culture within the FAA, concluding that the agency's safety staff has an "unusually broad" range of views regarding regulatory style and interpretations, the report said. That finding highlights a concern that NATA has been voicing that the lack of consistency within FAA is costing aviation businesses hundreds of millions of dollars.

The report praised the FAA's commitment to safety and supported voluntary disclosure programs by the aviation industry which had been called into question during earlier Congressional hearings.

NATA is hopeful that this report is the first step toward improving the inconsistencies in regulatory interpretations that general aviation and others feel is becoming a constant problem among field offices within the FAA.

Go to http://www.dot.gov/affairs/IRT_Report.pdf to view the entire IRT report.

GAO Says FAA Lacks Authority to Auction Slots

What's at Issue

The Government Accountability Office (GAO) released a report on September 30, 2008 in response to a congressional inquiry into whether the Federal Aviation Administration (FAA) has the legal authority to auction airport arrival and departure slots. GAO concluded that the FAA lacks statutory authority to action slots, and to retain or use auction proceeds.

Background

While the FAA has the responsibility to control congestion in the national airspace, it has done so by using a reservation or slot system in the past. In 1968, the FAA instituted a slot control system called High Density Rule, which capped the number of hourly arrivals and departures permitted at high density traffic airports such as LaGuardia, JFK, Washington National, and Chicago O'Hare airports. In 2000, Congress directed the FAA to phase-out the High Density Rule due to concern that it hurt competition, unfairly favored incumbent airlines and was not the best way to reduce congestion. However, in May 2008, the FAA issued a proposal for a cap and slot system at LaGuardia, JFK, and Newark that is dependant on auctioning slot leases to the highest bidder.

Why It's Important

There has been widespread concern that implementing slot auctions could limit competition by preventing entry of new carriers and that incumbent air carriers often do not have the resources to buy the slots necessary to remain viable and competitive. In addition, auctions could increase the cost to travelers in the New York-metro area, with no guarantee of delay reduction and a potential loss of flights and service options. Furthermore, service to small communities could decrease because air carriers that lose slots will move slots currently used for small community service to larger, more lucrative markets.

Report Findings
GAO concluded that the FAA lacks the statutory authority to auction slots for a fee due to the following reasons:

- The FAA may not rely on its general property disposition authority to carry out its regulatory slot assignment function.
- The FAA lacks the authority to auction slots for a fee. In fact, Congress has prohibited the FAA from imposing any kind of user fee unless it obtains statutory authority to do so.

NATA Position
NATA believes that Congressional interest into the FAA's slot auction proposal was critical in preventing the FAA from going forward with their proposal. Further, NATA is pleased with the outcome of the GAO report confirming that the FAA lacks statutory authority to implement the slot auction proposal which would have placed an unnecessary burden on all aviation businesses.

Status
The FAA is unable to implement their proposal and it remains unlikely that the agency will be granted statutory authority in the future. Members of Congress from both political parties were in agreement that the slot auction proposal was not the best way to combat congestion in the New York airspace.

View a copy of the GAO report at http://www.gao.gov/decisions/other/316796.pdf.

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FAA Ignores GAO Findings, Publishes LGA Slot Auction Rule

In publishing the regulations, the FAA explained it disagreed with the GAO's conclusions, stating, "The issues involved represent novel legal issues upon which reasonable people, and agencies, acting in good faith, have disagreed. The FAA disagrees with the GAO conclusions because it does not believe the auction of a slot constitutes a user fee and because the GAO appeared to apply an exceptionally narrow definition of property that ignores expansive statutory provisions within the agency's various enabling statutes and the fact that carriers have treated slots as property for approximately 25 years. Accordingly, the FAA has decided to proceed with the adoption of this final rule."

In addition to pushing forward with the slot auction scheme, the FAA rule also limits unscheduled operations to three slots per hour. The FAA rejected comments from NATA and other general aviation interests that the 50% reduction in operational potential was unjustified.

At this point, it seems that the FAA's rule will move forward unless there is either a legal challenge filed on the basis of the GAO report or Congress acts to bar the FAA from acting on the rule.

In related news, the FAA also published final regulations related to congestion management at JFK and Newark airport, again rejecting general aviation concerns. At these locations, unscheduled operations will be limited to only one or two slots per hour during peak times.

The rules for all three airports are **effective December 9, 2009**.

NEW PRIVATE AIRCRAFT SECURITY RULES ANNOUNCED

Alexandria, VA, Thursday | October 16, 2008

Major Provisions
Private (Part 91) Operators
The Large Aircraft Security Program (LASP) NPRM seeks to require security actions, including a formal security program, for any aircraft with a maximum takeoff weight of more than 12,500 pounds. The program requirements will apply regardless of whether the aircraft is owner-piloted, piloted by professional crew, operated by an individual or corporation, or part of a fractionally-managed fleet.

The NPRM states that affected aircraft owners will need to:

- Complete background checks for all pilots (includes FBI criminal records check and a Security Threat Assessment)
- Submit passenger name information for comparison to terrorist watch lists for all flights

- Submit to a biannual compliance audit (at the owners expense)

- Implement the LASP (to be provided by TSA)

TFSSP Operators

For operations already subject to the TSA's TFSSP, that security program will ultimately be transferred into the LASP so that all non-airline operations will eventually be regulated by a singular program with operation-specific "subparts" or chapters. TFSSP operators would also be subject to some of the new provisions, such as biannual audits.

