

**UNANSWERED QUESTIONS
SESSION I**

Due to the number of question cards submitted during the Session I Q&A period, not all of the questions could be answered by the technical panel in the time allotted. Answers to the questions not answered verbally are listed below.

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DAVE CANN, FEDERAL AVIATION ADMINISTRATION

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Question: With all the concerns being voiced about maintenance out-sourcing, is anything being done to provide additional resources to surveil foreign 145 repair stations? Normally, they are looked at one time a year, when they are re-certified.

Answer: Although this was not a subject for the “cargo forum”, there are several efforts currently underway to address repair station surveillance. A program using the principles of risk management is being developed to address repair station surveillance. Foreign repair stations, unlike domestic repair stations, are required to undergo a renewal on either a 12 month or 24 month cycle. (See 14 CFR 145.55)

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Question: Does the AC cover all issues identified during CSAP?

Answer: Items from the Cargo Strategic Action Plan (CSAP) were addressed in the Flight Standards Air Cargo System Safety Implementation Plan (ACIP) where timelines and goals were assigned. The Advisory Circular (AC) addresses the issues specified in the ACIP that were appropriate for an AC. Obviously some items contained in the ACIP are addressed in other means rather than an Advisory Circular.

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Question: Why do “operations inspectors look at wt & balance when Flight Ops personnel (i.e. flight crew) have no control over loading?

Answer: The Pilot-In-Command (PIC) is responsible for ensuring that the aircraft is operated within the performance limitations of the aircraft. Aircraft Center of Gravity, and gross weight limitations are restrictions/limitations applied to the aircraft during certification and must be complied with. FAA operations inspectors have surveillance responsibilities for the Pilot-In-Command.

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Question: How much is being done to share ACIP standards with the rest of the world (other authorities) and how will it effect foreign operators flying cargo into the US?

Answer: The Advisory Circular, not ACIP standards, will be shared with other regulatory authorities. There are no “ACIP standards” as such, but rather information contained in the Advisory Circular. The Advisory Circular pertains to 14 CFR Part 121 operations.

Question: How much focus is being placed on the cost of implementation of ACIP especially amongst smaller, more financially vulnerable carriers?

Answer: The Advisory Circular was developed in collaboration with the aviation industry. Operator representatives participated in the development of the policies, procedures, and guidance contained in the Advisory Circular and the team felt that the guidance contained in the AC could be followed by the operators. An actual “Cost/Benefit” analysis was not conducted since this effort did not include rulemaking and is not mandatory.

Question: Which issues, raised by ALPA, are being addressed in the new cargo AC?

Answer: Several of the issues described during the Air Line Pilots Association (ALPA) presentations are addressed by the cargo AC. Other issues raised by ALPA are the subject of regulatory requirements and are beyond the scope of the AC.

ALI BAHRAMI, FEDERAL AVIATION ADMINISTRATION

Question: Are the effects of HAZMAT being taken into account in fire suppression systems?

Answer: Part 25 cargo/baggage compartment fire protection regulations do not include provisions relating to HAZMAT material when considering the threat of fire in a cargo/baggage compartment.

HAZMAT is covered in the Operational Requirements under Parts 171, 172, 173, 175 and 178.

The operational requirements apply to aircraft operators transporting hazardous materials and provide definitions, inspection, testing, packing, and

operating limitations. Also, persons involved in the maintenance, repair and rebuild of containers used in the transportation of hazardous materials are regulated.

Question: Why is the requirement for fire detection and suppression limited to most lower lobe compartments, why not protect all such compartments?

Answer: Part 25 fire protection regulations address cargo/baggage compartments, galleys, and lavatories on main deck or below deck. The regulatory provisions provide that:

1. Materials used to construct the compartments meet certain flammability standards.
2. Compartments must provide some form of fire protection (detection and suppression by some means).
3. A means to prevent smoke from penetrating into occupied areas.

The FAA has imposed Special Conditions for fire protection in some types of compartments not covered by the regulations (e.g., lower lobe and overhead crew rest areas).

Some areas such as the electronic equipment bay are not required to have fire protection systems although these areas must still meet smoke penetration requirements.

