

**Open Air Tours Recommendations
Issued to the Federal Aviation Administration
By the
National Transportation Safety Board**

Public Aircraft Safety, Safety Study NTSB/SS-01/01

Issue Date 11/29/2001

The term "public aircraft" refers not to a specific population of aircraft, but to government-sponsored flights meeting specific criteria laid out in the Code of Federal Regulations (CFR). Essentially, public aircraft operations are a subset of government-sponsored aircraft operations. Public aircraft status means, among other things, that an aircraft will not be subject to some of the regulatory requirements applicable to "civil" (or civilian) aircraft. Although the precise statutory definition has changed over the years, public aircraft operations generally include law enforcement, low-level observation, aerial application, firefighting, search and rescue, biological or geological resource management, and aeronautical research.

A-01-077 Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 11/29/2001 **Most Wanted** No

Recommendation

The NTSB recommends that the Federal Aviation Administration: Develop a new reporting matrix on the General Aviation and Air Taxi Activity Survey form that separates the administrative purpose of flight (for example, personal, business, corporate, regional, air taxi, air tours, sightseeing, public use, air medical services, search and rescue, and so on) from the actual flying activity performed (for example, transport of passengers, flight instruction, aerial observation, aerial application, external load, and so on). Incorporate these changes in published flight hour estimates.

Response

Date 1/22/2002 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 01/29/2002 4:07:36 PM MC# 2020092 The Federal Aviation Administration (FAA) agrees that improvements should be made to the General Aviation, Air Taxi and Avionics Survey (GMTAS). The FM has been working through the past year with a group of government and industry representatives (including representatives from the Safety Board) to identify and prioritize specific improvements to the survey instrument and survey processes. This project is being conducted under the sponsorship of the Safer Skies initiative, and the working team is known as the General Aviation Data Improvement Team (GADIT). The current status of this project is that the FAA, government, and industry representatives from the GADIT have submitted recommendations for improving the GMTAS to the Joint Steering Committee for Safer Skies. The combined GADIT has subsequently developed some preliminary implementation approaches, with accompanying high-level resource estimates for accomplishing the various items. The FAA will seek feedback on the selected approaches from the Safer Skies Joint Steering Committee at its January meeting. After that, the FAA will determine specific resource requirements and sources for those resources. A detailed implementation plan will be published after FAA, other government, and industry representatives confirm their resource commitments for the implementation process. The FAA will fold the Board's safety recommendations to improve activity estimates for public use aircraft into the detailed implementation plans being developed for similar improvements suggested by the GADIT. The details of specific changes to the survey instrument and survey process may differ somewhat from the specifics contained in the Board's safety recommendations. However, the FM believes improvements to the GAATAS will result in better activity estimates for all segments of the target population, including public use aircraft. The FAA also agrees that definitions of public use aircraft and public use flight operations should be harmonized with data collection activities conducted by the General Services Administration. To that end, the FM will meet with representatives from the General Services Administration in January to determine what changes

would be appropriate for either agency to make. I will keep the Board informed of the FAA's progress on these safety recommendations.

Date 5/2/2002 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA has stated that it agrees that improvements should be made to the General Aviation, Air Taxi and Avionics Survey (GAATAS) and that it is working with a group of industry and government representatives (including Safety Board representatives) to produce a detailed implementation plan to address the issues noted by the safety recommendations. The Safety Board appreciates the FAA's efforts to improve the activity survey form and is committed to working with you to make the improvements.

The FAA has stated that it will meet with the General Services Administration (GSA) to harmonize the definitions of public use aircraft and public use flight operations with GSA data collection activities. The Safety Board would appreciate having the opportunity to review the changes agreed upon by both agencies.

Regarding Safety Recommendation A-01-75, the FAA states that it agrees with the intent of this recommendation and in January 2002 began efforts to establish a two-person team of legal instruments examiners to improve currency and accuracy of the data in the Civil Aircraft Registry. The FAA reports that the legal instruments examiners will focus on the aircraft in "sale reported" and "registration pending" status, as well as aircraft with a status code denoting "non-useable addresses." The Safety Board concurs that these potential improvements are an important undertaking, and looks forward to reviewing the progress of this action. Accordingly, Safety Recommendations A-01-73 thru -80 are classified "Open—Acceptable Response" pending completion of the recommended actions.