The rule does present some benefits, particularly for the TFSSP operators, in that it would allow the creation of a Master Passenger List so that frequently carried passengers would not be subjected to repeated identification checks. Also, the TSA is moving toward an automated watch list checking system. Under this plan, operators would no longer need to obtain the lists from the TSA and conduct checks themselves. Names would be submitted via computer to an online service that would conduct the checks and report back on any matches. It is expected that these checks will occur almost instantaneously following submission

Airports

The NPRM also imposes new security program requirements on certain airports. Under the TSA proposal, designated reliever airports would need to establish a "partial program." Additionally, any airport that "regularly serves scheduled or public charter operations in large aircraft" would also need a partial program. The TSA states that this will impact 315 airports. The specific program requirements focus on planning, communication and recordkeeping, and do not seem to impose any restrictions on aircraft operations or require involvement by the airport operator.

Program Implementation

The TSA proposes to implement the LASP rules over a 24-month period following the effective date of a final rule. The implementation scheduled is based upon geographic region for operators obtaining a security program for the first time. Conversion of those with existing security programs (i.e. TFSSP operators) will occur in the final three months of the plan.

NATA Position

In general the NPRM is not entirely untenable for the operator community as it is based largely upon the TFSSP. However, after reviewing the proposed rules, NATA believes that several modifications are warranted and will submit comments on the following issues in particular:

- FBI background check. NATA is unconvinced of the need for this check for owner-piloted aircraft.

- Weight threshold. In response to the TSA's request for comment on the 12,500 pound threshold, NATA will review available information and possibly recommend a higher trigger weight.

- Audits. NATA is very concerned that the TSA has no planned mechanism for operators to have the TSA conduct a free audit and is relying solely on a paid contractor system.

- Implementation Schedule. NATA believes the method and timing for implementation is not ideal or realistic considering the significant number of aircraft operators involved.

- Use of Selectee Lists. NATA is opposed to the use of the selectee list as it does not serve a clear function, nor is the operator given clear actions to take if a person matches that list.

- Managed Aircraft. Many aircraft are managed by outside firms that may keep the aircraft in a purely Part 91 system or the aircraft may also be operated under Part 135. It is unclear how the owner/management relationship will effect implementation of the program and how aircraft operated under existing programs will be treated.

NATA strongly encourages all members who are affected by the LASP NPRM to review the rules carefully and provide comments to the TSA suggesting how the requirements could be improved.

Status

While the TSA has made the LASP NPRM available, it has not yet been officially published in the *Federal Register*. Upon publication, the TSA will accept public comments on the proposal for at least 60 days.

Click here to download a copy of the LASP NPRM.

Staff Contact: Jacqueline Rosser
Director, Regulatory Affairs
jrosser@nata.aero

Coyne Meets With TSA Head to Discuss LASP

Abstract:
In a meeting coordinated by the association, NATA President James K. Coyne and leaders from the Aircraft Owners & Pilots Association, National Business Aviation Association and General Aviation Manufacturers Association met with TSA chief Kip Hawley last week to discuss the Large Aircraft Security Program proposed rule.

Article:
In a meeting coordinated by the association, NATA President James K. Coyne and leaders from the Aircraft Owners & Pilots Association, National Business Aviation Association and General Aviation Manufacturers Association met with Transportation Security Administration (TSA) chief Kip Hawley last week to discuss the Large Aircraft Security Program (LASP) proposed rule.

Coyne expressed his continued commitment to work with the TSA on methods to improve general aviation security but highlighted the association's concerns with the proposed rule's lack of benefit for incorporating a new security regime.

"As the association that represents operators participating in the Twelve-Five Standard Security Program, we have long advocated that increased access to restricted airspace be provided as a benefit to those participants," Coyne stated. "While our efforts to increase access for certain venues have been successful, we are concerned that there are no well-defined benefits to the new security regime being proposed."

Members are strongly encouraged to review the rule and provide comments by the 60-day deadline, which will be December 30, 2008, unless an extension is provided.

NATA will also be providing detailed comments to TSA on the proposed rule and will make those available to all members as soon as they are complete.

For more information on the Large Aircraft Security Program proposed rule, please contact Ebyer@nata.aero.

NATA's Coyne Congratulates President-Elect Obama on Historic Election Victory

Alexandria, VA, Thursday | November 06, 2008
National Air Transportation Association (NATA) President James K. Coyne today congratulated Senator Barack Obama on being elected the 44th President of the United States. "Tuesday night was a historic moment with this country's election of Senator Barack Obama as President. With the promise of change on the way, NATA looks forward to working with President-Elect Obama and his administration," Coyne stated.
"On behalf of NATA and its member companies, I would like to congratulate all candidates on their election to Congress and commend them for well-deserved victories Tuesday night. NATA looks forward to strengthening relationships with new members of the House and Senate, and will continue our efforts to ensure that the interests of our 2,000 members are represented on Capitol Hill," Coyne continued.

In addition to congratulating new members, Coyne stated "I would also like to take the opportunity to thank those elected officials not returning for the 111th Congress who have steadfastly supported general aviation and the association. We will miss the support of Senators Gordon Smith (R-OR), John Warner (R-VA), Pete Domenici (R-NM), John Sununu (R-NH), and Representatives Robin Hayes (R-NC), Joe Knollenberg (R-MI), and Steve Pearce (R-NM), all of whom have been ardent supporters of the general aviation industry and fought for issues important to NATA members."

"NATA will continue to be actively engaged on long-term legislation to reauthorize the Federal Aviation Administration, while continuing to educate Members of Congress on important issues affecting our members, including air traffic control modernization, onerous fuel tax collection procedures, and environmental regulations that protect the environment while not placing a financial burden on America's aviation businesses," Coyne concluded.

2009 Tax Rates Announced

October 22, 2008
What's at Issue
The rates for certain federal excise taxes (FET) and fees are increasing for commercial air transportation occurring after December 31, 2008, including transportation provided by Part 135 on-demand operators.