FEDERAL AVIATION ADMINISTRATION

Question: What would the FAA consider the maximum number of flights a flight dispatcher of a part 121 flag operator can safely exercise operational control at a time?

Answer: The FAA has not determined a maximum number of flights that a dispatcher can safely exercise operational because each operator and each situation are different. The air carrier needs to ensure that its dispatcher resources are able to safely accomplish all operational control tasks in a timely and effective manner.

Question: What is the opinion of the FAA for the following... An all-cargo air carrier develops a problem and cannot maintain cabin altitude. Is it acceptable for the crew to continue flight to destination on supplemental emergency oxygen, in some cases for several hours?

Answer: Each situation is different and needs to be evaluated based upon a number of factors. The pilot and dispatcher need to evaluate the particular situation and determine the safest way to proceed whether that be continue to destination or land at the nearest suitable alternate to get the problem fixed.

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RICHARD MILLS, EMPIRE AIRLINE

Question: What is dispatch reliability and how is this measured?
(Empire Airlines has 99% dispatch reliability)

Answer: I actually misspoke. Our dispatch reliability is 99.5 this month. It is measured against all delays and cancellations both mechanical and operational. Flights delayed or cancelled because of weather are not included in this calculation. The reason it is not included is so that no one is tempted to conduct a flight that is unsafe simply to achieve the good numbers. Empire doesn't debrief weather delays and cancellations nor does our customer, FedEx. That is to say, no one ever tries to second-guess a decision to delay or cancel a flight because of bad weather. It is the only safe way to conduct operations.

Question: Seems as if Empire is very progressive.... Do you believe the description you gave of your airline's loading, operations, dispatch, and maintenance is typical of most regional cargo carriers?

Answer: I honestly don't know if we are typical or not. I know that a number of our fellow regional cargo carriers conduct business in a similar fashion. All things are a matter of degree. Perhaps that is why the term "best practice" came into being. Someone has to set the benchmark. We certainly try and thank you for the editorial comment about being progressive.

TERRY MCVENES, AIR LINE PILOTS ASSOCIATION

Question: Since average age is 28 of cargo fleet, does ALPA believe safety would be facilitated by enabling newer airplanes in service (such as those in storage in desert)? (Emphasis is the questioner's)

Answer: In general, the greater age of the cargo fleet does not, in and of itself, make cargo aircraft less safe. Our concern is that the age of aircraft has to be taken into account in ensuring that maintenance and operations programs are appropriately designed to mitigate the risks associated that can increase as a function of aircraft age. In that context, it becomes a business decision for a carrier to determine if newer airplanes could be obtained, operated and maintained more economically than older aircraft already in service.

Question: What role does commuting, second jobs, and “guard flying” play in the discussion on fatigue.

Answer: The question of Guard flying has been raised and exhaustively examined by in the past. FAR's have always exempted and ALPA supports Guard flying by airline pilots. The benefit provided to our country by having an experienced well-trained citizen military pilot population is beyond serious dispute. Most, if not all, major air carriers support this patriotic activity. Properly scheduled, Guard flying presents no safety detriment. It is becoming increasingly clear to the government and the public that during the flight/duty cycle, pilots are often required to work daily duty schedules far in excess of those demanded by office workers or those in other industries. It is an established principle that the flight/duty cycle should not prevent the aircrew from being able to ensure that they are fully rested before starting each duty period. This includes allowing pilots adequate time off to attend to normal life activities. Schedules should be designed so that they do not impose unrealistic and unsustainable cyclical demands from a social and physiological perspective on crew performance. It is not unusual for pilots to be required to change crew bases up to several times per year. For those with families and children, moving to chase the latest airline seat assignment is not a realistic option. Commuting and second jobs are often necessitated by employment conditions at many carriers. Business needs force carriers to open and close domiciles, and the current state of the industry has led to thousands of furloughs, which in turn causes crewmembers to change domiciles. It simply isn't realistic to expect people to chase their job from city to city as the business climate changes for the airline.

Just as it's impossible to regulate when and how someone washes their car or

mows their lawn, it's impossible to regulate how someone spends their 'off the job' time. Of greatest concern to ALPA and the traveling public, is how appropriately any employer constructs and manages a pilots work/rest schedule so that a properly rested pilot can be at the controls at all times.

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