Aviation Accident Report: Weather Encounter and Subsequent Collision into Terrain, Bali Hai Helicopter Tours, Inc., Bell 206B, N16849, Kalaheo, Hawaii, September 24, 2004

Issue Date 2/27/2007 **Kalaheo HI** 9/24/2004

On September 24, 2004, about 1642 Hawaiian standard time, a Bell 206B helicopter, N16849, registered to and operated by Bali Hai Helicopter Tours, Inc., of Hanapepe, Hawaii, impacted mountainous terrain in Kalaheo, Hawaii, on the island of Kauai, 8.4 miles northeast of Port Allen Airport in Hanapepe. The commercial pilot and the four passengers were killed, and the helicopter was destroyed by impact forces and post impact fire. The nonstop sightseeing air tour flight was operated under the provisions of 14 Code of Federal Regulations (CFR) Part 91 and visual flight rules (VFR) with no flight plan filed. Instrument meteorological conditions (IMC) prevailed near the accident site.

A-07-018

Status OPEN UNACCEPTABLE RESPONSE **Issue** 2/27/2007 **Most**
Wanted No
Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: In cooperation with Hawaii commercial air tour operators, aviation psychologists, and meteorologists, among others, develop a cue-based training program for commercial air tour pilots in Hawaii that specifically addresses hazardous aspects of local weather phenomena and in-flight decision-making.

Response

Date 12/4/2007 **From** NTSB **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA

The FAA indicated its belief that Operations Specifications (OpSpec) paragraph B048 (b) (4) fully addresses this recommendation. The Safety Board disagrees. OpSpec B048(b)(4) specifies that Part 135 air tour operators are responsible for including in their new-hire training program the issues addressed in this recommendation. The Board notes that OpSpecs apply only to Part 135 operators and that the operator involved in the accident that prompted this recommendation, Bali Hair Air Tours, was a Part 91 operator. Although the FAA has initiated the use of Letters of Authorization (LOA) for Part 91 air tour operators, the FAA has not indicated that the provisions of OpSpec B048 can or will be applied to Part 91 operations.

However, issuance of OpSpec B048 is not responsive to this recommendation because the recommendation asks for the development, in cooperation with Hawaiian commercial air tour operators, aviation psychologists, and meteorologists, among others, of a cue-based training program (emphasis added). Issuance of the OpSpec does not necessarily lead to the development of the cue-based program recommended, nor does it necessarily involve anyone other than the individual air tour operator. The Safety Board believes that an acceptable response to this recommendation will create a set of audio-visual aids that would show pilots actual weather conditions, as they would appear in flight, and train them in consensus opinions about when certain in-flight decisions (for example, whether or not to deviate from the usual flight path) should be made. The Board does not believe that OpSpec B048 (b) (4) will develop such a program. Pending the FAA's taking the recommended action, Safety Recommendation A-07-18 is classified Open Unacceptable Response.

Date 12/2/2008 **From** Addressee **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA
 Letter received 12/29/2008 under review by NTSB

A-07-019

Issue Area

Status OPEN UNACCEPTABLE RESPONSE **Issue** 2/27/2007 **Most**

Wanted No

Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Once a cue-based training program that specifically addresses hazardous aspects of local weather phenomena and weather-related, decision-making issues is developed (as requested in Safety Recommendation A-07-18), require all commercial air tour operators in Hawaii to provide this training to newly hired pilots.

Response

Date 12/4/2007 **From** NTSB **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA

The FAA indicated its belief that OpSpec B048 paragraphs (b)(3) and (b)(4) fully addresses this recommendation. The Safety Board disagrees. OpSpec B048 (b)(3) specifies Initial Operating Experience requirements and (b)(4) specifies a number of topics that Part 135 air tour operators are responsible for including in their new-hire training program. As with Safety Recommendation A-07-18, the Board notes that OpSpecs apply only to Part 135 operators while this recommendation was prompted by an accident involving an air tour operator under Part 91. The FAA has not indicated that the provisions of OpSpec B048 can or will be applied to Part 91 operations.

The Board also notes that this recommendation does not simply ask for a training program for newly hired pilots, rather it asks that the cue-based program recommended in Safety Recommendation A-07-18 be required. The requirements in OpSpec B048 will not mandate such a program.

