



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

August 5, 2009

Mr. William E. Reukauf
Associate Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW, Suite 218
Washington, DC 20036

Re: OSC File No. DI-08-1708

Dear Mr. Reukauf:

Thank you for your correspondence of June 18, 2008, concerning whistleblower allegations of management improprieties at the Federal Aviation Administration's (FAA) Washington Flight Standards District Office (FSDO) in Herndon, VA, and Office of Runway Safety at FAA headquarters. The complainant, Christopher Monteleon, an Aviation Safety Inspector, raised multiple concerns about Washington FSDO's oversight of Colgan Air, Inc., and about runway incursion severity classifications.

The former Secretary of the U.S. Department of Transportation, Mary Peters, delegated responsibility for investigating Mr. Monteleon's concerns to the Department's Inspector General, who has concluded his investigation and provided me the enclosed memorandum report containing his findings and recommendations.

In short, the Office of Inspector General (OIG) found merit to two of Mr. Monteleon's concerns, but was unable to substantiate the balance of allegations as presented. Included in OIG's results is a finding that FAA's Eastern Region had not been conducting assessments of Colgan's Aircrew Designated Examiner (ADE) program every three years as required under FAA's Memorandum of Understanding with Colgan. Such an assessment was ultimately carried out in May 2009, which made recommendations to the FSDO and Colgan for identified deficiencies. Notwithstanding, OIG recommended that FAA ensure that the FSDO and Colgan fully implement corrective actions as appropriate, and ensure that for all Regions, required assessments for all Part 121 carriers with ADE programs are completed in a timely manner.

By the enclosed memorandum, FAA's Administrator, J. Randy Babbitt, responded to OIG, agreeing to take immediate corrective actions in response to its recommendations. I have asked Administrator Babbitt to keep me apprised on the status of FAA's corrective actions in this matter.

Finally, I want to reiterate that safety is the U.S. Department of Transportation's highest priority. I look forward to working with interested stakeholders to continue to identify improvements to the system to achieve the highest possible level of aviation safety.

Sincerely yours,



Ray LaHood

Enclosures



Memorandum

**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Office of Inspector General

Subject: ACTION: OIG Investigation #08IHB74H001,
Re: FAA's Washington Flight Standards District Office,
and Office of Runway Safety

Date: August 5, 2009

From: Calvin L. Scovel III
FOR Inspector General

Reply
to
Attn
of:

To: The Secretary

In accordance with the statutory requirements of the U.S. Office of Special Counsel (OSC), this memorandum presents our investigative results stemming from whistleblower concerns raised by Christopher Monteleon, an Aviation Safety Inspector (ASI) formerly assigned to the Federal Aviation Administration's (FAA) Washington Flight Standards District Office (FSDO) in Herndon, VA, and the Office of Runway Safety at FAA headquarters.

Mr. Monteleon made his disclosures to OSC, which, in turn, referred his allegations to then-Secretary Mary Peters on June 18, 2008 (OSC File No. DI-08-1708). Secretary Peters delegated investigation of Mr. Monteleon's disclosures to our office. If you accept the results of our investigation, we recommend that you transmit this report to OSC, along with FAA's statement of corrective actions in response to our findings and recommendations.

As detailed below, Mr. Monteleon alleged improprieties and regulatory oversight failures by the Washington FSDO involving Colgan Air,¹ and improprieties by the Office of Runway Safety within FAA's Air Traffic Organization, concerning its severity classification of runway incursions.

¹ Subsequent to Mr. Monteleon's complaint, on February 12, 2009, a Bombardier DHC-8-400 aircraft operated by Colgan Air (N200QW), crashed in Buffalo, NY. The National Transportation Safety Board (NTSB) is currently investigating the accident, including a comprehensive review of Colgan Air's operations, maintenance, and pilot training.

Specific Allegations:

1. On January 19, 2008, a senior Colgan Air pilot (functioning as pilot-in-command (PIC), instructor pilot, and check airman²) committed three safety-of-flight violations of Federal Aviation Regulations (FAR) while conducting proving runs of one of the carrier's new Bombardier DHC-8-402 "Dash 8" aircraft, but failed to document the events in the aircraft logbook as required. The alleged violations involved two instances in which the aircraft exceeded its airframe airspeed limitation, and an instance in which the aircraft exceeded the airspeed limitation for extended flaps. Further, Colgan allegedly operated this aircraft for over 60 days and over 100 flights without being inspected for possible damage as a result of the airspeed exceedences, with approval from FSDO officials.
2. During the second proving run of January 19, 2008, the Aircraft Communications Addressing and Reporting System (ACARS)³ malfunctioned and the Colgan PIC initially declined to record the malfunction in the aircraft logbook, so as not to delay the proving run schedule.
3. During the third (and final) proving run on January 19, 2008, the Colgan PIC continued to fly despite experiencing fatigue to a degree that would have required him to cease flying until he received required rest.
4. Based on the Colgan PIC's poor performance during the January 19, 2008, proving runs, Mr. Monteleon voiced numerous concerns and proposed cancellation of Colgan's "Dash 8" Aircrew Designated Examiner (ADE)⁴ program, to include the PIC's Aircrew Program Designee (APD) qualification under the ADE; however, the FSDO Manager improperly rejected the proposal.

² A check airman is a person who is qualified and permitted, to conduct flight checks or instruction in an airplane, flight simulator, or other flight training device for a particular type of airplane.

³ ACARS (Aircraft Communication Addressing and Reporting System, also called Email for Aircraft) is a digital data link system transmitted via VHF radio which allows airline flight operations departments to communicate with various aircraft in their fleet.

⁴ The Aircrew Designated Examiner (ADE) program was established under 14 CFR §§ 121 and 183, allowing FAA to designate select pilots of eligible carriers as Aircrew Program Designees (APDs), who are authorized by FAA to conduct pilot certification examinations for issuance of pilot certificates for a particular type of aircraft with a specific air carrier.

- 5 In March 2008, after Colgan complained that Mr. Monteleon was impeding its schedule to bring 15 of the new “Dash 8” aircraft into service by the scheduled time, FSDO Manager Nick Scarpinato directed Mr. Monteleon to terminate an enforcement action against Colgan. To further appease Colgan, Mr. Scarpinato then removed Mr. Monteleon from his position as the APM⁵ for the Colgan Certificate Management Team (CMT).
6. As a result of his removal as the APM for the Colgan ADE Dash 8 fleet, its ADE program has operated without a trained APM, resulting in less qualified ASIs providing oversight of Colgan’s “Dash 8” pilot training, certification and proficiency check activities.
7. In November 2007, FAA’s Principal Operations Inspector (POI) for Colgan, Douglas Lundgren, improperly edited the Quick Reference Handbook (QRH)⁶ for the “Dash 8” aircraft by inserting a procedure checklist covering in-flight engine failure, which had not been included in Colgan’s QRH. Mr. Monteleon’s discovery of this unauthorized modification, on January 14, 2008, delayed Colgan’s proving run schedule by a day, angering Colgan and FSDO management.
8. In 2005, after Colgan complained, Mr. Monteleon was removed from his duties as Principal Operations Inspector (POI) for Colgan because he reported multiple safety concerns about Colgan, including its Internal Evaluation Program and an enforcement action he initiated against a Colgan pilot for failing to record a problem with the engine oil indicating system. He further contended that the safety concerns he identified, were not adequately corrected until he returned as APM for Colgan in 2007.
9. In 2006, while assigned to the Office of Runway Safety in the Air Traffic Organization, Mr. Monteleon observed runway incursion severity classification

⁵ APMs are responsible for reviewing, approving, and overseeing the carrier's pilot training and proficiency checking program for new aircraft. In this context, the APM conducts regulatory oversight of the carrier's check airmen and instructor-pilots.

⁶ A Quick Reference Handbook (QRH) is a small quick reference guide published by the aircraft manufacturer so that pilots, in an emergency, can quickly reference the correct procedure in an emergency situation.

data being intentionally classified in a less severe category, in order to reflect a decrease in severe runway incursions.⁷

10. The intentionally inaccurate runway incursion classifications were incorporated into FAA's nationwide database, serving as the foundation for a computer program now used by FAA to calculate runway incursion severity classifications. Such calculations are inaccurate and provide misleading statistics relied upon by senior FAA officials.

Results in Brief

In short, we found merit to two of Mr. Monteleon's concerns, but did not find evidence to substantiate the balance of his allegations as presented in the OSC referral. First, we confirmed Mr. Monteleon's assertion that on January 19, 2008, during proving runs of one of Colgan's new Dash 8 aircraft, the Colgan pilot-in-command (PIC) exceeded the airframe airspeed limitation twice, by an estimated 2-3 knots each instance, and the PIC failed to record these events in the aircraft maintenance logbook, in violation of Federal Aviation Regulations (FAR). The FSDO Manager did not pursue enforcement action against the PIC or Colgan for this FAR violation because Mr. Monteleon, as the observing FAA inspector aboard the aircraft, did not follow required reporting/notification and other applicable procedures pursuant to these events, and the supervisor of the FSDO's Certificate Management Team (CMT) for Colgan failed to properly investigate and take appropriate action for the events.⁸ The FSDO Manager also took into account the PIC's unblemished pilot record and, except for qualifying simulator time and a two-hour ferry flight, the proving runs on January 19, 2008, marked the first time he flew the Dash 8 while performing reactive maneuvers (e.g., go-arounds).

Significantly, per the aircraft manufacturer's (Bombardier) maintenance manual—and, as confirmed by Bombardier, FSDO, and Colgan officials—no inspection of the

⁷ A runway incursion is any occurrence at an airport involving an aircraft, vehicle, person or object on the ground that creates a collision hazard or results in a loss of separation with an aircraft taking off, intending to take off, landing, or intending to land.

⁸ Following an inquiry by a team of Flight Standards personnel from outside the FSDO (known as the Internal Assistance Capability, or IAC, team) into both Mr. Monteleon's concerns about the PIC and Colgan stemming from the 1/19/08 proving runs, and concerns Colgan raised about Mr. Monteleon's conduct that day, FSDO management took disciplinary action against the CMT supervisor for his failure to investigate the FAR violation and failure to investigate Colgan's concerns. In addition, Mr. Monteleon's detail assignment to the FSDO was discontinued and he returned to FAA headquarters.

aircraft was required because the two airframe airspeed exceedence events were considered minor (i.e., momentary, less than 10 knots above the limitation, and the aircraft was below 10,000 feet.)

Regarding the reported exceedence of the airspeed limitation for extended flaps, we found that the Colgan PIC properly recorded this alleged event in the logbook (despite disputing Mr. Monteleon's observation that it occurred) on January 19, 2008, and Colgan conducted a physical inspection of the flaps that night, finding no evidence of damage.

Second, we found validity to Mr. Monteleon's concern about the need for the Eastern Region Flight Standards Division to conduct an assessment of the Colgan ADE program, pursuant to FAA's Memorandum of Understanding (MOU) with Colgan. Upon determining that no such assessment had been conducted within the three-year requirement (and not since 2000), the FSDO Manager brought this to the Region's attention and requested an assessment; however, because the Region was unable to conduct an assessment at the time, the FSDO Manager directed FSDO personnel from other certificates (Compass Air, Gemini Air) to conduct an internal assessment. The internal assessment had no regulatory non-compliance findings; however, it did find that ADE program guidance concerning several items needed to be incorporated into Colgan's Pilot Training Manual. These items were subsequently incorporated into the Colgan Manual. Moreover, in its May 2008 report, FAA's Internal Assistance Capability (IAC) team also recommended that the Eastern Region conduct an assessment. Subsequently, the Eastern Region conducted an assessment of the FSDO's oversight of Colgan's ADE Program in May 2009. This assessment also found no regulatory non-compliance, but had some actionable findings for which remedial action has been initiated.