Why It's Important
Operators who are required to collect and remit the

federal excise taxes imposed on certain commercial air transportation operations must implement the new rates for all applicable transportation occurring after December 31, 2008.

Important Note: These fees, along with all other components of the FET on commercial air transportation, do NOT apply to those few Part 135 aircraft operators who continue to meet the small aircraft exemption criteria. This exemption is only available to commercial operators using small aircraft (less than 6,000 lbs. maximum gross takeoff weight) that are not operated on an established line. However, these operations are subject to the fuel tax. Special exemptions for certain helicopter and air ambulance operations also remain unchanged.

Major Provisions
The IRS has released Revenue Procedure 2008-66, which provides the 2009 rates for many inflation adjusted items, including transportation taxes and fees.

It is important to note that as of publication, the current FAA funding mechanism has not been reauthorized by Congress but it has been extended through March 31, 2009. Therefore, the IRS has established these new rates only until the current extension expires.

Note: Rates that have changed are in **bold** *throughout this report.*

Domestic Transportation of Persons and Cargo
The following rates apply to all domestic transportation for amounts paid from January 1, 2009 through March 31, 2009:

Domestic Transportation of Persons:	7.5% + applicable segment fees
Domestic Segment Fee:	**$3.60 per passenger**
Domestic Transportation of Cargo:	6.25% of cargo waybill

Please note that segment fees do not apply to transportation to and from rural airports. A link to the current rural airport list is available in the Status section of this report.

International Facilities Fee
For international transportation occurring from January 1, 2009 through March 31, 2009, the International Facilities Fee is **$16.10 per passenger**.

This fee is applicable to all international flights that originate or end in the United States. The tax is imposed when aircraft leave or enter the United States. This fee is not charged on flights to or from Canada and Mexico that remain within 225 miles of the United States. Such flights are treated as domestic and are subject to the taxes described above.

Flights to/from Alaska & Hawaii
The fee for departures involving Alaska or Hawaii is **$8.00** for 2009.

Because flights between the United States and to Alaska or Hawaii must cross over substantial areas of international territory or waters, a special provision exists for them. The IRS requires collection of the appropriate fee per departure, plus the "domestic transportation of persons" tax (7.5%, plus any segment fees) for the portion of the flight occurring over the United States.

NATA Position
The association encourages all affected members to familiarize themselves with the changes and make necessary adjustments.

Status
The revised rates are in effect from January 1, 2009 to March 31, 2009.

NTSB Issues Life Raft Recommendations for Helicopter Operators

The National Transportation Safety Board issued two new recommendations Monday, aimed at improving passenger awareness of how to properly deploy the emergency life rafts commonly seen on the exteriors of turbine-powered helicopters operating offshore.

The Board cites the December 29, 2007 downing of an Air Logistics Bell 206L1 helicopter. The helicopter impacted water while approaching South Pass Block 38 (SP38), an offshore platform in the Gulf of Mexico, with a commercial pilot and three passengers aboard.

All four occupants survived the crash, but one passenger died while awaiting rescue... a condition the NTSB

attributes to the pilot's failure to properly instruct the passengers on how to deploy the life raft.

"During a post accident interview, the accident pilot provided no indication why he did not deploy the external life raft using the internal T-handle when the helicopter entered the water, even though he had received training on external life raft deployments," the Board writes. "The pilot stated that, after evacuating the helicopter, he climbed onto its belly and asked the passengers to pull the 'red handle' (that is, one of the external T-handles) for the life raft but that the passengers could not locate either T-handle.

"One of the surviving passengers stated that he thought the pilot was referring to the red inflation tabs on their PFDs. Both surviving passengers stated that they did not know that the helicopter was equipped with external life raft with external activation handles," the NTSB adds.

The NTSB has recommended that the FAA:
Require operators of turbine-powered helicopters with externally mounted life raft to install a placard for each external T-handle that clearly identifies the location of and provides activation instructions for the handle. (A-08-83)
Require all operators of turbine-powered helicopters to include, in pilot preflight safety briefings to passengers before each takeoff, information about the location and activation of all flotation equipment, including internal or external life raft (depending on which system has been installed on the helicopter). (A-08-84)

"The Safety Board concludes that external placards for the two external life raft T-handles, similar to the placard for the T-handle in the cockpit, would assist passengers in finding and activating the external T-handles, especially if the pilot were unable to do so," the NTSB concludes. "Therefore, the Safety Board believes that the FAA should require operators of turbine-powered helicopters with externally mounted life raft to install a placard for each external T-handle that clearly identifies the location of and provides activation instructions for the handle."

INDUSTRY NEWS

NTSB Reverses FAA Revocation Order Issued Against Air Trek

An NTSB Administrative Law Judge, William Pope, has issued an oral initial decision reversing an Emergency Order issued by the FAA on June 10, 2008. The Emergency Order revoked the Air Carrier Certificate held by Air Trek, Inc., an air ambulance operator based in Punta Gorda, FL. The nine (9) day hearing took place during three separate sessions over a five week period.

According to Legal Counsel for Air Trek, Inc., the case initially began five months ago on May 23, 2008, when the FAA first issued an Emergency Order indefinitely suspending Air Trek's Air Carrier Certificate pending compliance with the Federal Aviation Regulations (FARs). Prior to the suspension, Air Trek had been in operation for 30 years with no violation history. On May 24, 2008, Air Trek retained counsel and immediately appealed the suspension order.

On June 5, 2008, less than two weeks following the emergency suspension, and while litigation was in progress, FAA attorney Brendan Kelly, Esq., ordered a surprise inspection of Air Trek's Punta Gorda facility for the stated purpose of obtaining additional evidence to "push the case from suspension to revocation." When two FAA inspectors arrived at Air Trek's facility unannounced, the company had already ceased operation and surrendered its Air Carrier Certificate pursuant to the emergency order. Accordingly, the FAA inspectors stated that they were going to inspect aircraft and records pursuant to 14 C.F.R. Part 91 only.