Pending a requirement that all (Part 91 as well as Part 135) Hawaiian commercial air tour operators provide the training developed in response to Safety Recommendation A-07-18 to all newly hired pilots, Safety Recommendation A-07-19 is classified Open Unacceptable Response.

Date 12/2/2008 **From** Addressee **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA

Letter received 12/29/2008 under review by NTSB

A-07-020

Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 2/27/2007 **Most**

Wanted No

Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Establish operational practices for commercial air tour helicopter pilots that include rest breaks and that will ensure acceptable pilot performance and safety and require commercial air tour helicopter operators to adhere to these practices.

Response

Date 12/4/2007 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The Safety Board notes that OpSpec B048, paragraph (b)(9), requires that pilots of air tour aircraft be limited to no more than three consecutive air tour flights, or 3 hours of flight time, without a 30-minute rest break, and that no pilot of an air tour aircraft may operate more than eight air tour flights, or 8 hours of flight time, in 1 day. The Safety Board is pleased that the FAA has moved quickly to address this issue. The Board asks that the FAA explain the basis for the three-flight/3-hour limit before a break is required, and the eight-flight/8-hour limit for a single day. Pending the FAA's responding to that question, Safety Recommendation A-07-20 is classified Open Acceptable Response.

Date 12/2/2008 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA
Letter received 12/29/2008 under review by NTSB

the FAA must address two important concerns before Safety Recommendation A-07-22 can be closed.

Because this requirement is part of an OpSpec that applies only to Part 135 operators, it is not clear how the FAA will apply this requirement to Part 91 operators like Bali Hai. The second issue of concern to the Board is based on our findings in the Bali Hai accident. During that investigation, the FAA indicated that the purpose of the safety meetings was to review SFAR 71 and sightseeing/air tour issues and procedures, and Bali Hai's owner stated his belief that the meetings provided his pilots an opportunity to refresh their knowledge of SFAR 71 and the SFAR 71 deviation requirements. However, the investigation revealed disparity between the intent of these meetings and the actual discussion topics and follow-up discussions that occurred. A FSDO inspector stated that some past meetings had disintegrated into complaint sessions or had strayed into other topics. Many Kauai air tour pilots demonstrated a lack of understanding of their respective companies' minimum altitudes for ridge crossings, issues that should have been addressed at the required meetings.

Therefore, while dictating items that must be on the agenda, and requiring that the agenda be given to the FSDO in advance of the meeting is an improvement, the FAA needs to evaluate whether the meetings are in fact covering the topics on the agenda. In particular, the FAA needs to evaluate whether pilots who attend these meetings understand their respective companies' minimum altitudes for ridge crossings, and other issues related to Part 136, Appendix A (which replaced SFAR 71).

Pending evaluation of the effectiveness of the required meetings in OpSpec B048 (b)(6), and extension of this requirement to Part 91 commercial air tour operators, Safety Recommendation A-07-22 is classified Open Acceptable Response.

Date 12/2/2008 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA
Letter received 12/29/2008 under review by NTSB

A-07-024

Issue Area

Status OPEN UNACCEPTABLE RESPONSE **Issue** 2/27/2007 **Most**
Wanted No

Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Develop and enforce safety standards for all commercial air tour operations that include, at a minimum, initial and recurrent pilot training programs that address local geography and meteorological hazards and special airspace restrictions; maintenance policies and procedures; flight scheduling that fosters adequate breaks and flight periods (as established by the implementation of Safety Recommendation A-07-20); and operations specifications that address management, procedures, route specifications, and altitude restrictions, as necessary.

Response

Date 5/17/2007 **From** Addressee **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 5/31/2007 8:30:30 AM MC# 2070237:Marion C. Blakey, Administrator, FAA, 5/17/07 The Honolulu Flight Standards District Office revised Operations Specifications B048 for its assigned commercial air tour operators. It includes initial and recurrent pilot training programs that address local geography and meteorological hazards and special airspace restrictions; flight scheduling that fosters adequate breaks and flight periods (as established by the implementation of Safety Recommendation A-07-20); and operations specifications that address management, procedures, route specifications, and altitude restrictions, as necessary.