Because the assessment of Colgan's ADE program conducted by the Eastern Region Flight Standards Division in May 2009 identified deficiencies, made recommendations, and provided for corrective actions upon concurrence by FSDO and Colgan officials, we recommended that FAA's Associate Administrator for Aviation Safety ensure that the FSDO/Colgan response process is completed in a timely manner, and that appropriate corrective actions are fully implemented. We further recommended to FAA that because the Eastern Region had not conducted an assessment of Colgan's ADE program within the required three-year period (and not since 2000), the Associate Administrator ensure that—for all Regions—assessments for all Part 121 carriers with ADE programs are completed as required and in a timely manner.

The FAA Administrator responded to us via the attached memorandum reporting corrective actions taken. We consider FAA's actions responsive to our findings and recommendations.

Methodology

Our investigation entailed addressing Mr. Monteleon's specific allegations, as contained in OSC's referral to then-Secretary Peters. An OIG senior investigator traveled to Herndon, VA, on multiple occasions to conduct interviews and review records at FAA's Washington FSDO. In sum, we conducted nearly 25 interviews of FAA FSDO and Headquarters personnel, Colgan Air employees, and representatives from Bombardier. Interviewees included:

- Christopher Monteleon, Complainant
- Nicholas Scarpinato, Washington FSDO Manager
- Rolandos Lazaris, Washington FSDO Assistant Manager
- Douglas Lundgren, Principal Operations Inspector
- Norman Schwanke, Principal Avionics Inspector
- Barry Barbini, Principal Maintenance Inspector
- Edward Roberts, FAA Colgan CMT Supervisor
- William Honan, Colgan Pilot
- Dean Bandavaris, Colgan Director of Operations
- David Killin, Bombardier Test Pilot and Technical Representative
- Troy Lawson, Frontline Manager, Washington FSDO
- Mark Mulkey, Supervisory Principal Operations Inspector
- Marty Ingram, Assistant Division Manager, Eastern Region Flight Standards Division
- Tim Harristhal, former Supervisory Principal Maintenance Inspector
- Max Tidwell, Supervisory Principal Operations Inspector
- Brendan Kelly, Acting Supervisory Counsel, Eastern Region
- LaGretta Bowser, Air Traffic Specialist and Program Manager, FAA Office of Runway Safety
- William Davis, former Vice-President of FAA's ATO-Safety Group
- Robert David, retired Manager of FAA's Airport Safety and Operations Division and former Runway Incursion Assessment Team member
- Bruce Landry, Aviation Safety Inspector, FAA Runway Incursion Assessment Team
- Joseph White, Air Traffic Controller, FAA Runway Incursion Assessment Team

In addition, we reviewed numerous documents, including Federal Aviation Regulations, FAA Orders and Notices, FAA Reports of Investigation, inspection reports, other internal FAA reports, a regional assessment report, aircraft maintenance and pilot logs, memoranda, emails, enforcement actions, and related supporting documents.

Findings in Detail

Allegation 1: *On January 19, 2008, a senior Colgan Air pilot-in-command committed three safety-of flight-violations of FAA regulations while conducting proving runs of one of the carrier's new Bombardier DHC-8-402 "Dash 8" aircraft, but failed to document the events in the logbook as required. The alleged violations involved two instances in which the aircraft exceeded its airframe airspeed limitation, and an instance in which the aircraft exceeded the airspeed limitation for extended flaps. Further, Colgan allegedly operated this aircraft for over 60 days, and over 100 flights, without required inspection for possible damage as a result of the airspeed exceedences, with approval from FSDO officials.*

Findings: We found factual validity to some information contained in this allegation, but did not find evidence of FSDO improprieties as alleged. First, we confirmed that on January 19, 2008, as observed by Mr. Monteleon (seated in the jumpseat behind the pilots), Colgan PIC William Honan exceeded the "Dash 8" airframe airspeed limitation twice, by an estimated 2-3 knots each instance, during the initial proving run of Colgan aircraft N187QW. We further confirmed that Mr. Honan failed to record these events in the aircraft maintenance logbook, in violation of FAR requirements. Although Mr. Monteleon initiated an enforcement action, the FSDO Manager did not pursue such action against either Mr. Honan or Colgan for this FAR violation because Mr. Monteleon did not follow required reporting/notification and other applicable procedures pursuant to these events, and Edward Roberts, supervisor of the FSDO's Colgan CMT, failed to investigate and take appropriate action for the events when brought to his attention.⁹

⁹ Following an inquiry by an FAA Internal Assistance Capability (IAC) team into both Mr. Monteleon's concerns about Mr. Honan and Colgan stemming from the January 19, 2008, proving runs, and Colgan's concerns about Mr. Monteleon's conduct that day, FSDO management took disciplinary action against Mr. Roberts based on his failure to investigate the FAR violation and failure to investigate Colgan's concerns. In addition, Mr. Monteleon's detail assignment to the FSDO was discontinued and he returned to his position at FAA headquarters (addressed in further detail below).

In deciding not to pursue enforcement action against Colgan and Mr. Honan, Mr. Scarpinato also took into account the minor nature of the exceedence events and Bombardier's determination that the airframe airspeed exceedence events did not require inspection, and the PIC's unblemished pilot record and, except for qualifying simulator time and a two-hour ferry flight, the proving runs on January 19, 2008, marked the first time he engaged in reactive maneuvers (e.g., go-arounds) flying the Dash 8.

Second, per the aircraft manufacturer's (Bombardier) maintenance manual, and as confirmed by Bombardier, FAA, and Colgan officials, no inspection of the aircraft was required because each airspeed exceedence was momentary, less than 10 knots above the limitation, and the aircraft altitude was below 10,000 feet. Moreover, had an airspeed exceedence presented a safety-of-flight issue, an audible warning would have sounded in the cockpit; this did not occur. Notwithstanding, during a January 22, 2008, meeting between FSDO officials, Colgan maintenance and operations personnel, and Bombardier representatives, Colgan agreed to instruct its pilots to record any instance of airspeed exceedence in the aircraft maintenance logbook in accordance with the FARs, regardless of how minor it may be.

Third, we found that on January 19, 2008, Mr. Honan recorded in the aircraft maintenance logbook the alleged instance in which the aircraft exceeded the airspeed limitation for extended flaps, despite his insistence that such an event did not occur. Instead, because Mr. Monteleon advised Mr. Honan that he would initiate action to suspend Mr. Honan's air transport pilot certificate if he did not log the event, Mr. Honan complied with the directive. Mr. Honan told us he did so in order to placate Mr. Monteleon. Mr. Monteleon asserted that the aircraft exceeded its airspeed limitation for extended flaps by 3-7 knots, while Mr. Honan contended that the aircraft stayed at least 2 knots below the limitation. The logbook shows that Colgan maintenance personnel conducted an inspection of the flaps and found no evidence of damage or any safety issue. The aircraft was returned to service on January 20, 2008.

Allegation 2: *During the second proving run on January 19, 2008, the Aircraft Communications Addressing and Reporting System (ACARS)¹⁰ malfunctioned and the Colgan PIC initially declined to record the malfunction in the aircraft logbook, so as to not delay the proving run schedule.*

Findings: We did not find evidence to substantiate this allegation. Mr. Honan and Mr. Monteleon disagreed as to whether ACARS had malfunctioned. Mr. Monteleon asserted that it had malfunctioned, whereas Mr. Honan maintained that the problem was external to the aircraft; that is, the airspace in which the aircraft was operating was not transmitting an electronic signal for ACARS to receive, thus the system was fully operative and did not warrant a write-up in the aircraft maintenance logbook. Upon conclusion of the second proving run, Mr. Monteleon insisted that it was a system failure that needed to be recorded in the logbook.

Following the flight, Mr. Honan telephoned Donnie Nunn, Colgan's Director of Operations (DO), who advised Mr. Honan to record the event in the aircraft maintenance logbook, but that it did not require grounding of the aircraft because ACARS was a maintenance/inspection-deferrable item on the aircraft's minimum equipment list (MEL).¹¹ Despite his objection, Mr. Honan made a logbook entry and Colgan maintenance personnel inspected the aircraft that evening (January 19, 2008), finding ACARS to be fully operative. The aircraft was then returned to service.

Allegation 3: *During the third (and final) proving run on January 19, 2008, the Colgan PIC continued to fly despite experiencing fatigue to a degree that would have required him to cease flying until he received required rest.*

Findings: We did not find evidence to substantiate this allegation. Mr. Monteleon asserted that after observing signs of considerable fatigue on the part of Mr. Honan during the third proving run on January 19, 2008, he questioned Mr. Honan, who denied it. After the flight, according to Mr. Monteleon, Mr. Honan acknowledged to Mr. Monteleon that he had experienced excessive fatigue during the flight and had not demonstrated the judgment required of an air carrier pilot, especially an instructor pilot. Mr. Honan told us that he was fatigued at the end of the day on January 19, 2008, as a result of lengthy debriefing with Mr. Monteleon, but not while he was

¹⁰ ACARS (Aircraft Communication Addressing and Reporting System, also called Email for Aircraft) is a digital data link system transmitted via VHF radio which allows airline flight operations departments to communicate with various aircraft in their fleet.

¹¹ A Minimum Equipment List (MEL) is an FAA-approved document that allows an aircraft owner/operator to fly with a certain item(s) inoperative until maintenance is scheduled.

operating the aircraft. Mr. Honan denied ever expressing to Mr. Monteleon that he was fatigued or had shown questionable judgment as a pilot.

Further, POI Doug Lundgren told us he had no recollection of Mr. Monteleon raising this concern when briefing FSDO staff on the events of January 19, 2008, nor when Mr. Monteleon initiated an enforcement investigation against Mr. Honan on February 4, 2008. Only weeks later did Mr. Monteleon make this assertion of fatigue on the part of Mr. Honan. Mr. Lundgren subsequently investigated and found Mr. Honan's apparent fatigue attributable to his many interactions with Mr. Monteleon during a 12-hour day.

Although Federal Aviation Regulation Part 121 (14 CFR § 121.471) prescribes requirements for aircrew flight, duty, and rest periods, these requirements do not apply to proving runs. Nevertheless, our review of Mr. Honan's flight and duty hours on January 19, 2008, found that Mr. Honan was the PIC for 5.3 hours, and that he worked a total of approximately 11 hours that day. We also reviewed his flight and duty time for January 18, 2008, and January 20, 2008. We found that on January 18, 2008, he worked in the office for 4 hours followed by flying as a passenger only for 6 hours, then 12 hours of rest. He did not fly or work in any capacity on January 20, 2008.

Allegation 4: Based on the Colgan PIC's poor performance during the January 19, 2008, proving runs, Mr. Monteleon voiced numerous concerns and proposed cancellation of Colgan's "Dash 8" Aircrew Designated Examiner (ADE) program, to include the PIC's Aircrew Program Designee (APD) qualification under the ADE; however, the FSDO Manager improperly rejected the proposal.

Findings: While we did not find evidence to substantiate the allegation that the FSDO Manager improperly rejected Mr. Monteleon's proposal, one of his concerns (involving the lack of an ADE assessment required pursuant to FAA's MOU with Colgan) was valid.

In response to initial concerns Mr. Monteleon raised in a Sunday, January 20, 2008, email to the CMT; during a January 21, 2008, FSDO staff meeting; and in subsequent telephone calls between FSDO staff and Colgan, Colgan voluntarily suspended Mr. Honan's APD authorization, pending completion of an FAA inquiry. Within several days, FSDO personnel completed an inquiry, determining that Mr. Honan did not believe he committed any FAR violation, and thus would not have been required to log the alleged airspeed exceedences. They also took into account Bombardier's determination that such events were minor and did not require an inspection. (The Internal Assistance Capability team, independent of the FSDO, ultimately determined

that Mr. Honan had, in fact, committed the airspeed exceedences and thus violated the FAR by not logging these events in the aircraft maintenance logbook.)

On February 4, 2008, Mr. Monteleon filed an enforcement action and submitted a memorandum to FSDO management outlining his concerns about Colgan's ADE program and Mr. Honan's status as an APD. In his memorandum, he recommended cancellation of Colgan's ADE program authorization for its Dash 8 fleet, to include suspending Mr. Honan's APD authorization (thereby disallowing Colgan's and Mr. Honan's authorization to certify pilots on the Dash 8). Mr. Monteleon asserted Colgan and Mr. Honan committed 34 violations of FAA Order 8900.1 and the Memorandum of Understanding (MOU) between Colgan and FAA prescribing the requirements of the ADE program and the APD function thereunder. Mr. Monteleon based his recommendation upon his conclusion that Mr. Honan demonstrated such poor performance during the January 19, 2008, proving runs that he failed to uphold the high standards required of an APD and check airman. Mr. Monteleon told us that Mr. Honan was not serving in either capacity during the proving runs; however, he was nonetheless required to maintain the highest levels of performance.