Since the company had already retained counsel concerning the suspension, Air Trek's Director of Operations, Dana Carr, suggested that the FAA inspectors wait at a nearby airport diner while he contacted his attorney. However, before Air Trek's attorney could coordinate an inspection, the inspectors reported to Mr. Carr that they had been instructed by the Special Emphasis Inspection Team (SEIT) leader to abort the inspection and return to home base. Although the inspection never took place, the FAA withdrew its suspension order and issued an Emergency Order of Revocation instead.

The law judge found that since Mr. Carr had initially suggested that the FAA inspectors leave Air Trek's facility while he attempted to contact his attorney, a technical violation of 14 C.F.R. section 119.59 had occurred (i.e., refusal to allow an inspection). However, he stated that any apparent violation was "de minimus" (i.e., "of minimum importance" or "trifling") and did not warrant revocation.

By the fourth day of the hearing, the FAA had withdrawn 6 of the 10 Counts in the revocation order and dismissed 9 of the 14 regulatory violations. At the termination of the hearing, the remaining two findings of violation by the law judge related only to flight operations that occurred at Air Trek's Winchester, Virginia (OKV) base of operations, which had been closed since January 2007 (more than 1 1/2 years prior to issuance of the revocation order).

Specifically, the law judge found that the Winchester pilots did not follow the company's Operations Specifications and General Operations Manual concerning the reporting of mechanical irregularities and calculation of weight and balance. As a result, the law judge found a violation of 14 C.F.R. sections 119.5(g) (i.e., violation of operations specifications), and a residual violation of 91.13(a). These findings were limited to the Winchester pilot operations only.

Throughout his decision, the law judge credited testimony from Wayne Carr, Air Trek's President and Chief Pilot, finding that regulatory violations by the Winchester pilots were not "directed, caused, or permitted" by management. As a result, the FAA did not present evidence to support a finding that Air Trek "lacks the qualifications necessary to hold an Air Carrier Certificate", as alleged in the revocation order. By contrast, the law judge found the testimony of former Winchester pilots, Garrett Lunde and John Roberts, to be unreliable. He found that both pilots were obviously biased against Air Trek's management, and therefore, were not credible.

The current practices of Air Trek pilots to report mechanical irregularities either verbally or by placing a hand written note in a vice located in the maintenance shop, as well as the use of an Excel computer program to calculate weight and balance, were found to be in accordance with the company's Operations Specifications, General Operations Manual, and the Federal Aviation Regulations.

The judge held that the FAA failed to present any evidence that aircraft were actually operated in an unairworthy condition, as alleged throughout the revocation order. Nevertheless, he ordered that Air Trek's certificate be suspended until the company provides adequate safeguards to ensure ongoing future compliance with the Federal Aviation Regulations.

Air Trek was represented by Gregory S. Winton, Esq. of Aviation Law Experts, LLC, along with co-counsel, Darol H.M. Carr, Esq. of the Farr Law Firm located in Punta Gorda, FL.

According to Mr. Winton, "this case is just another example of an inadequate FAA investigation leading to protracted litigation without substantial justification. In fact, during the hearing the law judge described certain allegations as

'absurd'." As a result, Air Trek will apply for reimbursement of attorney fees and expenses pursuant to the Equal Access to Justice Act (EAJA).

Additional information: www.faa.gov, www.ntsb.gov or www.AviationLawExperts.com

Aviation Safety Reporting System (ASRS) Statistics for August 2008

ASRS Alerts Issued in August 2008	
Subject of Alert	**No. of Alerts**
Aircraft or aircraft equipment	10
Airport facility or procedure	5
ATC procedure or equipment	3
Company policy	1
Maintenance procedures	2
TOTAL	21

August 2008 Report Intake	
Air Carrier/Air Taxi Pilots	3,171
General Aviation Pilots	946
Controllers	61
Cabin/Mechanics/Military/Other	351
TOTAL	4,529

Take a peek at one of the reports…

"It Soon Got Very Dark and Quiet"

Shortly after landing, a B777 had to apply heavy braking to avoid overtaking a slower aircraft during taxi to the gate. After this conflict, the Boeing Captain stated to the First Officer that they should "probably shut one down" [to avoid repeated braking for the slower aircraft]. The First Officer's report tells what happened next:

- …I looked over and noticed he was guarding the left fuel control so I shut the right engine down. To our dismay, it soon got very dark and quiet and we realized we had both shut an engine down. The Captain braked the aircraft to a stop. I cranked the APU, remained seated, notified Tower we would be holding for a few minutes and waited forever for the minute to pass and enjoy the resumption of electrical power. I then started both engines. We resumed taxi to the gate. The outcome was a 4-minute delay in taxiing to the gate at the end of an otherwise very normal flight. No doubt stressful for the crew and passengers. From a human factors point of view…I feel that fatigue and jet lag played an important role on this evening…flipping one's body clock by 12 hours in a 24-hour period has its challenges. It is still a 2-pilot operation in the dark on the backside of the body clock….

The Captain's report of this same incident added that there was "too much verbalization" in the cockpit and "not enough commands."

Go here, http://asrs.arc.nasa.gov/publications/callback/cb_346.htm to read additional reports.

Revolutionary Safety Reporting Software Available

AVSiS is a powerful software program that collects detailed safety event data for analysis, response deployment and success measurement, and provides a tool for accounting for the cost savings realized by interventions.

To encourage the wide-spread use of this safety-enhancing tool, the Air Charter Safety Foundation (ACSF) is making the program available to all eligible Part 135 on-demand operators and Part 91K fractional program managers at no charge.