Date 12/4/2007 **From** NTSB **Status** OPEN UNACCEPTABLE RESPONSE **Addressee** FAA

The FAA responded that the Honolulu FSDO revised OpSpec B048 for its assigned commercial air tour operators to address the issues discussed in this recommendation. The Safety Board notes that the intent of this recommendation was for the establishment and enforcement of national standards, not just for one FSDO, and for the application of these standards to both Part 91 and Part 135 commercial air tour flights. Therefore, the FAA, in describing the development by a single FSDO of a set of OpSpecs that apply only to Part 135 commercial air tour operators, has not responded to this recommendation. Pending the development and implementation of national safety standards for both Part 91 and Part 135 commercial air tour operators, Safety Recommendation A-07-24 is classified Open Unacceptable Response.

A-07-025 Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 2/27/2007 **Most**

Wanted No

Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration:Accelerate the implementation of automatic dependent surveillance-broadcast (ADS-B) infrastructure in the State of Hawaii to include high-quality ADS-B services to low-flying aircraft along heavily traveled commercial air tour routes.

Response

Date 5/17/2007 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 5/31/2007 8:30:30 AM MC# 2070237:Marion C. Blakey, Administrator, FAA, 5/17/07 The state of Hawaii is scheduled to have ADS-B deployed by 2013. The FAA's Surveillance and Broadcast Services program office has engaged in talks with the Helicopter Association International (HAI) to explore setting up a Memorandum of Agreement (MOA) with air tour operators in Hawaii. This MOA will be similar to the MOA with operators in the Gulf of Mexico. We believe that an MOA would provide a mutually beneficial relationship. The helicopter operators would voluntarily equip with compatible avionics and the agency would possibly change the timing of the deployment schedule for Hawaii.

Date 12/4/2007 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA responded that Hawaii is currently scheduled to have ADS-B deployed by 2013. The FAA is currently exploring the possibility of creating Memorandums of Agreement (MOAs) with air tour operators in Hawaii that would establish helicopter operators' voluntarily equipping their aircraft with the avionics needed to use ADS-B, and the FAA's changing the timing of the ADS-B deployment schedule for Hawaii. Pending the creation and adoption of MOAs that result in the acceleration of the ADS-B implementation schedule for Hawaii, Safety Recommendation A-07-25 is classified Open Acceptable Response.

A-07-026 Issue Area

Status OPEN ACCEPTABLE ALTERNATE RESPONSE **Issue** 2/27/2007

Most Wanted No

Location Kalaheo, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration:Require that Hawaii air tour operators equip tour aircraft with compatible automatic dependent surveillance-broadcast (ADS-B) technology within 1 year of the installation of a functional National ADS-B Program infrastructure in Hawaii.

Response

Date 5/17/2007 **From** Addressee **Status** OPEN ACCEPTABLE ALTERNATE RESPONSE **Addressee** FAA

Letter Mail Controlled 5/31/2007 8:30:30 AM MC# 2070237:Marion C. Blakey, Administrator, FAA, 5/17/07 As stated above in the response to safety recommendation A-07-25, the FAA's Surveillance and Broadcast Services program office is considering an MOA as an option rather than an equipage mandate. This approach could expedite the equipage process along with the deployment of the ground infrastructure. If we use the mandate process as the alternative method, it may require a longer time and result in operator opposition. We will continue to work with HA1 to decide if an MOA would be more mutually beneficial than the mandate. As the Hawaiian ADS-B Program infrastructure becomes available, we may begin rulemaking action to require commercial air tour operators to equip air tour aircraft with compatible ADS-B technology within 1 year of a final rule. If the agency chooses to do rulemaking, it would be subject to an economic and safety analysis.

Date 12/4/2007 **From** NTSB **Status** OPEN ACCEPTABLE ALTERNATE RESPONSE **Addressee** FAA

The FAA indicated that is considering an alternative to the requirement recommended. In this alternative approach, the FAA will create MOAs with air tour operators in Hawaii, as discussed in its response to Safety Recommendation A-07-25. The FAA believes that the MOA approach will result in ADS-B equipment being installed and used sooner than is likely with a requirement for air tour operators to have the equipment installed. A mandate may also result in operator opposition and increase the uncertainty of the ultimate action taken.