In response to Mr. Monteleon's 34 assertions, FSDO Manager Nick Scarpinato directed POI Douglas Lundgren and CMT Supervisor Edward Roberts to review and respond to each assertion. Their report, dated February 19, 2008, found merit solely to Mr. Monteleon's concern that an Eastern Region Flight Standards Division periodic assessment of the Colgan ADE program should be conducted, pursuant to FAA's MOU with Colgan. Based on these findings, Mr. Scarpinato concluded that there was not a sufficient basis to terminate Colgan's ADE program and thus Mr. Honan's APD qualification.

In addressing Mr. Monteleon's concern about the need for a Regional assessment of the Colgan ADE program, FSDO management found no documentation that such an assessment had been conducted since 2000 (FAA Order 8900.1 required a Regional assessment every three years for Part 121 carriers with ADE programs; Colgan was established as a Part 121 carrier in 1997). Based on this finding, Mr. Scarpinato filed a Corrective Action Request (CAR) with the Region, notifying them of the overdue assessment. The Region was unable to conduct an assessment at the time due to competing priorities (e.g., Airworthiness Directive compliance reviews); consequently, Mr. Scarpinato directed FSDO personnel from other certificates (Compass and Gemini) to conduct an assessment of the Colgan ADE program. The March 2008 FSDO assessment identified a number of deficiencies on the part of both Colgan and the FSDO (e.g., recordkeeping, maintenance of files/manuals), for which Mr. Scarpinato initiated corrective action; however, none of the deficiencies involved

safety issues warranting enforcement action. All corrective actions were implemented by April 30, 2008.

In May 2009, FAA's Eastern Region conducted its assessment of the Colgan ADE program. This assessment identified multiple deficiencies on the part of Colgan and the FSDO, for which it made corrective action recommendations. None of its findings implicated regulatory non-compliance warranting enforcement action. The FSDO and Colgan are in the process of responding to the Region's findings and recommendations. Accordingly, we recommend that the Associate Administrator for Aviation Safety ensure this process is completed and that appropriate corrective actions are implemented in a timely manner.

Allegation 5: *In March 2008, after Colgan complained that Mr. Monteleon was impeding its schedule to bring 15 of the new "Dash 8" aircraft into service by the scheduled time, FSDO Manager Nick Scarpinato directed Mr. Monteleon to terminate an enforcement action against Colgan. To further appease Colgan, Mr. Scarpinato then removed Mr. Monteleon from his position as the APM for the Colgan Certificate Management Team (CMT).*

Findings: As detailed below, we did not find evidence to substantiate this allegation.

a. Colgan's complaint and FAA's subsequent investigations of Mr. Monteleon

First, we did not find evidence showing that Colgan complained that Mr. Monteleon's actions were impeding its schedule to bring the "Dash 8" aircraft into service. Instead, we found that on January 24, 2008, Colgan's President and General Manager wrote a letter to Mr. Scarpinato expressing concern that Mr. Monteleon's behavior in the cockpit during the proving runs of January 19, 2008, and during subsequent meetings and discussions occurring January 21-23, 2008, "endanger[ed] a safety centric and collaborative working environment at Colgan Air and between our two organizations."

Also in January 2008, several FSDO employees on the CMT for Colgan complained to Mr. Scarpinato that they could not accomplish their work because of instances of unprofessional conduct by Mr. Monteleon. Based upon these complaints, Mr. Scarpinato requested an internal inquiry of Mr. Monteleon's actions during the January 19, 2008, proving runs, during subsequent meetings and conference calls regarding his observations, and on other occasions. In March 2008, two Supervisory Principal Inspectors from Flight Standards offices outside the Washington area conducted an inquiry. Neither Supervisory Principal Inspector had any prior relationship with Mr. Monteleon, nor had they previously worked with Colgan Air.

The inquiry's preliminary interviews included statements from all ten Colgan test pilots that they feared for their pilot certificates if they would be required to conduct proving runs with Mr. Monteleon. Their report of preliminary findings indicated that "Inspector Monteleon's personal conduct and exercise of his duties created a hostile environment in the cockpit that had the potential to impact safety." Therefore, on March 13, 2008, Mr. Scarpinato terminated Mr. Monteleon's detail as the APM for Colgan, and temporarily detailed him to other FSDO duties.

In early April 2008, after Mr. Monteleon submitted a complaint to Lawrence Fields, FAA's Eastern Region Administrator, alleging bias and a lack of objectivity by the above-referenced inquiry team, Mr. Scarpinato was directed to immediately terminate the inquiry regarding Mr. Monteleon's conduct. Three weeks later, the Internal Assistance Capability (IAC) team, also comprised of individuals without prior relationships with Mr. Monteleon or experience with Colgan, conducted a week-long inquiry into not only the allegations that Colgan and FSDO employees had made about Mr. Monteleon, but also Mr. Monteleon's allegations about Mr. Honan's failure to document the airspeed exceedences during the proving runs on January 19, 2008.

The IAC team issued its report of findings and recommendations in early May 2008. Its recommendations included consideration of appropriate administrative action for CMT Supervisor Edward Roberts' failure to: (1) ensure that employees, including Mr. Monteleon, documented their activities into the appropriate FAA databases; (2) failure to investigate Mr. Monteleon's allegations against Mr. Honan for the non-recording of maintenance concerns upon completion of the January 19, 2008, proving runs; and (3) failure to ensure that Colgan's allegations against Mr. Monteleon for his behavior on January 19, 2008, was investigated.

Another recommendation made was that Mr. Monteleon's detail be ended immediately, and that he return to his position of record at FAA Headquarters. Thus, we found that Mr. Monteleon's detail was terminated based upon independent recommendations, and not due to Mr. Scarpinato's desire to appease Colgan.

In addition to the above recommendations, the IAC team made a lengthy series of findings and a few recommendations for corrective action to occur at the Washington FSDO. We have reviewed these findings and Washington FSDO corrective actions, and find them responsive to the IAC team report.

b. FSDO Manager's termination of Mr. Monteleon's enforcement action

We did not find evidence to conclude that FSDO management's termination of Mr. Monteleon's enforcement action, on March 6, 2008, was based on a desire to

appease Colgan; rather we found they did so because Mr. Monteleon did not follow required reporting/notification and other applicable procedures following these events. In particular, he did not document his observations and findings (including the alleged safety-of-flight violations) in the appropriate FAA databases (the Program Tracking and Reporting System (PTRS);¹² the Air Transportation Oversight System (ATOS);¹³ and the Data Collection Tools (DCT) system¹⁴) contemporaneous to the events, namely within the requirement of three days. Mr. Monteleon did not initiate his enforcement action against Colgan and Mr. Honan until February 4, 2008, 18 days after the January 19, 2008, proving runs.

Because Mr. Monteleon did not obtain necessary documentary evidence, such as logbook pages, witness statements, and other items of proof necessary to support a legal enforcement action, Mr. Scarpinato found this lack of documentation adversely affected the credibility of Mr. Monteleon's allegations. He told us Mr. Monteleon's case was too weak to be pursued by FAA legal counsel for civil penalty or administrative action; therefore, he directed that the enforcement action be closed with no further action.

We addressed this with Brendan Kelly, Acting Supervisory Counsel, FAA Eastern Region. Mr. Kelly confirmed that an enforcement action can be closed by the FSDO manager if the manager does not believe the inspector has provided sufficient items of proof to support enforcement action. Mr. Kelly also told us a lack of documentation, such as occurred with Mr. Monteleon's case, would make an enforcement action very difficult to pursue legally.

¹² FAA's Program Tracking and Reporting System (PTRS) is a database which tracks and organizes data collected from certificate management, surveillance, investigation activities, and enforcement actions by the Flight Standards Service.

¹³ The Air Transportation Oversight System (ATOS) implements FAA policy by providing safety controls (i.e., regulations and their application) of business organizations and individuals that fall under FAA regulations. Three major functions further define the oversight system: design assessment, performance assessment, and risk management.

¹⁴ Data Collection Tools (DCT) consists of the documents for performing an Element Performance Inspection (EPI) and a Safety Attribute Inspection (SAI).

Allegation 6: Mr. Monteleon alleged that as a result of his removal as the APM for the Colgan ADE Dash 8 fleet, its ADE program has operated without a trained APM, resulting in less qualified ASIs providing oversight of Colgan's "Dash 8" pilot training, certification and proficiency check activities.

Findings: We did not find evidence to substantiate this allegation. Mr. Monteleon was formally removed as the APM for Colgan's Dash 8 ADE program on March 6, 2008. The next day, ASI Michael Jessie was selected as the new APM. Because Mr. Jessie had not completed the Bombardier Dash 8 training program, POI Douglas Lundgren, who was fully qualified, carried out the APM duties until mid-May 2008, when Mr. Jessie completed the required training from Bombardier. Mr. Jessie subsequently completed Colgan's supplemental Dash 8 training program.¹⁵

Allegation 7: In November 2007, FAA's Principal Operations Inspector (POI) for Colgan, Douglas Lundgren, improperly edited the Quick Reference Handbook (QRH)¹⁶ for the "Dash 8" aircraft by inserting a procedure checklist covering in-flight engine failure, which had not been included in Colgan's QRH. Mr. Monteleon's discovery of this unauthorized modification, on January 14, 2008, delayed Colgan's proving run schedule by a day, angering Colgan and FSDO management.

Findings: We did not find evidence to substantiate this allegation. Mr. Monteleon alleged that on January 14, 2008, he discovered that POI Lundgren had made an unauthorized edit to the Bombardier QRH for the "Dash 8" aircraft, because the Bombardier QRH did not contain a procedure for Single Engine Landing. Mr. Monteleon asserted that an ASI was not authorized to edit the QRH of the manufacturer. Additionally, he asserted that based upon his discovery, Colgan's proving run schedule was delayed by one day, angering Colgan and FSDO management.

We found that as POI Lundgren and Colgan personnel were assembling required flight training manuals and the QRH for Colgan, they determined that the Bombardier QRH did not include an emergency checklist procedure for landing with a single engine. While there is no prescribed list of emergency procedures required to be contained in

¹⁵ Mr. Monteleon began, but did not complete, Colgan's supplemental Dash 8 training program.

¹⁶ A Quick Reference Handbook (QRH) is a small quick reference guide published by the aircraft manufacturer so that pilots, in an emergency, can quickly reference the correct procedure in an emergency situation.

the QRH, a carrier can supplement the QRH checklist provided by the manufacturer with additional procedures if they choose to do so. Therefore, Mr. Lundgren and Colgan believed it was important for pilots to be aware of the checklist procedures for single engine landing. Mr. Lundgren, as a training tool, “cut-and-pasted” the emergency checklist procedure from another QRH for a similar type of Colgan aircraft with dual engines (Saab), and attached it to the photocopied Bombardier QRH. This was then labeled as Colgan’s QRH for classroom training purposes only; it was never placed aboard any aircraft.

Upon receipt of Mr. Monteleon’s allegation, Colgan formally notified all of its pilots on January 22, 2008, that the training QRH document produced by Mr. Lundgren had been superseded, advising them to ensure that they followed the emergency procedures contained in the draft Colgan Air Q400 Company Flight Manual and the Bombardier QRH, rather than the classroom training tool. Colgan’s final Company Flight Manual and QRH were issued on May 20, 2008.

Our review of FAA Orders did not find Mr. Lundgren’s “cut-and-paste” to be improper. For training periods, any FAA-approved checklist may be used. Mr. Lundgren told us he had expert knowledge in the area of operations manuals, and that his “cut-and-paste” was simply a quick, temporary fix, intended to save himself the time it would have required for Colgan to prepare the document and submit it to him for review and concurrence.