AVSiS is a non-punitive event reporting program (essential to a positive safety culture) that provides company leaders with a tool to maintain constant safety awareness.

It has been estimated that for each fatal accident as many as 360 incidents occur. Proper investigation of reported incidents or "near misses" provides an opportunity to identify and correct underlying problems before an accident occurs.

This is the essence of what ***AVSiS*** does for you.

In addition to the individual user benefits, the database structure provided by the ACSF will allow the ASCF to conduct high-level analysis of the data to identify industry trends and publish intervention strategies where appropriate, while maintaining the privacy of the unique users.

How can you learn more?

- Visit the ACSF *AVSiS* information Website at www.acsf.aero/avsis to learn more about the specific features and benefits of *AVSiS* and get answers to frequently asked questions.
- Register to obtain *AVSiS* at www.acsf.aero/AVSiSRegistration. Operator user accounts will be established on a first-come, first-served basis from registrations completed by eligible businesses. All Part 135 on-demand operators and Part 91K fractional program managers are eligible businesses.
- Remember, ***AVSiS*** is completely free to obtain and use so there is no reason not to submit your registration request today!

The Air Charter Safety Foundation through research, collaboration and education, advances charter and shared aircraft ownership industry standards and best practices; promulgates safety, security and service benchmarks; and promotes the universal acceptance of safety management systems.

Learn more about ACSF at www.acsf.aero.

Industry News: Embraer Opens New Service Center at Phoenix-Mesa Gateway Airport

The Brazilian maker of executive jets has opened a new $10 million aircraft service center at Phoenix-Mesa Gateway Airport. The center consists of a hanger, workshop and office space and will maintain the company's line of Legacy and Phenom corporate jets.

"The facility is complete, and we are in the process of finalizing FAA certifications," said Bob Davis, chief operating officer of Embraer Executive Jet Services. The center will perform scheduled and unscheduled maintenance of Embraer aircraft based in the Western United States.

The Gateway center is the only Embraer company-operated service center in the Western U.S. Other centers include Nashville, Tennessee, and two facilities under construction in Fort Lauderdale, Florida, and Windsor Locks, Connecticut, which are expected to open by the end of the year.

NTSB Most Wanted Transportation Safety Improvements

Improve the Safety of Emergency Medical Services (EMS) Flights

Objective

- Conduct all flights with medical personnel on board in accordance with stricter commuter aircraft regulations.
- Develop and implement flight risk evaluation programs for EMS operators.
- Require formalized dispatch and flight-following procedures including up-to-date weather information.
- Install terrain awareness and warning systems (TAWS) on aircraft.

Importance

EMS aviation operations (conducted with either helicopters or fixed-wing aircraft) provide an important service to the public by transporting seriously ill patients or donor organs to emergency care facilities. The pressure to quickly conduct these operations in various environmental conditions (for example, in inclement weather, at night, and at unfamiliar landing sites for helicopter operations) continues to result in an increasing number of accidents.

Although the Safety Board issued recommendations in 2006 to improve EMS helicopter operations safety, 9 fatal helicopter EMS (HEMS) accidents occurred between December 2007 and October 2008, killing 35 people.

- December 3, 2007: Whittier, Alaska – BK117
- December 30, 2007: Cherokee, Alabama – Bell 206
- February 5, 2008: South Padre Island, Texas – AS350
- May 10, 2008: La Crosse, Wisconsin – EC135
- June 8, 2008: Huntsville, Texas – Bell 407
- June 29, 2008: Flagstaff, Arizona – Bell 407s
- August 31, 2008: Greensburg, Indiana – Bell 206
- September 28, 2008: District Heights, Maryland – AS365
- October 15, 2008: Aurora, Illinois – Bell 222

The Safety Board is concerned that these types of accidents will continue to occur if a concerted effort is not made to improve the safety of emergency medical flights. Specifically, the following actions would help to improve the safety of EMS flight operations: (1) implementation of a flight risk evaluation program for EMS operators, (2) establishment of formalized dispatch and flight-following procedures including up-to-date weather regulations, (3) installation of terrain awareness and warning systems on aircraft, and (4) conduct of all flights with medical personnel on board in accordance with stricter commuter aircraft regulations.

Summary of Action

In August 2004, the Federal Aviation Administration (FAA) convened a Helicopter Air Ambulance Accident Task Force to make recommendations to reduce HEMS accidents; however, in spite of numerous actions to address this issue through notices and guidance, little progress has been made by the FAA in improving the safety of EMS operations.

In 2005, the FAA issued three notices addressing HEMS safety; however, all three of the following notices expired after 1 year:

- Notice N8000.293, “HEMS Operations,” contained information that FAA inspectors could provide to HEMS operators “for a review of pilot and mechanic decision-making skill, procedural adherence, and crew resource management.”

- Notice N8000.301, “Operational Risk Assessment Programs for HEMS,” identified possible risks and dangers to flight crews and patients and encouraged aircraft EMS operators to promote the use of risk assessment models. The contents of N8000.301 have since been incorporated into Order 8900.1.

- Notice N8000.307, “Special Emphasis Inspection Program for HEMS,” provided guidance to aviation safety inspectors for the examination of operational factors that were indentified as causal to EMS accidents such as operational control, safety culture development, and access to and use of weather information by flight crews, management, and in-flight communications specialists. (1)

In January 2006, the FAA issued revised guidance to inspectors regarding HEMS Operations Specifications (OpSpecs), amending the visual flight rule (VFR) weather requirements for HEMS operations, including consideration of the adverse affects of reduced ambient lighting at night and mountainous terrain (HBAT 06-01 Helicopter Emergency Services; OpSpec A021/A002 Revisions).