Development of MOAs with commercial Hawaiian air tour operators is an acceptable alternative approach so long as the FAA can provide evidence that all operators have adopted the MOA. The Board is particularly concerned that air tour flights operated under visual flight rules (VFR) may not adopt the MOA, despite the fact that these operations would realize important safety benefits in Hawaii if ADS-B were available and used in these operations. Pending development and adoption of MOAs for the equipage with ADS-B equipment for all aircraft used in commercial Hawaiian air tour operations, and evidence to indicate that all affected operators (including those under VFR) have signed an MOA, Safety Recommendation A-07-26 is classified Open Acceptable Alternate Response.

into the Pacific Ocean several hundred feet off the coast. The Board is concerned that the Heli-USA flight would not have been subject to the requirements in OpSpec B-048, paragraph (e)(4)(c), yet the presence of the flotation equipment would have aided survival of the people on board the helicopters. Consequently, pending issuance of a requirement that all helicopters used in commercial air tour operations over water, regardless of the amount of time spent over water or the distance of the shoreline, be amphibious or equipped with fixed or inflatable floats, Safety Recommendation A-07-27 is classified "Open-Unacceptable Response."

Aircraft Accident Brief: Crash of Sundance Helicopters, Inc., Aerospatiale AS350BA, N270SH, Near Grand Canyon West Airport, Arizona, September 20, 2003, LAX03MA292

Issue Date 11/7/2007 **Descent Canyon AZ** 9/30/2003

On September 20, 2003, about 1238 mountain standard time, an Aerospatiale AS350BA, N270SH, operated by Sundance Helicopters, Inc., crashed into a canyon wall while maneuvering through Descent Canyon, about 1.5 nautical miles east of Grand Canyon West Airport (1G4) in Arizona. The Pilot and all six passengers on board were killed, and the helicopter was destroyed by impact forces and postcrash fire. The air tour sightseeing flight was operated under the provision of 14 Code of Federal Regulations (CFR) Part 135. The helicopter was transporting passengers from a helipad at 1G4 (CFR) Part 135. The helicopter was transporting passengers from a helipad at 1G4 (helipad elevation 4,775 feet mean sea level [msl]) to a riverside helipad designated "the Beach" (elevation 1,300 feet msl) via Descent Canyon.

	Overall Status		Priority
A-07-089	Issue Area		
Status	OPEN ACCEPTABLE RESPONSE	Issue	11/7/2007 Most Wanted
Location	Descent Canyon, AZ		

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Require periodic en route surveillance of all repetitively flown commercial air tour routes in the Grand Canyon area, including those routes located outside of the Special Federal Aviation Regulations No. 50-2 airspace.

Response

Date 2/19/2009 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 3/3/2009 11:34:40 AM MC# 2090120: FAA Comment. On September 10,2008, the Federal Aviation Administration issued Notice 8900.49, Work Program Development for Part 135 Helicopter Emergency Medical Services (HEMS) Operators or Commercial Air Tour Operators, (enclosed). This notice provides work program developmental guidance to aviation safety inspectors with surveillance responsibilities for commercial air tour operators.

As cited in Notice 8900.49, principal inspectors, when developing their annual work program or while reassessing their work program throughout the year, should consider using the part 135 Surveillance Priority Index (SPI) tool, a new module in the Safety Performance Analysis System (SPAS). This tool allows inspectors to prioritize work functions based upon the SPI ranked analysis. Inspectors use the SPAS SPI to identify increased hazards at a particular operator, allowing the inspector to increase or redirect surveillance, including en route surveillance, as necessary. This SPI tool allows the FAA to better manage its resources, focusing surveillance where it is most needed. Notice 8900.49 directs principal inspectors to conduct at least one en route inspection per year on every commercial air tour operator. Based on the results of the SPAS SPI, inspectors will accomplish additional en route inspections as necessary.

I believe that the FAA has effectively addressed this safety recommendation, and I consider our actions complete.

Date 6/11/2009 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA's letter indicated that Order 1800.56, Section 7a, Special-Emphasis Inspections, provided guidance for the surveillance of commercial air tour operators, advising inspectors to consider the NTSB's recommendations when planning surveillance. On September 4, 2008, the NTSB replied that Safety Recommendation A-07-89 asks for periodic en route surveillance of all repetitively flown commercial air tour routes. However, although Order 1800.56, Section 7a calls for ramp checks, it does not discuss the need for en route surveillance flight checks. Safety Recommendation A-08-60 asks for both en route and ground-based observations of air tour flights in Southeast Alaska. As with Safety Recommendation A-07-89, the NTSB is concerned that Safety Recommendation A-08-60 is not fully

addressed by Order 1800.56 because the order does not discuss en route checks for air tour flights.

