



Federal Aviation Administration

Memorandum

Date: MAR 18 2011

To: Manager, Hotline Operations Office, AAE-1

From: *W. Scott Biggs Jr.*
J. Mark Reeves
Director, Terminal Operations, Western Service Area

Subject: Response to Federal Aviation Administration (FAA) Administrator's Hotline
Control #201102170002

This is in response to a confidential call to the FAA Administrator's Hotline Office on February 17, 2011. The confidential caller reported a loss of separation that occurred on July 25, 2010, at Camarillo Airport Traffic Control Tower (CMA) involving a Cessna N6606Y and a Piper N33112. The confidential caller also stated that this incident was never investigated by management and was covered up.

Allegations against employees are taken very seriously. Upon receipt of this Hotline inquiry, an investigation was conducted by the LAX District to identify if a loss of separation occurred and to review the allegation that this incident was covered up. Our findings are below.

This issue was originally brought to CMA management's attention via a Freedom of Information Act (FOIA) request for data and an Equal Employment Opportunity (EEO) complaint in September 2010. An investigation was conducted by the Los Angeles District, including a review of the voice tapes and the information requested under the FOIA.

The investigation revealed that, based on the voice tapes, there was no evidence that a loss of separation occurred. Due to differences in pilot performance and the unknown position of the aircraft at the time the takeoff clearance was issued, we could not definitively calculate when an aircraft started its takeoff roll.

The Front Line Manager (FLM) and the Certified Professional Controller (CPC) who were working the Local Control position during this alleged event were both interviewed via telephone on March 8, 2011. Neither individual could recall an issue involving these two aircraft on July 25, 2010. However, both were adamant that they would have

*Posted
3/22/11*

remembered if a loss of separation had occurred and would have filed an Air Traffic Safety Action Program report.

Following is the current guidance from the Western Service Area Terminal Procedures Manager regarding Federal Aviation Administration (FAA) JO 7110.65, paragraph 3-9-5, Anticipated Separation:

Takeoff clearance need not be withheld until prescribed separation exists if there is reasonable assurance it will exist when the aircraft starts takeoff roll. For runway separation between a departure and an arrival, this allows the controller to issue the takeoff clearance when, in his/her judgment, the preceding arriving aircraft will be clear of the runway, or the prescribed separation with the preceding departing aircraft will exist at the time that the departing aircraft actually starts forward movement. Since paragraph 3-9-5 allows a takeoff clearance to be issued prior to the prescribed separation existing, the loss of separation does not occur until the departing aircraft actually begins forward movement, with the intent to take off on the runway.

In response to the complainant's contention of where aircraft were in the run-up area, on final or on the runway at particular times is speculative and could not be verified based on the voice recordings. The caller's statements regarding the pattern of movement that "most aircraft similar to the Cub" do when they depart from the run-up area is not standardized. Many variables, based on pilot technique and aircraft characteristics, would need to be identified before one could ascertain when the Cub began its takeoff roll. None of these variables could be derived from the recording. In addition, the Cub's location when the takeoff clearance was cancelled cannot be validated from the voice tape. The lack of further action by the controller when the pilot did not acknowledge the cancellation of the clearance indicates that he may have re-evaluated the situation and decided to let the Cub continue to depart.

Additionally, the recording does not indicate when the Cessna exits the runway, only that the controller issued instructions to the Cessna to exit at Taxiway Bravo. Later, the controller amends the instruction to the Cessna to exit at Taxiway Charlie. Again, one cannot determine the exact time the Cessna cleared the runway based on the voice tape or if the Cub had initiated a takeoff roll prior to the Cessna clearing the runway.

It appears that the loss of separation the complainant is alleging may be from his/her interpretation of the recordings and may not be from a direct observation of the reported operation, since there is no indication that he/she actually observed the event.

The allegation that the FLM witnessed the loss of separation and failed to report it is inaccurate based on the interview with him. At no time did anyone make this event known to CMA management, i.e. report the incident to the Air Traffic Manager or FLM. Management became aware of the incident in September 2010, as cited above, due to the FOIA request and EEO complaint.

The complainant also stated that FAA management has a pattern of "...inappropriate conduct, wherein they fail to properly investigate and report Operational Errors (OE) and other incidents." The complainant may not be aware of the fact that CMA management processed 14 air traffic incidents during 2010, including 2 OEs, 3 near mid-air collisions, 7 pilot deviations, and 2 vehicle deviations. Additionally, management investigated 17 other Quality Assurance Reviews during the same year.

Thank you for your participation in the FAA Administrators' Hotline Information System and for your interest in aviation safety. If you have additional concerns, please contact Scott Bing, Senior Advisor, at (425) 203-4042.