In January 2006, the Safety Board issued four safety recommendations concerning EMS flight safety. In June 2006, at the FAA’s request, the Radio Technical Commission for Aeronautics (RTCA) established a special committee to develop Helicopter TAWS (H-TAWS) standards. The RTCA, in March 2008, completed the development of a set of minimum operational performance standards for H-TAWS. The FAA anticipates publishing in early 2009 a Technical Standards Order that is based on the RTCA standards. The FAA will still need to consider rulemaking to require H-TAWS on EMS flights.

In August 2006, the FAA revised the *Aeronautical Information Manual* to provide guidance to pilots on assessing ambient lighting for night VFR operations and for off-airport/heliport landing zone operations.

Most recently, in May 2008, the FAA published Advisory Circular (AC) 120-96 regarding operations control centers (OCCs) for HEMS. The AC provides a list of tasks that should be completed by OCCs. Although the AC is responsive to Safety Recommendation A-06-14, the FAA has not yet incorporated a requirement for an OCC into HEMS regulations.

Despite the FAA’s efforts to improve EMS operations safety, the FAA has not imposed any requirements on aircraft EMS operators regarding flights conducted without patients on board, risk management, flight dispatch, or the use of such technology as TAWS or H-TAWS. The FAA’s published notices simply constitute information that principle operations inspectors may provide to their operators and encourage the operators to incorporate. The Safety Board concluded in its 2006 report (2) that the implementation of a flight risk evaluation before each mission, such as the action Notice N8000.301 proposed, would enhance the safety of EMS operations. N8000.301 expired in 2006; however, its contents were incorporated into FAA Order 8900.1. This inclusion was a positive step; however, the FAA still does not require EMS operators to take the actions recommended by the Board. The guidance provided by the FAA has not been widely adopted by EMS operators; accordingly, the Board is concerned that until the FAA institutes our recommended requirements, some EMS operators will continue to operate in an unsafe manner, which could lead to further accidents.

Actions Remaining

Require all EMS operators to comply with 14 *Code of Federal Regulations* Part 135 operations specifications during the conduct of all flights with medical personnel on board. Require all EMS operators to develop and implement flight risk evaluation programs that include training all employees involved in the operation, procedures that support the systematic evaluation of flight risks, and consultation with others trained in EMS flight operations if the risks reach a predefined level. Require EMS operators to use formalized dispatch and flight-following procedures that include up-to-date weather

information and assistance in flight risk assessment decisions. Require EMS operators to install terrain awareness and warning systems on their aircraft and to provide adequate training to ensure that flight crews are capable of using the systems to safely conduct EMS operations.

Safety Recommendations
A-06-12 (FAA)
Issued: February 7, 2006
Added to the Most Wanted List: 2008
Status: Open—Unacceptable Response
Require all EMS operators to comply with 14 *Code of Federal Regulations* Part 135 operations specifications during the conduct of all flights with medical personnel on board. (Source: *Special Investigation Report on Emergency Medical Services Operations.*
[NTSB/SIR-06/01])

A-06-13 (FAA)
Issued: February 7, 2006
Added to the Most Wanted List: 2008
Status: Open—Unacceptable Response
Require all EMS operators to develop and implement flight risk evaluation programs that include training all employees involved in the operation, procedures that support the systematic evaluation of flight risks, and consultation with others trained in EMS flight operations if the risks reach a predefined level. (Source: *Special Investigation Report on Emergency Medical Services Operations.* [NTSB/SIR-06/01])

A-06-14 (FAA)
Issued: February 7, 2006
Added to the Most Wanted List: 2008
Status: Open—Acceptable Response
Require EMS operators to use formalized dispatch and flight-following procedures that include up-to-date weather information and assistance in flight risk assessment decisions. (Source: *Special Investigation Report on Emergency Medical Services Operations.* [NTSB/SIR-06/01])

A-06-15 (FAA)
Issued: February 7, 2006
Added to the Most Wanted List: 2008
Status: Open—Unacceptable Response
Require EMS operators to install terrain awareness and warning systems on their aircraft and to provide adequate training to ensure that flight crews are capable of using the systems to safely conduct EMS operations. (Source: *Special Investigation Report on Emergency Medical Services Operations.* [NTSB/SIR-06/01])

October 2008
Additional NTSB Wanted List http://www.ntsb.gov/Recs/mostwanted/aviation_issues.htm

GA Fatalities Drop Dramatically in 2007

Nearly 90 percent of annual aviation fatalities occur in general aviation, according to the National Transportation Safety Board (NTSB). In 2007, according to recently released NTSB safety data, 491 people perished in general aviation accidents, a steep drop from the 703 general aviation fatalities in 2006.

"This is encouraging news," said National FAA Safety Team (FAASTeam) Manager Kevin Clover. "It shows that the safety training, awareness, and outreach efforts around the community are paying off."

To view the complete release and the numbers in detail, visit: http://www.ntsb.gov/Pressrel/2008/081016a.html

Coyne, Christiansen Praise Success of TEB Industry Working Group

NATA President James K. Coyne, the Teterboro Airport Industry Working Group Co-Chair, along with NetJets Aviation, Inc. President James C. Christiansen, last week praised the success of the Teterboro Airport Industry Working Group during a press conference with local and federal officials at Dassault Falcon Jet Corporation's hangar in Teterboro, NJ. Speakers at the press conference included:

- Congressman Steven Rothman (D-NJ)
- Anthony Coscia, chairman, Port Authority of New York & New Jersey
- Susan Bass Levin, deputy director, Port Authority of New York & New Jersey
- James K. Coyne, TEB Industry Working Group co-chair and president, National Air Transportation Association
- James Christiansen, president, NetJets Aviation, Inc.
-