The second part of the FAA's response, that it is considering a permanent mechanism for heightened surveillance during the tour season, is responsive to Safety Recommendation A-08-60. Pending changes to Order 1800.56 to require en route and ground-based observations of air tour flights in Southeast Alaska and development and use of a mechanism to ensure these observations at least once per month during the tour season, Safety Recommendation A-08-60 is classified Open Acceptable Response.

A-07-090

Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 11/7/2007 **Most Wanted**
NO

Location Descent Canyon, AZ

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Require all commercial air tour operators to maintain records of all safety-related complaints and complaint correspondence regarding pilot performance, document what actions the company took to address each complaint, and make the records available to the principal operations inspector for periodic review.

Response

Date 9/4/2008 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA plans to issue an information for operators (InFO) message to the affected operators that will recommend that air tour operators take the actions recommended. InFO messages merely provide guidance, and compliance with their recommendations is not compulsory; this recommendation asks that operators be required to maintain these records and take subsequent action. The Safety Board believes that to fully meet the intent of this recommendation, the FAA needs to implement a requirement, such as adding the actions in the planned InFO to the operations specifications (OpSpec) for an air tour operator. The Safety Board recognizes that issuing an InFO is an action the FAA can take quickly to begin to address this recommendation, but some type of a requirement will need to follow to fully satisfy the recommendation. Pending issuance of the InFO and subsequent issuance of a requirement, such as an OpSpec, mandating the actions recommended, Safety Recommendation A-07-90 is classified Open Acceptable Response.

Date 2/19/2009 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter received 3/3/2009 under review by NTSB

A-07-091

Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 11/7/2007 **Most Wanted**

Location Descent Canyon, AZ

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Require all commercial air tour operators to maintain the names and contact information of all passengers, along with the respective flight's identification number, for at least 30 days following the flights.

Response

Date 9/4/2008 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

On February 14, 2008, the FAA issued InFO 08009, Commercial Air Tour Operator Flight and Manifest Documentation. This InFO recommends that air tour operators take the action recommended; however, as noted previously, InFOs provide guidance, and compliance with their recommendations is not compulsory. Again, to fully meet the intent of this recommendation, the FAA will need to incorporate the InFO's content into a requirement, such as air tour operators' OpSpecs. Pending incorporation of the InFO's recommended actions into the OpSpecs of air tour operators or a similar requirement, Safety Recommendation A-07-91 is classified Open Acceptable Response.

Date 2/19/2009 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter received 3/3/2009 under review by NTSB

Aircraft Accident Brief: Crash of Heli-USA Airways Inc., Aerospatiale AS350BA, N354NT, while landing at Princeville Airport, Princeville, Hawaii, March 8, 2007, NYC07MA073

Issue Date 6/12/2008 **Princeville HI** 3/8/2007

On March 8, 2007, about 1502 Hawaii standard time, an Aérospatiale AS350BA, N354NT, serial number 1168, operated by Heli-USA Airways, Inc., crashed into terrain following a loss of control while landing at Princeville Airport, Princeville, Hawaii. The certificated airline transport rotorcraft rated pilot and three passengers were killed, three passengers were seriously injured, and the helicopter was destroyed. The helicopter was operated under the provisions of 14 Code of Federal Regulations (CFR) Part 135 as an air tour flight. Visual meteorological conditions (VMC) prevailed, and a company flight plan was filed.

A-08-032 Issue Area

Status OPEN RESPONSE RECEIVED **Issue** 6/12/2008 **Most Wanted**
NO

Location Princeville, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Require that all air tour operators (14 Code of Federal Regulations Parts 91 and 135) establish and maintain a system for continuously analyzing the performance and effectiveness of their inspection and maintenance program to ensure that all maintenance is performed with the utmost regard for quality and safety.

Response

Date 10/30/20 **From** Addressee **Status** OPEN RESPONSE RECEIVED **Addressee** FAA

Letter Received 10/31/2008 under review by NTSB

A-08-033 Issue Area

Status OPEN RESPONSE RECEIVED **Issue** 6/12/2008 **Most Wanted**
NO

Location Princeville, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Require air tour operators to provide formal, model-specific helicopter maintenance training for their mechanics to ensure an adequate level of competency.