Despite this explanation, we agree with the IAC team’s finding that, while not improper, the POI was too willing to do Colgan’s work for them, rather than requiring the carrier to do the work, with his oversight. As a result of the IAC team’s findings, the Washington FSDO developed a Standard Operating Procedure (SOP) to ensure that FSDO employees do not engage in activities to solve carrier problems on behalf of the carrier, but instead ensure that the carrier resolves their own issues, with appropriate FAA input and oversight. This SOP was trained to all staff on June 10, 2008.

Lastly, we reviewed Colgan’s proving run training schedule and determined that the proving runs occurred as originally scheduled, on January 19, 2008.

Allegation 8: *In 2005, after Colgan complained, Mr. Monteleon was removed from his duties as Principal Operations Inspector (POI) for Colgan because he reported multiple safety concerns about Colgan, including its Internal Evaluation Program and an enforcement action he initiated against a Colgan pilot for failing to record a problem with the engine oil indicating system. He further contended that the safety concerns he identified, were not adequately corrected until he returned as APM for Colgan in 2007.*

Findings: We did not find evidence to substantiate this allegation. Mr. Monteleon asserted that FSDO management was instrumental in ensuring that multiple enforcement actions initiated against Colgan were closed without legal action, and that he was removed from his position as the POI because he would not stop initiating enforcement action against Colgan. Mr. Monteleon did not recall how many such enforcement actions were involved, recollecting it was between two and five.

We were unable to address Mr. Monteleon's specific allegations regarding the engine oil indicating system or Colgan's Internal Evaluation program. First, Mr. Monteleon was unable to provide specific information, clarify the allegations, or provide documents pertaining to these issues. Second, individuals we interviewed did not recall either of these issues. Third, in accordance with FAA document retention requirements, all documents pertaining to proposed enforcement actions are destroyed 24 months after they are closed. Thus, we found that enforcement actions closed in 2005 have since been destroyed.

However, Mr. Monteleon provided copies of two separate enforcement actions, which he initiated against Colgan, regarding two separate instances of Colgan pilots failing to record maintenance issues in the aircraft maintenance logbook. We believe one of them may pertain to his specific allegation regarding a pilot's failure to log a problem with the engine oil indicating system in the aircraft maintenance logbook.

Specifically, in January 2005, Colgan Captain Dailey failed to act properly on information provided by ASI Monteleon during a ramp inspection at Dulles Airport and thus operated an unairworthy aircraft (a Saab). In February 2005, Mr. Monteleon initiated an enforcement action. In June 2005, Colgan responded to FAA reporting that Captain Dailey had received a three-day suspension without pay for operating an aircraft with a maintenance irregularity that was not entered into the aircraft maintenance log. Colgan's response to FAA also provided a detailed discussion of Colgan's minimum equipment list (MEL) procedures and the requirements for deferring a maintenance item under an MEL. We confirmed with FAA that the engine oil indicating system is an item that is maintenance-deferrable under Colgan's MEL,

but discrepancies must still be entered into the aircraft logbook as required by the FAR.

It is possible that Mr. Monteleon's ramp inspection enforcement action pertained to the engine oil indicating system referenced above; however, he did not respond to our attempts to confirm this with him. In another instance, in February 2005, Colgan Captain Jurkiewicz failed to record a flap discrepancy in Hyannis, MA. As a result, Colgan suspended the pilot for three days without pay.

Because Colgan took action against their pilots for these failures, FAA issued Letters of Correction to Colgan for these events in July 2005, but did not consider additional enforcement action to be warranted. We found no evidence that Colgan complained about Mr. Monteleon in 2005 or that he was removed as POI for Colgan based on enforcement actions he took against the carrier.¹⁷

Allegation 9: *In 2006, while assigned to the Office of Runway Safety in the Air Traffic Organization, Mr. Monteleon observed runway incursion severity classification data being intentionally classified in a less severe category, in order to reflect a decrease in severe runway incursions.*

Findings: We did not find evidence to substantiate the allegation of intentional misclassification. While we determined that the specific runway incursion Mr. Monteleon cited and four others were misclassified, we did not find that these specific events, or runway incursions in general, were deliberately misclassified.

Specifically, Mr. Monteleon asserted that William Davis, FAA's Vice President of ATO-Safety, and LaGretta Bowser, Acting Director of ATO-Safety's Office of Operational Services, intimidated the three members of the Runway Incursion Assessment Team to assign less severe classifications¹⁸ to runway incursions, in order to artificially improve FAA's safety record. He cited a specific example from 2006 involving an Airbus A320 and a Boeing 747 on the runway at night, in poor weather at JFK Airport. According to Mr. Monteleon, the B-747 saw the A320 at the last

¹⁷ We found that Mr. Monteleon was reassigned from his position as POI for Colgan in October 2005 based on documented performance and conduct-related issues. In January 2006, Mr. Monteleon transferred from the FSDO to FAA Headquarters, where he was detailed to the ATO's Office of Runway Safety. He returned to the FSDO as APM for Colgan's Dash 8 program in July 2007.

¹⁸ Runway Severity Classifications are categorized as A, B, C, and D; A being the most severe, D being the least.

moment, missing the aircraft by approximately 85 feet. Mr. Monteleon contended that this runway incursion was an example of a "Category A", or most severe, runway incursion; however, Ms. Bowser interpreted the event as a "Category D", or least severe, incursion.

We confirmed that this event was misclassified by FAA's Runway Incursion Assessment Team. In response to concerns raised in 2007 by Mr. Monteleon to FAA's Associate Administrator for Aviation Safety (AVS), FAA's Office of Air Traffic Safety Oversight (AOV)¹⁹ conducted an audit of 114 runway incursions occurring from 2006-March 2007. Among the events they reviewed was the above-referenced event. The Runway Incursion Assessment Team rated this event as a least severe "Category D," while AOV auditors determined that the event was actually a "Category A", most severe, runway incursion.

In its May 2007 audit report, AOV found overall that the ATO-Safety Office of Runway Safety accurately assessed 82% of runway incursions. Their audit found that only 5 of the 114 incursions they reviewed (or 4%) were misclassified: 3 were rated too low on the severity scale, and 2 were rated too high. AOV was unable to accurately classify another 13% of the incursions due to insufficient guidance in FAA Order 7050.1. Specifically, after reviewing the definitions contained in FAA Order 7050.1, AOV found the definitions of severity categories to be subjective and partially incomplete. For instance, the definition of severity in the Order did not contain sufficient guidance to differentiate between classifications, and used phrases such as "narrowly avoided," "significant potential," and "ample time or distance existed to avoid a collision." AOV found the general nature of these statements and the range of possible interpretations did not provide clear criteria to distinguish between severity classifications.

We interviewed all past and present members of the Runway Incursion Assessment Team, along with Mr. Davis and Ms. Bowser. All individuals, to include Mr. Davis and Ms. Bowser, denied deliberately misclassifying runway incursions, and they denied being under any pressure to do so. Given these statements, coupled with the lack of proper definitions and sufficient guidance in FAA Order 7050.1, and the fact

¹⁹ AOV was established on March 14, 2005, by the FAA Administrator in response to recommendations, made by the National Civil Aviation Review Commission and the International Civil Aviation Organization, that air traffic service providers be subject to safety oversight by an FAA entity outside the Air Traffic Organization (ATO). AOV's mission includes having authority to develop or adopt safety standards, and to ensure that the ATO complies with those standards. AOV is part of FAA's Aviation Safety Organization, and provides independent oversight of the ATO in a manner structurally similar to FAA's oversight of air carriers.

that of the events misclassified, they were nearly equal in the number of overrated versus underrated, we concluded that the misclassification of events was due to subjective and partially incomplete guidance in the FAA Order prescribing criteria for determining runway incursion. We did not find any evidence of deliberate misclassification, designed to manipulate data in order to reflect a decrease in the severity of runway incursions.

Based on its findings, AOV made a series of recommendations for corrective action to ATO-Safety. As a result of AOV's findings, it made the following recommendations to ATO's Office of Runway Safety:

1. Take immediate corrective actions to standardize a process for all runway incursions investigations and categorizations.
2. That ATO-Safety takes immediate steps to correct any non-compliance with FAA Orders and policies.
3. Identify and implement investigative, corrective, and/or preventive actions to prevent runway incursions.

In response, the Office of Runway Safety reported that it was in the process of rewriting the Runway Safety Program Order (FAA Order 7050.1) to expand, formalize, and further clarify the roles and responsibilities associated with investigation, severity classification and follow-up.

We subsequently learned that FAA is still in the process of rewriting and clarifying guidance in FAA Order 7050.1; however, FAA issued a Notice clarifying FAA Order 7050.1 on October 1, 2008. Specifically, FAA Notice N JO 7050.2 revises the definitions and amends the section in the Order pertaining to runway incursion severity classifications. Final revisions to FAA Order 7050.1, and its subsequent issuance, will occur in FY 2010.

Finally, on January 5, 2009, we initiated an audit to evaluate the effectiveness of actions taken in response to FAA's "Call to Action Plan" for improving runway safety. Our audit is ongoing, and we do not anticipate issuing our report of findings until some time in FY2010.

Allegation 10: *The intentionally inaccurate runway incursion classifications were incorporated into FAA's nationwide database, serving as the foundation for a computer program now used by FAA to calculate runway incursion severity classifications. Such calculations are inaccurate and provide misleading statistics relied upon by senior FAA officials.*

Findings: We did not substantiate this allegation. First, as addressed above, we did not find evidence of deliberate misclassification of runway incursions. Second, the computer software program, known as the Runway Incursion Severity Classification (RISC) calculator, was never a determinant for severity classifications and was only used on a test basis. Third, due to apparent reliability-related problems with the software program, ATO's Office of Runway Safety suspended its use in approximately September 2007, until the software was further evaluated by an outside consultant.

A March 2009 report issued by the consultant, Booz-Allen-Hamilton, concluded that there were inherent inconsistencies with the program, rendering it unreliable. Based on this finding, according to ATO-Safety's Director of Safety Programs, FAA does not intend to use this program for runway incursion classifications. Because the RISC calculator was never used as a determinant for runway incursion severity classifications, FAA statistics were only derived from the Runway Incursion Assessment Team's determinations.

Recommendations

Because the assessment of Colgan's ADE program conducted by the Eastern Region Flight Standards Division in May 2009 identified deficiencies, made recommendations, and provided for corrective actions upon concurrence by FSDO and Colgan officials, we recommended that FAA's Associate Administrator for Aviation Safety ensure that the FSDO/Colgan response process is completed in a timely manner, and that appropriate corrective actions are fully implemented.

We further recommended that because the Eastern Region Flight Standards Division had not conducted an assessment of the Colgan ADE program within the required three-year period (and not since 2000), the Associate Administrator for Aviation Safety ensure that—for all Regions—assessments for all Part 121 carriers with ADE programs are completed as required and in a timely manner.

The FAA Administrator responded to us via the attached memorandum, dated August 4, 2009, reporting corrective actions to be taken. We consider FAA's actions responsive to our findings and recommendations.

If I can answer any questions, please contact me at 202-366-1959, or my Deputy, David Dobbs, at 202-366-6767.

Attachment

#

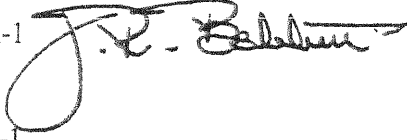


Federal Aviation Administration

Memorandum

Date: August 4, 2009

To: Calvin L. Scovell, III, Inspector General, J-1

From: J. Randy Babbitt, Administrator, AOA-1
Ext. 73111 

Prepared by: J. David Grizzle, Chief Counsel, AGC-1
Ext. 73222

Subject: ACTION OSC Whistleblower Disclosure Case #DI-08-1708
Re: Runway Incursions (Monteleon)

This responds to the request from the Office of General Counsel that I review Office of Inspector General's results of investigation related to Whistleblower Disclosure Case # DI-08-1708. I have reviewed the report for this OIG Investigation, dated July 31, 2009, and accept its findings.