The purpose of the press conference was to update the public on the Teterboro Airport Industry Working Group's "Pledge to the Community Program" that focuses on five key areas to bridge the interests of the aviation community and airport neighbors proactively and voluntarily, and to offer practical and workable local solutions that address the unique nature of Teterboro Airport (TEB). These five key areas include:

- A voluntary ban of Stage II aircraft operations at TEB
- A voluntary curfew on non-essential nighttime operations between the hours of 11 p.m. and 6 a.m.
- A commitment not to operate aircraft exceeding 100,000 pounds at TEB
- A commitment to make TEB a model for the safest general aviation airport in the nation
- A pledge to enhance and refine the security procedures already in place at TEB and support the airport in its ultimate goal of becoming the industry's security model for general aviation airports

In 2006, the Teterboro Airport Industry Working Group assembled a diverse group of aviation industry professionals who use the airport. Comprised of experienced aviation experts representing TEB's fixed base operators, airport users and tenants, and national and local aviation industry associations, the working group is the first all-industry group to step forward to work with TEB's owner, the Port Authority of New York and New Jersey, and Congressman Steve Rothman to address community concerns.

Since October 2006, more than 300 signatories have joined the Pledge to the Community Program. Most importantly, Stage II aircraft operations and nighttime operations have all dropped significantly since the program's inception. Since October 2006, Stage II operations have dropped by **43 percent** and nighttime operations have declined by **16 percent.**

"I am quite pleased with the continued progress of the working group's Pledge to the Community Program," stated NATA President James C. Coyne. "The significant reduction in Stage II and overnight operations is a testament to the aviation industry's commitment to this critical initiative."

"NetJets Aviation is pleased to be a participant in this widely successful program," stated NetJets Aviation, Inc. President James C. Christiansen. "We continue to encourage our customers to recognize the important pledges established by the working group to ensure that the aviation industry that utilizes the airport, along with its surrounding community, continue to thrive in a safe and secure manner."

As part of the working group's ongoing efforts, a letter sent by aviation industry users reinforcing the need for operators to abide by the voluntary nighttime curfew as well as not to operate Stage II aircraft into and out of the airport was also announced at the press conference. A copy of this letter can be viewed by clicking here.

"The Teterboro Airport Industry Working Group's Pledge to the Community Program continues to be the foundation upon which the aviation community and the local community surrounding the airport address and resolve airport concerns," concluded Coyne and Christiansen. "We continue to encourage aviation industry participation within this critical program."

For more information on the TEB Industry Working Group, please contact ebyer@nata.aero.

Graduate Research Study

Hello!

We are conducting a research study on the behavior of pilots during descent and landing of aircraft. The information collected in this survey will be used to inform the design of support systems for entry descent and landing of human-piloted spacecraft. This investigation is being performed using a web-based survey that will consist of questions regarding your flight experience and the culture of your workplace.

We are looking for individuals who meet at least one of the following requirements:
1. Has received an Air Transport Pilot License (ATPL); AND/OR
2. Is a rated military pilot; AND/OR
3. Has been accepted into the Astronaut Corps as a pilot; AND/OR
4. Instructs or monitors pilots.

If you meet at least one of the requirements and are interested in participating in this study, please visit

http://www.surveymonkey.com/s.aspx?sm=88ZEam4_2bpxuBgcQQ_2bEBmpg_3d_3d

for further instructions on completing the survey. We are interested in surveying many pilots meeting the specified criteria. Your assistance, in forwarding this email to relevant individuals, is greatly appreciated. The survey should take approximately 15 minutes. All answers provided in the survey are collected anonymously and will represent your only interaction with this research project.

By choosing to take part in the survey you are indicating your consent. If you have any questions, please do not hesitate to contact us at zarrin@gatech.edu or at (404) 894-7783.

Sincerely,

Zarrin K. Chua
Graduate Research Assistant
zarrin@gatech.edu
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CONTINUING EDUCATION OPPORTUNITIES

Plan to Attend: The 2009 Air Charter Safety Symposium

The top 10 safety issues facing the charter industry today will be the focus of the second annual Air Charter Safety Symposium, to be held March 3-4, 2009 at the National Transportation Safety Board (NTSB) Training Center in Ashburn, Virginia. Presentations focusing on a variety of topics of interest to Part 135 charter and shared aircraft ownership providers will provide attendees with tools they can take home and implement in their own operations. Safety professionals, crewmembers, directors of operations, and all levels of leadership are encouraged to attend the symposium.

National Transportation Safety Board Members Debbie Hersman and Robert Sumwalt are featured speakers. Hersman will present an overview of the state of safety within the industry, while Sumwalt will give insight into how to sell the Safety Management System (SMS) concept to top management and company owners.

Speakers will also give insight into how to develop and implement an FAA-approved Aviation Safety Action Program (ASAP), and how to develop a disaster management plan for your company.

Starting an ASAP program presents many challenges, including logistics, manpower, employee engagement and technology requirements. However, the safety benefits of having such a program, where employees provide safety event reports that would have otherwise gone unknown to management, are well documented and more operators are beginning to capitalize on this valuable tool.

Since the TWA 800 accident, airlines have been required to develop a robust program to ensure that, in the aftermath of an accident, the families of victims are treated with the appropriate level of care. While these disaster family support plans are not required for air charter and managed aircraft, the need to prepare for such tragedies to provide timely, accurate information and assistance demands that all aircraft operators develop and implement such plans. At the 2009 Symposium, attendees will learn the fundamentals of why and how to prepare disaster support plans.

Plus, the Air Charter Safety Foundation will announce its list of the "Top 10 Safety Action Items," developed with the Foundation's Board of Governors, outlining areas where there should be safety improvements, increased study or specific action to implement existing concepts shown to improve safety.