Response

Date 10/30/20 **From** Addressee **Status** OPEN RESPONSE RECEIVED **Addressee** FAA

Letter Received 10/31/2008 under review by NTSB

A-08-034 Issue Area

Status OPEN RESPONSE RECEIVED **Issue** 6/12/2008 **Most Wanted**
NO

Location Princeville, HI

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration:

Develop a mechanism to provide direct surveillance of air tour maintenance at all locations where a company's maintenance is conducted.

Response

Date 10/30/2008 **From** Addressee **Status** OPEN RESPONSE RECEIVED **Addressee** FAA
Letter Received 10/31/2008 under review by NTSB

Aircraft Accident Brief: Crash of Taquan Ai Servide de Havilland DHC-2, N995WA, 40 miles northeast of Ketchikan, Alaska, July 24, 2007, ANC07MA083

Issue Date 7/31/2008 **Ketchikan AK** 7/24/2007

On July 24, 2007, about 1405 Alaska daylight time, a float-equipped de Havilland DHC-2 airplane, N995WA, operated by Taquan Air Service, was destroyed when it impacted mountainous terrain about 40 miles northeast of Ketchikan. The airline transport pilot and all four passengers were killed. The airplane was being operated under 14 Code of Federal Regulations (CFR) Part 135 as a visual flight rules (VFR) on-demand air tour flight. Instrument meteorological conditions were reported in the area at the time of the accident.

A-08-059 Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 7/31/2008 **Most Wanted** NO

Location Ketchikan, AK

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Install and maintain weather cameras at critical areas of air tour routes within the Misty Fjords National Monument and other scenic areas in Southeast Alaska that are frequently traveled by air tour operators.

Response

Date 10/27/2008 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 11/6/2008 12:15:33 PM MC# 2080674: Robert A. Sturgell, Acting Administrator, FAA, 10/27/08 The Misty Fjords area weather camera site is currently scheduled to be installed and become operational in FY09. The network of weather cameras, which will cover a total of 221 sites, is scheduled for completion by 2014. Approximately 30 of the additional camera sites will be installed in Southeast Alaska and include locations such as Ketchikan, the Misty Fjords area, Taku Inlet, and other locations along air tour routes and scenic areas of Southeast Alaska that are frequently traveled by air operators.

The address for the FAA Weather Camera website is: <http://akweathercams.faa.gov/>. A link from this home page (Important Announcements) provides a list of all proposed cameras, their planned install year, and the status of installation. In addition, a link from this home page (Camera Location Map) provides a map depicting all of the existing and proposed weather camera locations.

Date 6/11/2009 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA replied that the Misty Fjords area weather camera is scheduled to be installed and become operational this fiscal year. By 2014, when the installation of weather cameras in Alaska is scheduled for completion, approximately 30 additional cameras will be installed at sites in Southeast Alaska, including Ketchikan, the Misty Fjords area, Taku Inlet, and other locations along air tour routes and scenic areas of Southeast Alaska that are frequently traveled by air operators. Pending completion of the program to install weather cameras at critical areas of air tour routes in Southeast Alaska that are frequently traveled by air tour operators, Safety Recommendation A-08-59 is classified Open Acceptable Response.

A-08-060 Issue Area

Status OPEN RESPONSE RECEIVED **Issue** 7/31/2008 **Most Wanted** NO

Location Ketchikan, AK

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Develop a permanent mechanism to provide en route and ground-based observations of air tour

flights in Southeast Alaska at least once a month during the tour season to ensure operators are adhering to safe flying practices.

Response

Date 5/20/2009 **From** Addressee **Status** OPEN RESPONSE RECEIVED **Addressee** FAA

Letter Mail Controlled 5/29/2009 11:35:19 AM MC# 2090337: FAA Comment. On September 10, 2008, the Federal Aviation Administration issued Notice 8900.49, Work Program Development for Part 135 Helicopter Emergency Medical Services (HEMS) Operators or Commercial Air Tour Operators. This notice provides work program developmental guidance to aviation safety inspectors with surveillance responsibilities of commercial air tour operators.