Pursuant to your recommendations, the Associate Administrator for Aviation Safety (AVS) has committed to taking the following actions:

Our current guidance indicates that certificate holding district offices (CHDO) of Part 121 operators should conduct an assessment of Part 121 operators' Aircrew Designated Examiner program every 36 months. AVS will change this policy by notice and then permanently incorporate the change into FAA Order 8900.1, Flight Standards Information Management System. The change will indicate that CHDOs must conduct this assessment every 36 months.

Until that change becomes permanent, AVS will take the following immediate actions:

1. Direct the Flight Standards Eastern Region to ensure Colgan Air's CHDO processes any corrective actions from its assessment of the carrier's ADE program in accordance with appropriate FAA guidance, including follow-up to determine Colgan's successful completion of those corrective actions.
2. Require all Flight Standards regions to review within 30 days the schedule of ADE assessments for all operators to determine any that are overdue and direct the region to conduct any overdue ADE assessments immediately.

3. After completion of number 2 above, require regional managers to report compliance for all operators to the Flight Standards Air Transportation Division.

Mr. Doug Dalbey, Flight Standards Deputy Division Manager for Field Operations, has been designated by AVS to serve as the single point of accountability for implementation of these corrective actions. He will keep you advised of our progress. If you have any further questions, please contact James W. Whitlow, Deputy Chief Counsel for Policy and Adjudication, at 202-267-3222.

SUMMARY REPORT

Supervisory Aviation Safety Inspectors Kenneth D. Roach and Mark Mulkey were tasked to conduct an Administrative Investigation of Inspector Chris Monteleon, an employee of the Washington FSDO (AEA-FSDO-27). Allegations were made by Colgan Air, Inc., that the personal conduct of Inspector Monteleon was "endangering the safety centric and collaborative working environment at Colgan Air". The allegations stem from a proving test training flight conducted by Colgan Air, Inc., on January 19, 2008, in which Inspector Monteleon was assigned to observe. The focus of the Administrative Investigation therefore centered on the flight of January 19, 2008.

Interviews of Colgan Air, Inc., employees on board the flight of January 19, 2008, and/or who had direct involvement with Inspector Monteleon on that day were conducted March 19-20, 2008. Interviews of Inspectors Lundgren and Monteleon were conducted March 21, 2008.

The Administrative Investigation has halted before it could be completed. The team had wished to follow-up certain subject matters:

1. Obtain flight and maintenance aircraft logs to review the actual entries for the day
2. Follow-up interview with Captain Honan to clarify the extent of the disruptions alleged to have occurred during flight with manual reviews and questions asked by Inspector Monteleon.

3 Follow-up interview with Mr. Nunn to clarify conversations he had with the Director of Maintenance and who that was and with Rolandos Lazaris, Assistant Washington FSDO Manager.

4 Interview Rolandos Lazaris, Assistant Washington FSDO Manager concerning his phone conversation with Mr. Nunn on January 19

Attachments included:

- Letter from George A. Casey dated January 24, 2008
- Typed unsigned and undated statement from Bill Honan
- Email containing synopsis of January 19, 2008 flight from Inspector Lundgren
- Email sent by Inspector Monteleon copy of which sent to Inspector Lundgren subject – DHC-8 Exceedences
- Inspectors Lundgren and Monteleon Employee Information and Acknowledge Forms

The team's preliminary conclusions were:

1. That Inspector Monteleon's personal conduct did not create an immediate or direct safety hazard during the flights that were conducted on January 19, 2008.
2. That Inspector Monteleon's personal conduct and exercise of his duties created a hostile environment in the cockpit that had the potential to impact safety, for example
 - a) Failure to abide by company policy concerning food and drink in the cockpit
 - b) Reviewing manuals and asking questions during flight

3. That Inspector Monteleon demonstrated unprofessional behavior as an Aviation Safety Inspector and acted in a manner that is inconsistent with handbook guidance, for example

- a) The post flight debriefing
- b) The phone call to Captain Honan late on the evening of January 19
- c) Threats to remove Captain Honan's APD

4. It was the personal opinion of the review team that Colgan Air, Inc., employees were reluctant to cooperate fully because they appeared fearful of retribution by Inspector Monteleon and the FAA.

Flight Standards Service Internal Assistance Capability

Focused Report of Inquiry:

Certificate Management of Colgan Airlines
by
Washington Flight Standards Service Office (WAS FSDO)

April 22–24, 2008



Conducted by: Tim Harristhal, Air Carrier Section Supervisor, St. Louis FSDO (Team Lead);
Max Tidwell, Supervisory Principal Operations Inspector, Alaska CMO; and
Todd Pearson, Manager, Programs Management Branch (AGL-210).

Concurrence by: Martin J. Ingram
AFS Eastern Region Deputy Division Manager (AEA-201A)

"AVS is committed to providing the world's safest aerospace system. AVS achieves this goal by meeting the requirements of the AVS quality management system, responding to our customers, valuing the contributions of each employee, and continuously improving our processes."

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Background

This Flight Standards Service Internal Assistance Capability has been conducted under request of Lawrence Fields, AEA-200. Mr. Fields requested the review based on recent events at the Dulles FSDO as it relates to the certificate management of Colgan Airlines Air Carrier Certificate. The team was requested to determine if safety issues exist, appropriate processes were followed, inspector conduct and Aircrew Program Designee complied with applicable FAA Orders.

The safety issues revolved around a series of training flights on January 19, 2008. Colgan Airlines conducted these training flights in the DHC-8-400. The carrier requested credit toward their required proving flight hours on these flights. Following FAA criteria, a qualified ASI must be present on the aircraft to enable the hours to be credited. Inspector Chris Monteleon represented the IAD FSDO on this series of flights. This was the first series of flights conducted in the aircraft by Colgan Airlines.

PTRS and Data Collection Tools (DCT) did not indicate any safety of flight issues regarding these training flights. Subsequently, Inspector Monteleon through electronic mail and other informal communication channels claimed that serious safety issues exist based on his observation of these training flights.

Inspector Monteleon went on to assert the need for removal of the APD authorization from the Pilot in Command (PIC) based on performance related issues during this series of flights.

Inspector Monteleon claimed that he was reassigned to a different position as one of a number of retaliation related actions based on his actions regarding Colgan Air.

Methods

Interviews were conducted by the review team. The interviews were conducted without specific scripted questions to allow for open dialogue. This allowed the review team to focus on situation based questions to stimulate open communications. Everyone interviewed was given the opportunity to express themselves fully. No signed statement were requested or offered in these interviews and none of the bargaining unit employees requested union representation. None of the interviewees expressed any reservations about participating in the review. None of the interviewees (Management or bargaining unit employees) sought to invoke their Wiengarten rights.

The IAC review team members included:

- Tim Harristhal, ACE- STL FSDO Team Lead
- Todd Pearson, AGL-210
- Joanne Orsena, AFS-10 (Dates present; 4/22-4/23)
- Mike McCafferty, AFS-10 (Date present; 4/22)
- Max Tidwell, ANM-ASAA CMO,

In preparation for the review ANE-210 provided, the IAC Team background information related to the request for IAC review. This included the report by AEA-290, Roach/Mulkey report and other related documents. While this information was reviewed to varying degrees by IAC team members, the contents were not included in this report unless specifically referenced in the body of the report. Thus, the contents of this report are the results of the information gathered by the IAC review team.

The on-site review was initiated on April 22, 2008, and was completed on April 24, 2008. The team interviewed:

- Douglas Lundgren, Colgan POI
- Barry Barbini Colgan PMI
- Norman Schwanke Colgan PAI
- Chris Monteleon APOI, Compass Airlines
- Richard Belle APM SAAB 340 Colgan
- Edward Roberts Colgan CMT Supervisor
- Rolandos Lazaris IAD FSDO Assistant Manager
- Nick Scarpinato JR IAD FSDO Manager

Throughout the interview process, the team reviewed FAA Records related to these events when they could be located, pertinent Aircraft Logbook pages, Aircraft Flight Manuals, Aircraft Maintenance Manuals, and applicable sections of the FAA Order 8900.1. Information deemed pertinent to this report is attached.

Safety Issues/concerns identified by the IAC Team

1. DHC-8-400 Simulator Training. Significant flight characteristic differences evidently exist between the training Simulator and the actual aircraft. The DHC-8-400 aircraft has been upgraded with air data computer system that is much more sensitive and subject to spurious faults manifested as airspeed spikes. Flight crews are claiming that they are returning from training without experiencing the true flight characteristics of the aircraft.
2. Approved simulator training curriculum apparently does not include typical events that would lead to aircraft overspeed situations. The curriculum should be reviewed and modified to include unplanned level off during climb, and cruise descent profiles if they do not exist in the current curriculum.
3. Certificate Management Team (CMT) was too willing to resolve airworthiness determinations, rather than requesting the air carrier complete maintenance requirements. In the claimed Vmo overspeed, the CMT conducted analysis using undocumented information to determine aircraft airworthiness based on DHC-8-400 Maintenance Manual. The CMT's focus should have been on ensuring the discrepancy was correctly entered in the aircraft logbook and the air carrier maintenance department should determine aircraft airworthiness. The log book entry and appropriate airworthiness action was completed on April 23, 2008. The expectations of a CMT is that this logbook entry and related action should have been accomplished immediately by the carrier. None of the explanations provided to the review team justified the excessive delay.

4. CMT did not hold carrier accountable for aircraft discrepancy recording or corrective action.
5. Reported disruptive flight deck behavior by FAA observer (APM) creating an unsafe operational environment. Reportedly, the APM continually distracted the crew of the aircraft with flight manual issues, questioning emergency procedures and Crew Resource Management.
6. Colgan Air failed to enter Vmo overspeed events in the aircraft logbook which occurred during the training flights. The flightcrew, with the APM on board, continued to operate the aircraft without complying with the approved maintenance procedures and in violation of parts 91 and 121 of the FAR's.

Major findings identified by the IAC Team

1. CMT Front Line Manager (FLM) failed to:
 - a. Conduct, or initiate a thorough investigation into Inspector Monteleon's initial reports of potential Vmo overspeed.
 - b. Conduct appropriate/timely investigation into Inspector actions on flight deck.
 - c. Assure timely completion of APM training
 - d. Assure documentation of inspector activities in the PTRS and ATOS DCT's.
2. Inspector Monteleon;
 - a. Failed to timely report alleged safety issues
 - b. Failed to clearly and consistently communicate potential safety issues. Inspector documented potential safety concern in an e-mail, yet stated in CMT meetings that he did not have any safety concerns related to the aircraft or airworthiness of the aircraft. Inspector Monteleon participated in proving flights on the same aircraft on a later date without raising any airworthiness concerns. Upon his reassignment to a different position, he raised the airworthiness issue to the level of claiming the aircraft was un-airworthy and should be grounded. At this time he also began an Enforcement Investigative Report (EIR) against the pilots without consulting with POI, or his supervisor. This consisted of generating an EIR number. A draft 2150-5 was never initiated and LOI's were never sent.
 - c. Conducted training surveillance on a flight after stated safety deficiencies were identified.
 - d. Failed to document safety and surveillance information in appropriate FAA databases. No documented evidence exists that Monteleon informed CMT management and/or was prevented from performing surveillance activities at the carrier.
 - e. Did not progress in a reasonable or timely manner in the completing of the APM training requirements
 - f. On several occasions conducted himself in an inappropriate manner in the performance of his duties.