Be a part of this productive, educational, and even entertaining event. More information and online registration is available at www.acsf.aero/symposium. We look forward to seeing you and your colleagues in March!

TETERBORO SAFETY TRAINING PROVES TO BE POPULAR

Tracking statistics are revealing the popularity and broad reach of new airport safety training now available free and online for New Jersey's Teterboro Airport.

In June, the National Air Transportation Association's (NATA) Safety 1st program launched a customized online training tool that provides pilots and other flight crew members flying into and out of Teterboro Airport access to critical safety information about the airport, including its location, layout, operations, regulations, and safety and security procedures.

With unusual clarity and effectiveness due to its extensive use of interactive graphics, the Safety 1st briefing presents pilots with views of runway incursion hot spots, scenarios for common pilot errors, aircraft lighting configurations, take-off procedures, and other information that is critical to safe aircraft operations.

The Teterboro Airport training tool is available to any interested person at no charge by visiting www.airportflightcrewbriefing.com/teterboro.

Since the launch of the training, more than 80,000 “hits” have been recorded and an average of 61 visitors per day have viewed the safety information provided. We are thrilled at the industry’s acceptance, use and promotion of this effective educational and safety tool,” remarked NATA President James K. Coyne.

In addition to the use statistics, several aircraft operators are requiring their flight crewmembers to complete the course as part of their pilot training. Local FBOs are promoting the use of the training tool in pilot lounges, and the airport itself provides links to the training on its Web site at http://www.panynj.gov/Commutingtravel/airports/html/teb.html.

“With the success of the TEB training, we are hearing from the FAA and other airport operators that they would like Safety 1st to produce additional modules. We are in the process of prioritizing the airports that can benefit most from this proactive approach to safety and hope to begin development of their sites as soon as possible,” Coyne said.

Ensure Your Company's Financial Success
NATA's Financial Management Seminar - Back in 2009

Rarely does a business fail suddenly - instead, failure happens over time. Most businesses fail due to internal factors, not external factors like competition or economic conditions. There are numerous internal factors that can contribute to business failure such as poor business planning, lack of forecasting, growth without adequate capitalization, poor control of receivables, etc.

Running a successful business involves taking some risks, especially in an unstable economy. However, do not take unnecessary risk when it comes to financial planning. Be sure to register for NATA's Financial Management Tools and Techniques Seminar to obtain the skills you need to ensure financial success.

In this two-day seminar, you will discover the techniques for evaluating your business's performance, gain knowledge of the key steps to developing a solid business plan, and learn how your decisions affect the balance sheet as well as the income statement. This seminar will train you on these topics and many more - training you can use to build a solid financial foundation that will increase your company's bottom line and improve your ROI, right away.

The seminar will be held on March 11 and 12 in conjunction with the 2009 Aviation Industry Expo in Las Vegas, NV. It is sure to be one investment you will be glad you made!

Information for Operators (InFO)

Each issue of the *NATA Safety 1st Flitebag* includes a review of the latest InFOs. If you have not read previous issues, please review all InFOs by clicking here.

An InFO contains valuable information for operators that should help them meet certain administrative, regulator or operational requirements with relatively low urgency or impact on safety. InFOs contain information or a combination of information and recommended action to be taken by the respective operators identified in each individual InFO.

Number	Title
08053 (PDF)	FAA Safety Management System (SMS) developments No. 2
08052 (PDF)	Potential shortage of potassium acetate (KAc)-based runway deicer fluid (RDF) for the 2008/09 winter season
08051 (PDF)	ICAO guidance on Certified True Copy of the Air Operator Certificate (AOC)
08050 (PDF)	Ceiling sometimes required for dispatch or flight release under 121.613
08049 (PDF)	Preventing Wrong Runway Takeoffs
08048	**Superseded by InFO 08051**
08047 (PDF)	Compilation of FSAW 94-32C (PDF), FSAW 94-41 (PDF), FSAW 95-09E (PDF), FSAW 97-09 (PDF), FSAW 98-04 D (PDF) and FSAW 02-03A (PDF)

Safety Alert for Operators (SAFOs) – Maintain Currency

Each issue of the *NATA Safety 1st Flitebag* includes a review of the latest SAFOs. If you have not read previous issues, please review all SAFOs by clicking here.

What is a SAFO?
A SAFO contains important safety information and may include recommended action. SAFO content should be especially valuable to air carriers in meeting their statutory duty to provide service with the highest possible degree of safety in the public interest.

Number	Title
08023 (PDF)	Fuel Crossfeed and Fuel Exhaustion in the Convair 580
08022 (PDF)	Required installation of the ventral fin for DeHavilland DHC-2 (Beaver) airplanes configured with EDO Model 679-4930 floats and the Kenmore Harbor Inc., Sea Fins
08021 (PDF)	Importance of Standard Operating Procedures (SOP) as Evidenced by a Take off Configuration Hazard in Boeing DC-9 series, MD-80 series, MD-90, and B-717 Airplanes.
08020 (PDF)	The loss of flight displays and aircraft systems following partial electrical power failure on A320 series airplanes
08019 (PDF)	Magnetic Variation Errors with Pegasus FMC on B-717, MD-10, and MD-11

The National Air Transportation Association (NATA), The Voice of Aviation Business, is committed to raising the standard on air safety and implemented additional guidance through NATA's Safety 1st Management System (SMS) for Air Operators. The Flitebag provides continuing education in support of the SMS program.

Subscribe to the NATA Safety 1st Flitebag. If you are not currently a subscriber to NATA Safety 1st Flitebag and would like to receive it on a regular basis, please email mailto:Safety1st@nata.aero. The NATA Safety 1st Flitebag is distributed free of charge to NATA member companies and NATA Safety 1st participants.