As cited in Notice 8900.49, principal inspectors should consider using the 135 Surveillance Priority Index tool (SPI), a new module in the Safety Performance Analysis System (SPAS), when developing the inspector's annual work program or while reassessing their work program throughout the year. This tool allows inspectors to prioritize work functions based upon the SPI ranked analysis. The SPAS SPI tool can be used to identify increased hazards of a particular operator and allows the FAA inspector to increase or redirect surveillance based on ranked priority, to include en route surveillance, as necessary. The SPI tool allows the FAA to better manage its resources, focusing surveillance where it is most needed. Notice 8900.49 directs principal inspectors to conduct at least one en route inspection per year on every commercial air tour operator. Based on the results of the SPAS SPI, additional en route inspections will be accomplished as necessary.

I believe that the FAA has effectively addressed this safety recommendation, and I consider our actions complete.

Date 6/11/2009 **From** NTSB **Status** OPEN RESPONSE RECEIVED **Addressee** FAA

The FAA replied that it has a permanent mechanism for direct surveillance through the FAA work program; this program consists of baseline and required inspections for each air tour operator. The FAA stated that required inspections are described in Order 1800.56, National Flight Standards Work Program Guidelines. In addition, the FAA reported that it is considering initiating a permanent mechanism to heighten surveillance during the tour season for both Part 135 and Part 91 air tour operators.

The NTSB notes that, although not cited in the FAA's October 27, 2008, response letter, the FAA's February 8, 2008, response to Safety Recommendation A-07-89, stated below, is relevant to the FAA's response to Safety Recommendation A-08-60.

A-08-061 Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 7/31/2008 **Most Wanted**
NO

Location Ketchikan, AK

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Develop, in cooperation with Southeast Alaska commercial air tour operators, aviation psychologists, and meteorologists, among others, a cue-based training program for commercial air tour pilots in Southeast Alaska that specifically addresses hazardous aspects of local weather phenomena and in-flight decision-making.

Response

Date 5/20/2009 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 5/29/2009 11:35:19 AM MC# 2090337: FAA Comment. The FAA continues to work with local operators in Alaska, the Medallion Foundation, and the National Institute for Occupational Safety and Health Center for Disease Control and Prevention to develop a cue-based weather training video that is incorporated into operator specific training programs. The FAA will continue to monitor pilot training programs of air tour operators conducting air tours through the Misty Fjords National Monument and other scenic areas in Southeast Alaska until this video is developed.

Pilots operating in visual flight rules (VFR) weather conditions need to recognize the onset of deteriorating weather conditions and have planned escape routes when necessary. The FAA will review the pilot training programs to ensure this training is included.

Date 6/11/2009 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA stated that it is working with local operators in Alaska, the Medallion Foundation, and the National Institute for Occupational Safety and Health to develop a cue-based weather-training program that will be incorporated into operator-specific training programs. Pending completion of this cue-based training program, Safety Recommendation A-08-61 is classified Open Acceptable Response.

A-08-062 Issue Area

Status OPEN ACCEPTABLE RESPONSE **Issue** 7/31/2008 **Most Wanted**
NO

Location Ketchikan, AK

Recommendation

The National Transportation Safety Board recommends that the Federal Aviation Administration: Once a cue-based training program that specifically addresses hazardous aspects of local weather phenomena and weather-related, decision-making issues is developed as requested in Safety Recommendation A-08-61, require all commercial air tour operators in Southeast Alaska to provide initial and recurrent training in these subjects to their pilots.

Response

Date 5/20/2009 **From** Addressee **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

Letter Mail Controlled 5/29/2009 11:35:19 AM MC# 2090337: FAA Comment. Once the FAA has completed the development of a cue-based weather training video for VFR operation in Alaska, the FAA will incorporate this video into 14 CFR part 135 air tour operator training programs.

Date 6/11/2009 **From** NTSB **Status** OPEN ACCEPTABLE RESPONSE **Addressee** FAA

The FAA replied that once development of the cue-based weather-training program in Safety Recommendation A-08-61 is completed, the FAA will incorporate this program into Part 135 air tour operators' training programs. The FAA's plan is responsive to this recommendation for Part 135 operators; however, the recommendation asks that this training be required for all commercial air tour operators in Southeast Alaska. The NTSB asks the FAA to describe how this training will be required for Part 91 commercial air tour operators in Southeast Alaska. Pending the FAA's completing the recommended action, Safety Recommendation A-08-62 is classified Open Acceptable Response.