Additional Findings identified by the IAC Team

1. No evidence of retaliation against Monteleon for his reporting of safety issues.
 - a. Reassignment from APM position to APOI position was appropriate due to lack of sufficient training progress and employee conduct.
 - b. No evidence of being restricted to "Desk Duty".
2. Direction by CMT management that ASI Monteleon close the EIR is justified. The IAC review team investigated the allegations related to the EIR raised by Inspector Monteleon and found that Inspector Monteleon was complicit in the subsequent violations by failing to have the crew enter maintenance discrepancies in the aircraft logbook and continuing to fly on the same aircraft on multiple instances.
3. cursory review of Captain Honan's (APD) participation in the ADE program appears to be in accordance with FAA Orders. No records exist documenting inappropriate actions or conduct on his part.
4. Some Inspectors in the CMT are not accountable, or being held accountable by the FLM for the entering and accuracy of their PTRS data input.
5. ASAP Report submitted by captain on Jan 19. Event Review Committee (ERC) accepted the report. MOU addresses flight activities operated under FAR Part 121. Flights on Jan 19 were conducted under FAR Part 91, ASAP report should have been excluded. Since the report was accepted, there should have been ERC recommendations related to the incidents of January 19, 2008.
6. It appears CMT needs to utilize more formal methods of conducting and documenting business as it pertains to Colgan Air, Inc. The CMT frequently appears to be more than willing to rely on undocumented verbal communication as it relates to technical questions and/or issues discussed with the Carrier or Manufacturer. (Ask Carrier to fix problems versus taking ownership and/or trying to solve the problem for the carrier)

Recommendations

Provide Office Manager with a copy of the completed administrative investigation conducted by Kenneth Roach and Mark Mulkey

Recommend Regional Office conduct a 36 month review of ADE program in accordance with 8900.1 guidance.

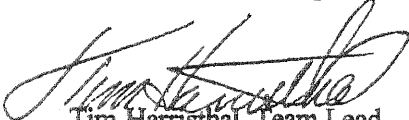
Management consolidate findings of this report with any previous reports pertinent to Mr. Monteleon's conduct and initiate corrective action as appropriate.

Conclude Monteleon's detail immediately and return him to his position of record.

Initiate management review regarding the FLM to determine what, if any, corrective action may be appropriate.

Initiate a review of Office documentation requirements to assure and insure compliance with FAR's and applicable agency guidance


This review was completed on April 24, 2008 by:



Tim Harristhal, Team Lead



Max Tidwell, Team Member



Todd Pearson, Team Member

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal
 Inspector Name Code: CJM

Record ID: EA27200803032	Activity Number: 1313	FAR: 121
NPG:	Status (POC): C	Callup Date:
Start Date: 01/19/2008	Results (ACEFISTX): C	Closed Date: 01/19/2008
Designator: NSVA	Affiliated Designator:	OTNA:
Aircraft Reg #: N187WQ	Loc/Departure Point: HBF	Loc/Arrival Point#: CMH
Flight #: 3490	Complaint #:	Occurrence #:
Make-Model-Series: DHC-8-400	Incident #:	
Simulator/Device ID:	EIR #:	
Non-Cert Activity Name/Company:	Accident #:	
Airman Cert #:	Name:	
Examiner Cert #:	Name:	
Applicant Cert #:	Name:	
Rec Instructor Cert #:	Name:	
Pass/Fail:	Exam Kind:	8430-13 #:
Tracking:	Miscellaneous: EA2720082732	Numeric Misc.:
Local Use:	Regional Use: b:
Activity Time:	Assessment: 0.0	:
Triggers	Activity Number:	Repeat Number:
		Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

2/20/2008

SECTION II - Personnel (unlimited)

Personnel Name	Position	Characters)

SECTION III - Equipment (unlimited)

Manufacturer	Model	Serial #	Remarks (23 Characters)

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal
 Inspector Name Code: CJM

Record ID: EA27200803033	Activity Number: 1313	FAR: 121		
NPG:	Status (POC): C	Callup Date:		
Start Date: 01/19/2008	Results (ACEFISTX): C	Closed Date: 01/19/2008		
Designator: NSVA	Affiliated Designator:	OTNA:		
Aircraft Reg #: N187WQ	Loc/Departure Point: CMH	Loc/Arrival Point#: BUF		
Flight #: 3491	Complaint #:	Occurrence #:		
Make-Model-Series: DHC-8-400	Incident #:			
Simulator/Device ID:	EIR #:			
Non-Cert Activity Name/Company:	Accident #:			
Airman Cert #:	Name:			
Examiner Cert #:	Name:			
Applicant Cert #:	Name:			
Rec Instructor Cert #:	Name:			
Pass/Fail:	Exam Kind:	8430-13 #:		
Tracking:	Miscellaneous: EA2720082732	Numeric Misc.:		
Local Use:	Regional Use:	National Use:		
Activity Time:	Assessment: 0.0	Travel Cost:		
Triggers	Activity Number:	Repeat Number:	Geographic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

SECTION II - Personnel (unlimited)

Personnel Name	Position	Remarks (23 Characters)

2/20/08

SECTION III - Equipment (unlimited)

Manufacturer	Model	Characters)

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal

Inspector Name Code: CJM

Record ID: EA27200803034	Activity Number: 1313	FAR: 121
NPG:	Status (POC): C	Callup Date:
Start Date: 01/19/2008	Results (ACEFISTX): C	Closed Date: 01/19/2008
Designator: NSVA	Affiliated Designator:	OTNA:
Aircraft Reg #: N187WQ	Loc/Departure Point: BUF	Loc/Arrival Point#: HEP
Flight #: 3492	Complaint #:	Occurrence #:
Make-Model-Series: DHC-8-400	Incident #:	
Simulator/Device ID:	EIR #:	
Non-Cert Activity Name/Company:	Accident #:	
Airman Cert #:	Name:	
Examiner Cert #:	Name:	
Applicant Cert #:	Name:	
Rec Instructor Cert #:	Name:	
Pass/Fail:	Exam Kind:	8430-13 #:
Tracking:	FA 2720082732	Numeric Misc.:
Local Use:		National Use:
Activity Time:		Travel Cost:
Triggers	Activity Number:	aphic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

2/20/08

SECTION II - Personnel (unlimited)

Personnel Name	Remarks (23 Characters)

SECTION III - Equipment (unlimited)

Manufacturer	Model	Serial #	Remarks (23 Characters)

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal

Inspector Name Code: CJM

Record ID: EA27200803036	Activity Number: 1313	FAR: 121		
NPG:	Status (POC): C	Callup Date:		
Start Date: 01/25/2008	Results (ACEFISTX): C	Closed Date: 01/25/2008		
Designator: NSVA	Affiliated Designator:	OTNA:		
Aircraft Reg #: N187WQ	Loc/Departure Point: HEF	Loc/Arrival Point#: EWR		
Flight #: 3490	Complaint #:	Occurrence #:		
Make-Model-Series: DHC-8-400	Incident #:			
Simulator/Device ID:	EIR #:			
Non-Cert Activity Name/Company:	Accident #:			
Airman Cert #:	Name:			
Examiner Cert #:	Name:			
Applicant Cert #:	Name:			
Rec Instructor Cert #:	Name:			
Pass/Fail:	Exam Kind:	8430-13 #:		
Tracking:	Miscellaneous: EA2720082732	Numeric Misc.:		
Local Use:	Regional Use:	National Use:		
Activity Time:	Assessment: 0.0	Travel Cost:		
Triggers	Activity Number:	Repeat Number:	Geographic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

SECTION II - Personnel (unlimited)

Personnel Name	Position	Base	Remarks (23 Characters)

SECTION III - Equipment (unlimited)

Manufacturer	Remarks (23 Characters)

2/20/08

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal

Inspector Name Code: CJM

Record ID: EA27200803037	Activity Number: 1313	FAR: 121
NPG:	Status (POC): C	Callup Date:
Start Date: 01/25/2008	Results (ACEFISTX): C	Closed Date: 01/25/2008
Designator: NSVA	Affiliated Designator:	OTNA:
Aircraft Reg #: N187WQ	Loc/Departure Point: EWR	Loc/Arrival Point#: PIT
Flight #: 3491	Complaint #:	Occurrence #:
Make-Model-Series: DHC-8-400	Incident #:	
Simulator/Device ID:	EIR #:	
Non-Cert Activity Name/Company:	Accident #:	
Airman Cert #:	Name:	
Examiner Cert #:	Name:	
Applicant Cert #:	Name:	
Rec Instructor Cert #:	Name:	
Pass/Fail:	Exam Kind:	8430-13 #:
Tracking:	20082732	Numeric Misc.:
Local Use:		National Use:
Activity Time:		Travel Cost:
Triggers	Activity Nur	Geographic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

2/20/08

SECTION II - Personnel (unlir

Personnel Name	Use	Remarks (23 Characters)

SECTION III - Equipment (unlimited)

Manufacturer	Model	Serial #	Remarks (23 Characters)

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____

PROGRAM TRACKING AND REPORTING SUBSYSTEM DATA SHEET
 (One PTRS Record Required for Each Unit of Work as defined in the PPM)

SECTION I - Transmittal

Inspector Name Code: CJM

Record ID: EA27200803038	Activity Number: 1313	FAR: 121
NPG:	Status (POC): C	Callup Date:
Start Date: 01/25/2008	Results (ACEFISTX): C	Closed Date: 01/25/2008
Designator: NSVA	Affiliated Designator:	OTNA:
Aircraft Reg #: N187WQ	Loc/Departure Point: PIT	Loc/Arrival Point#: HEP
Flight #: 3491	Complaint #:	Occurrences #:
Make-Model-Series: DHC-8-400	Incident #:	
Simulator/Device ID:	EIR #:	
Non-Cert Activity Name/Company:	Accident #:	
Airman Cert #:	3: _____	
Examiner Cert #:	_____	
Applicant Cert #:	_____	
Rec Instructor Cert #:	_____	
Pass/Fail:	<i>2/20/08</i>	8430-13 #:
Tracking:		Numeric Misc.:
Local Use:	National Use:	
Activity Time:	Travel Cost:	
Triggers	Activity Number:	Year Number:
		Geographic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Foreign? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

SECTION II - Personnel (unlimited)

Personnel Name	Position	Base	Remarks (23 Characters)

SECTION III - Equipment (unlimited)


Manufacturer	Model	Serial #	Remarks (23 Characters)

SECTION IV - COMMENT (unlimited)

Primary Area	Key Word	Opinion Code	Comment Text (unlimited length)

Date: _____ Originator: _____ Office: _____
 Inspector Signature: _____ Supervisor Initials: _____


Field 1	Field 2	Field 3	Field 4	Field 5
IAC Audit Findings Tracking List				
Item NCR/Avery	Objective	Action Taken	Due Date	Done By:
Avery: Evidence suggest that CMT often tries of solve problems for the air carrier, rather than requiring resolution from the air carrier.	Develop strategy to mitigate this issue that is comprehensive and document the process.	A SOP was created 5/23/08, trained 6/10/08 all hands.	05/31/2008	05/23/2008
Avery: An ASAP report was submitted and accepted by the ERC on an activity that occurred on a Part 91 training flight (Colgan 1/19/08)	Investigate and determine if it is acceptable to allow a Part 91 event to be accepted into ASAP.	ASAP guidance allows for a 91 flight - company induced.	05/26/2008	04/29/2008
Avery: Does significant flight characteristics differences exist between the Q-400 training simulator and the aircraft? Reference unexpected airspeed spikes reported by pilots.	Evaluate this problem and document the surveillance in the proper FAA data Base.	DOR 2018636	05/31/2008	05/31/2008
	Provide a comprehensive report on action taken by the air carrier to solve this issue.	Memo from CMT supervisor dated 06/13/08.	05/31/2008	06/13/2008
Avery: Does approved Q-400 SIm training curriculum include typical events that would lead to an aircraft overspeed condition?	Assign an inspector to evaluate this issue and document the surveillance in the proper FAA data Base.	DOR 2019579	05/31/2008	05/31/2008
	Provide a comprehensive report on action taken by the air carrier to solve this issue.	Memo from CMT supervisor dated 06/12/08.	05/31/2008	06/12/2008

	AVS Quality Management System	QPM# AVS-001-010-F1	Revision 3
Title: Nonconformance Record		Rev. Date 4/28/2008	

Phase: Completed
Created by Nick Scarpinato/AEA/FAA from on 04/25/2008

Please refer to the AVS Procedure (AVS-001-010) for details regarding process requirements; or the QMITS User Guide for complete instructions on how to use QMITS.

The Red Asterisk, '*', denotes a required field.
 You must complete this field before you can route the NCR to the next phase.

You can use the "Comments for Electronic Signature" block at the bottom of the screen like a POST-IT note.
 Enter your comments and save the NCR .

STEP 1 - INITIATE THE NCR

NCR Number: 3866
Originating Organization: AFS -- EA27
NCR Source: Office Self-Assessment
Process Type: AFS - QMS Process
Subject/Process: * AFS 001-007 Document Control Program
Reference: IAC Audit

PROBLEM DESCRIPTION *

- 1) State the requirement:** All surveillance should be documented IAW National Policy
- 2) Describe the nonconformance:** FSDO Inspectors may not always document inspections and surveillance in accordance with agency guidance
- 3) Describe the objective evidence, which confirms that the nonconformance occurred:** IAC Audit confirmed that some inspection surveillance was not documented in PTRS and/or ATOS data base in accordance with agency policy.
 A review of office documentation practices should be conducted

Recommended Responsible Office: FSDO-27

Attachments:

External Links: Reference to Links:

Capture Data: AFS -- EA27 AFS 001-007 Document Control Program

STEP 2 - EVALUATE THE NCR**Responsible Office:** AFS -- EA27**Additional Information:****ACTION TO BE TAKEN**

Authorize Action: by taking action to eliminate the detected nonconformity

In accordance with the Inspectors Handbook 8900.1(PTRS) and the Air Transportation Oversight System (ATOS) guidelines inspectors are required to enter data into the ATOS database within three (3) business days of completing an activity or as soon as possible.

Describe the Action to be Taken:

Supervisors and the assistant Manager from the Washington FSDO have addressed the issues identified by the audit team on both team meetings and general office level.

Authorized By: Rolandos Lazaris/AEA/FAA**Date:** 06/03/2009**Attachments:****STEP 3 - CORRECT THE NONCONFORMANCE****Action Taken:** Training has been performed on team and general office level**Action Completed By :** Rolandos Lazaris/AEA/FAA**Date Completed:** 06/04/2008**Attachments:**

Capture Data

STEP 4 - APPROVE THE CORRECTION**Approval Comments:** Training was performed**Approved By :** Suzette Rash/AEA/FAA**Date Completed:** 06/16/2008**Attachments:**

Capture Data

STEP 5 - VERIFY AND CLOSE THE NCR

Describe how the action taken on the nonconformance was verified: Supervisors and the assistant Manager from the Washington FSDO have addressed the issues identified by the audit team on both team meetings and general office level.

All Databases are up todate

Verified By: Elbert M Bush/AEA/FAA**Date Completed:** 06/17/2008**Attachments:**

Capture Data

06/17/2008

AFS -- EA27

Activity Item Information

NCR Activity Links:**Comments for Electronic Signature**

Enter technical and administrative instructions and notes. Your name, the date, the time, and the phase you are in will automatically be recorded with your comments. If you believe that your comment deserves special attention, click the checkbox next to "Mark this comment as hot?"

Enter Comments Here

Mark this comment as hot?

>>>> Nick Scarpinato, 04/25/2008 02:15:55 PM CDT, Draft:

>><< **One Time Agent, 04/28/2008 09:53:00 AM CDT, Form updated to 3 during upgrade to QMITS v1.6.1.**

>>>> Rolandos Lazaris, 05/30/2008 09:43:52 AM CDT, Manager Assign:

>>>> Rolandos Lazaris, 06/04/2008 06:41:38 AM CDT, Action Taken:

>>>> Suzette Rash, 06/16/2008 10:19:51 AM CDT, Correction Approval:

>>>> Rolandos Lazaris, 06/17/2008 12:41:17 PM CDT, Verification:

Links**Phase Tracking**

Phase	Assigned To	Submitted	Due Date	Completed
Nonconforming Product - Draft	Nick Scarpinato/AEA/FAA	04/25/2008 02:02 PM	04/25/2008	04/25/2008 02:15 PM
Nonconforming Product - Manager Assign	Rolandos Lazaris/AEA/FAA	04/25/2008 02:15 PM	05/30/2008	05/30/2008 09:43 AM
Nonconforming Product - Action Taken	Rolandos Lazaris/AEA/FAA	05/30/2008 09:43 AM	06/04/2008	06/04/2008 06:41 AM
Nonconforming Product - Correction Approval	Suzette Rash/AEA/FAA	06/04/2008 06:41 AM	06/27/2008	06/16/2008 10:20 AM
Nonconforming Product - Verification	Rolandos Lazaris/AEA/FAA	06/16/2008 10:20 AM	06/23/2008	06/17/2008 12:41 PM
Nonconforming Product - Completed		06/17/2008 12:41 PM		

Last Edited By:	AVRAACOKCPRDAD/AVR/PRD
Last Edited On:	06/17/2008 12:41 PM

Subsystem DOR

4.0 Personnel Training and Qualifications

4.3 Crewmember and Dispatch Qualifications

Status: Saved Draft

ID: D 2019579

Air Carrier: NSVA

PTRS Activity Number:

Activity Start Date: 06/9/2008

Aircraft Registration Number:

Activity End Date: 06/9/2008

Make, Model, Series:

Departure/Location: IAD

Flight Number:

Arrival Point:

Simulator Device ID:

Certified Repair Station:

FAA 8430-13 Number:

Requested Completion Date:

Local/Regional/National Use:

Comments: An AVERY assignment, 08-0429-27076-NSCA, has been issued to answer the following: Does the approved company Q-400 sim training curriculum include typical events that would lead to an overspeed condition? Report on actions taken by the air carrier to solve this issue. The company has issued training bulletin CMDTP 08-04, effective 8/13/08, which implements training requirements for Q-400 overspeed awareness, logging of exceedances, and awareness of overspeed spikes. Specific areas covered by this training bulletin include: Aircraft specific class room training of airspeed limitations, company airspeed limitations during IOE, the possibility of exceeding Vmo during descent and near Vmo in turbulence, airspeed spiking characteristics, and company procedures for logbook entry for Vmo exceedance. Simulator training. Module 3 instructor has students operate at Vmo and conduct an exceedance of Vmo and recovery. Module 4 the instructor briefs, ensures awareness of the Vmo limitation during emergency descent drill. During LOFT training, the instructor has students achieve a near Vmo airspeed and induces turbulence to produce airspeed spikes which may cause Vmo exceedance. If so, requires a logbook entry. Initial Operating Experience: Check airman emphasizes the importance of Vmo awareness during operations and procedures for reporting exceedances. IOE pilots are limited to airspeeds of Vmo minus 10 knots during this period. The company, Flight Safety, and FAA hold a weekly pilot training telecon where this and other emphasis areas are discussed.

Reporting Inspector Action Taken:

Subsystem DOR

3.0 Flight Operations
3.1 Air Carrier Programs and Procedures

Status: Saved Draft

ID: D 2018636

Air Carrier: NSVA

PTRS Activity Number:

Activity Start Date: 05/28/2008

Aircraft Registration Number:

Activity End Date: 05/28/2008

Make, Model, Series:

Departure/Location: STL

Flight Number:

Arrival Point:

Simulator Device ID:

Certified Repair Station:

FAA 8430-13 Number:

Requested Completion Date:

Local/Regional/National Use:

Comments: An AVERY assignment 08-0429-26363-NSCA, was issued with these concerns: Does significant flight characteristic differences exist between the Q-400 training simulator and the aircraft? Reference unexpected airspeed spikes reported by pilots. 1. Assign an inspector to evaluate this problem and document surveillance in the proper FAA database. 2. Provide a comprehensive report on actions taken by the air carrier to solve this issue. The FAA POI has discussed this issue with Colgan training managers, the APM, a Bombardier test pilot, Flight Safety training managers and the National Sim Program inspector for the Q-400. The findings are as follows: The Q-400 sims have been FAA evaluated and accurately replicate the actual aircraft. There are no "significant flight characteristic differences between the sims and the actual aircraft". However, the pilots trained have not been exposed to the airspeed spiking problem. Flight Safety reports that the spiking occurs only at 50% or higher turbulence settings in the sims. Normal undergraduate pilot training does not use those high settings, nor is there the requirement to do so in the FAA order 8900 nor the FSB report. The company has issued a CMDTP bulletin 08-04, effective 6/13/08 to introduce realistic airspeed spiking situations. The POI has directed the company that if the sim does not show these airspeed spikings, that the sim should be written up as a discrepancy.

Reporting Inspector Action Taken:

Mitigation Plan for Audit Of Colgan Air / FAA Aircrew Designated Examiner Program

Updated 3-12-2008

Non-Compliance Issue	Corrective Action	Tracking Method	Date Corrective Action Initiated	Date Corrective Action Completed
A. REVIEW OF CARRIER'S GUIDANCE				
1. Carrier has no program for the management of this program in their manuals.	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
2. SAI 4.2.10: Carrier does not document its ADE program	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
3. No training program in the CMDTP for the ADE position	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
4. No guidance in CMDTP for APDs to conduct their activities	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
5. EPI 4.2.10: CMDTP does not include procedures or policy for training the APD candidate.	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008

B. REVIEW OF FAA APD RECORDS				
1. APD Files BE-1900	Files for Bragg, White reviewed and corrected as necessary	PTRS EA27200803326 PTRS EA27200803320		3/5/2008 3/5/2008
2. APD Files SF-340	Files for Brink, Campbell, Grenon reviewed and corrected as necessary	PTRS EA27200803319 PTRS EA27200803313 PTRS EA27200803315-		3/5/2008 3/5/2008 3/5/2008
3. APD Files DHC-8	Files for Bandavanis, Honan reviewed and corrected as necessary	PTRS EA27200803318 PTRS EA27200803317		3/5/2008 3/5/2008
4. PTRS records coded 1590: Section 2 pg 4: - No Records Found	PTRS records had been entered as code 1595 by RFB. Records changed to code 1590. Order 8900.1 guidance vague for PTRS 1590	PTRS EA27200803460 PTRS EA27200803461 Additional PTRS 1590 records for each APM will be entered for future FY08 check airman and PAD meetings. Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing the PTRS 1590 guidance question.		3/12/2008
5. PTRS records coded 1631: Section 2 pg 4: - Invalid PTRS # reference	Erroneous 8900.1 guidance.	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	3/11/2008	3/11/2008
6. PTRS records coded 1626: Section 2 pg 5: - SF-340 only	Outdated 8900.1 guidance – superceded by ATOS concept. Replaced by EPI and SAI 4.2.3	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	3/11/2008	3/11/2008
7. PTRS records coded 1621: Section 2 pg 5: - Only by POI, no APM records	Outdated 8900.1 guidance – superceded by ATOS concept. Replaced by various SAIs.	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	3/11/2008	3/11/2008

8. PTRS records coded 1624: Section 2 pg 6: - No	Outdated 8900.1 guidance – superceded by ATOS concept. Replaced by various EPIs.	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	3/11/2008	3/11/2008
9. PTRS records coded 1672: Section 3 pg 5: - Missing Bandavanis	Corrected. Missing PTRS has been input.	PTRS EA27200803024	2/17/2008	2/17/2008
C. FSDO EA27 COLGAN CMT COMPLIANCE PER ORDER 8900.1				
1. Staffing of APM Vacancies	FSDO EA27 Manager has filled DHC-8 APM position with ASI Michael Jessie	SF-50 for M. Jessie	3-7-2008	3-16-2008
2. SF340 APM and POI doing some of the work of the unfilled BE1900 APM	This fill-in assistance to continue until end of BE-1900 ADE program.	Letter to Colgan dated 3-6-2008, re: termination of BE-1900 ADE program. Signed revised MOU that deletes the BE-1900.	3-6-2008	BE-1900 MOU projected to end 4/6/2008
3. SF340 APM and POI doing some of the work of the unfilled DHC-8 APM	FSDO EA27 Manager has filled DHC-8 APM position with ASI Michael Jessie. This fill-in assistance to continue until DHC-8 APM has completed training in FY08, Q3.	SF-50 for M. Jessie	3-7-2008	DHC-8 APM projected to be trained by 4/30/2008
4- Designation of Certificate Manager (Office mgr, sup, sup POI, or POI)	This is the decision of the FSDO EA27 manager	No established format for this "designation" has been found	N/A	3/20/2008
5- APM for specific aircraft	FSDO EA27 Manager has filled DHC-8 APM position with ASI Michael Jessie	Internal FAA Actions to fill APM vacancy	3-7-2008	3-16-2008
6-Certificate manager establishes procedures for communicating with TCPM's	POI communicates with TCPMs as necessary by phone and e-mail. No formal process known to	N/A	N/A	

	be required.			
7- APM conducts 4 certification activities per year (oral, sim, or flight)	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.	N/A	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
8- APM qualifies APD's	Previous DHC-8 APM designate did qualify APD Bandavanis on 11-17-2007, and APD Honan on 12-7-2007. New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.	1672 PTRS EA27200803024 1672 PTRS EA27200803025	11/17/2008	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
9- APM conducts 4 check airman proficiency checks per year if unable to conduct 4 certifications	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.	There would be code 1542 PTRS records for this function.	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
10- APM conducts 4 line checks per year	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.	There would be code 1544 PTRS records for this function.	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
11- APM is responsible for reviewing training programs	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.	APMs will be assigned will be assigned SAs for 4.2.3, 4.2.7, 4.2.9, and 4.2.10 annually.	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
12- APM conducts 1 training program surveillance per year	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4. Meanwhile, SF340 APM and POI are filling in.	Both APMs will be assigned will be assigned EPIs for 4.2.3, 4.2.7, 4.2.9, and 4.2.10 annually	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
13- APM maintains 4040 currency	New DHC-8 APM will maintain 4040 currency through MOU-sponsored simulator time.	4040 records for new DHC-8 APM	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
14- APM shall ensure geographic unit supervisor	Outdated 8400.1 guidance – superceded by ATOS	Inspector Feedback Message sent to "FAA	N/A	3-11-2008

knows the desired # of observations for the year by August 1 of each year	concept. There are no more "geographic unit supervisors"	FSIMS Librarian" addressing this problem		
15- APM conducts 1 en route surveillance each quarter	New APM will be doing at least one enroute surveillance each quarter for ATOS assignments	There will be completed EPI records.	N/A	New APM assigned 3-16-2008 to perform these activities in FY08 Q3 and Q4.
16- APM shall monitor en route inspection program	Outdated 8400.1 guidance – superceded by ATOS concept. There is no formal "enroute inspection program". POI shares findings with carrier from each enroute inspection reported to him by any ASI.	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	N/A	3-11-2008
17- POI/APM shall prepare Annual En Route Inspection Trend Analysis and provide a copy to the operator	Outdated 8400.1 guidance – superceded by ATOS concept	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	N/A	3-11-2008
18- APM shall send Annual En Route Inspection Trend Analysis Report to geographic offices	Outdated 8400.1 guidance – superceded by ATOS concept. There are no more geographic offices.	Inspector Feedback Message sent to "FAA FSIMS Librarian" addressing this problem	N/A	3-11-2008
19- APM eligibility requirements - Willing to remain in APM position for 2 years	Not an finding. New APM designate is willing to be in position for 2 years.	N/A	N/A	N/A
20- APM Training - Basic Indoctrination - PIC Initial - Any relevant special training - Operators check airman training - Observe 3 line	New DHC-8 APM will receive this training in FY08, Q3	Colgan will conduct this training and generate training records in CrewQual computer system for the FAA APMs beginning in FY08, Q3.	DHC-8 APM M. Jessie scheduled to begin DHC-8 school April, 2008.	New APM assigned 3-16-2008 will complete this training in FY08 Q3.

observations				
21- POI may substitute for an APM that retires or transfers	POI has done very limited substitution duties – has generated line check airmen, but not any APDs. Assists SF340 with some DHC-8 APD/ check airman records. FSDO EA27 Manager in process of filling vacant DHC-8 APM position.	POI did PTRS records and letters of approval for 11 line check airmen observed beginning 1/26/2008.	POI began temporary substitution 1-26-2008	POI ended temporary substitution 3-16-2008
22- If after 6 months with no APM the office manager should consider cancelling the program	Finding not applicable - FSDO EA27 Manager has filled vacant DHC-8 APM position. FSDO EA27 manager has directed termination of BE-1900 ADE program.	SF-50 for ASI Michael Jessie for APM appointment. Letter to Colgan dated 3-6-2008, re: termination of BE-1900 ADE program	3-6-2008	3-16-2008
22- Office manager responsibilities: - Establish and maintain administrative procedures for efficient processing of certification paperwork - Establish and maintain administrative procedures for entering APM and APD data into PTRS. No FSDO SOPs exist.	FSDO EA27 developing office SOP to address certification paperwork and PTRS processes.	SOP number to be determined	3-12-2008	3/20/2008
24- RFSD manager shall ensure that an ADE program is allocated adequate staffing and funding - Staffing – Adequate # of APM's, PPM's, APOI's, ASI's, and clerical Staff	Not a finding. FSDO EA27 manager has filled DHC-8 APM position with ASI Michael Jessie. FSDO EA27 manager has directed termination of BE-1900 ADE program	Internal FAA Communications	Ongoing	

- Forecast staffing – Personnel and budget forecasts for a 3 year period				
25- RFSD shall conduct periodic reviews of each ADE program. Never been performed by AEA-200.	RFSD responsibility. FSDO submitted CAR C-08-287	To be determined by EA RFSD.	3-11-2008	3-12-2008
26- APD must be trained under operators approved training program	APDs are currently trained according to company check airman program in Chap. 7 of CMDTP. FAA has been responsible for actual APD training. Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review.	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
27- APD training of duties conducted by APM	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review.	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
28- APD observes oral and flight test	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review.	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
29- APD's designation is normally cancelled when the APD enters transition training for another type	Incorporate ADE program guidance in Revision 30 to the Colgan Pilot Training Manual Chapter 7 for FAA review.	FAA letter of findings re: ADE program dated 3-6-2008	3-6-2008	3-12-2008
D. REVIEW OF FAA QMS-AFS-CMO-003	This SOP should be updated. FSDO submitted	CAR C-08-287	3-11-2008	3-11-2008

<p>PROCESS Refers to outdated 8400.1 guidance – superseded by 8900.1</p>	<p>CAR C-08-287</p>			
<p>E. REVIEW OF FAA REGIONAL "PROGRAM ASSESSMENT CHECKLIST" Area IV E and G refer to outmoded "geographic units"</p>	<p>Checklist should be updated. FSDO submitted CAR C-08-287</p>	<p>CAR C-08-288</p>	<p>3-11-2008</p>	<p>3-11-2008</p>

Mitigation Plan – NSVA ADE Audit.doc

**COLGAN AIR
NSVA**

ADE Assessment Report

May 18, 2009 – May 22, 2009

Executive Summary

The Colgan Air, Inc., (NSVA) ADE program was authorized under the provisions of 14 CFR Part 183 for the purpose of delegating certification authority and activity to select employees. The program is designed for operators with sophisticated training capabilities and programs that include the extensive use of flight simulators and flight training devices. The ADE program is based on the premise that a candid relationship must be maintained between the operator and the Federal Aviation Administration (FAA). The program is comprised of: (1) the operator's check airman, further authorized by the FAA as an Aircrew Program Designee (APD), to conduct certification on behalf of the FAA and (2) FAA inspectors, known as Aircrew Program Managers (APM's) who oversee the APD's. In the interest of maintaining high certification standards, an APD candidate is selected from the ranks of the operator's proficiency check airmen and is given training in FAA policies and certifications procedures before being designated as an APD. The APM candidate is selected for knowledge and experience related to the airman certification and air carrier training programs. Before being assigned APM duties an APM candidate is trained by the operator to qualify as a pilot in command (PIC) and as a fully qualified check airman in one of the operator's aircraft.

Pursuant to Order 8900.1, *Flight Standards Information Management System (FSIMS)*, the Eastern Region, Flight Standards Division, AEA-230, accomplishes assessments of air carrier certificate holders within the region that have an ADE program. The team for the assessment of Colgan Air conducted an audit at the Washington FSDO (EA27), from May 18, 2009 through May 22, 2009. The team consisted of a team lead from AEA-230 and four volunteer members from various Flight Standards District Office (FSDO). The basic methodology used for the assessment is outlined in FAA Order 8900.1 and the Eastern Region Draft Standard Operating Procedures. The Team utilized a checklist developed from the Order 8900.1, Volume 13, Chapter 2, Section 2, Figure 13-7. The assessment team also reviewed Colgan Air APD and check airman records and interviewed the Certificate Management Team (CMT), Principal Operations Inspector (POI), and two of the unit's APM's.

Background

FAA Order 8900.1, *FSIMS*, Volume 13, AFS Designees, Chapter 2, Aircrew Designated Examiner (ADE) Program, provides the guidance for establishing and maintaining an ADE Program. Additionally, guidance is provided for an assessment of each ADE Program to be conducted every three years. A checklist is also provided to assist in conducting the assessment. The checklist was modified to account for Air Transportation Oversight System (ATOS), and/or Advanced Qualification Program (AQP), variances used during the Colgan Air assessment. A completed copy of the assessment checklist is attached as Appendix A.

Assessment Team Members

The team consisted of: Ed Harahush (Team Lead), Raymond Monier (AGL15, SF-340, APM), David Lithgow (AEA15, APM), Chester Piolunek (AEA07; DHC-8, POI), and John Curtin (AEA15, ASI)

Methodology

The basic methodology used for the ADE assessment was to review Colgan Air check airman and APD files supplemented by interviews with the POI and the assigned APMs. Several enroute observations and one simulator observation was accomplished. The Program Tracking and Reporting System (PTRS), and ATOS records were reviewed and a check of the Safety Performance and Analysis System (SPAS) data was made by assessment team members. The assessment team also conducted a review of the guidance provided in Order 8900.1. Based on personnel availability and a review of the guidance provided by the handbook, the ADE checklist was modified to cover all aspects of the assessment.

Oral In-Briefing

A briefing was conducted on May 18, 2009, at the Washington FSDO (EA27). In attendance at the FSDO were Nick Scarpinato (FSDO Manager), Elbert M. Bush (Assistant Manager), Douglas Lundgren (POI), Michael Jessie (APM DHC-8), Tanya Corbin (Assistant POI), Mark Kramer (Front Line Manager Air Carrier)

A briefing was conducted on May 18, 2009, at the Colgan Air Facility in Manassas. In attendance at Colgan Air were Jeb Barrett (Director of Flight Standards), Dean Bandavanis (Director of Operations), Bill Honan (Chief Pilot), and Sheri M. Baxter (Manager of Flight Standards)

Assessment Report

The assessment report is comprised of four main areas, as follows:

1. An assessment of the operator's training program to determine if pilots (and flight engineers, if applicable) are being adequately trained;
2. An assessment of the APD's and check airmen to determine if required performance standards are being maintained;
3. An assessment of the certificate holder's operating practices to determine if there are any undetected trends which might affect safety (particular attention should be given to manuals, checklists, and operating procedures); and
4. An assessment as to whether or not the operations portion of the CMT is performing effectively and a determination as to whether the Regional Flight Standards Division (RFSD) manager, CHDO manager, POI, assistant POI's and APM's have followed the guidance of FAA Oder 8900.1.

Oral Out-Briefing

An oral out-briefing was conducted on May 22, 2009, at the Washington FSDO. In attendance from the FSDO were Nick Scarpinato (FSDO Manager), Douglas Lundgren (POI), Suzette Rash (CMT Supervisor), Norm Schwanke (PMI), and Mark Kramer (Front Line Manager, Air Carrier)

An oral out-briefing was conducted on May 22, 2009, at the Washington FSDO with Colgan Air. In attendance from Colgan were Dean Bandavanis (Director of Operations), Harry Mitchell (V.P. of Operations), and John Barrett (Director of Standards).

Findings

Findings are classified as follows:

1. Major findings. The findings contained in the program assessment report are divided into major and minor findings. Major findings may consist of the following:
 - Operator deficiencies which could adversely affect safety and which have gone undetected, unreported, or uncorrected.
 - Management deficiencies, which in the opinion of the assessment team, have major impact on the effectiveness of the program.
2. Minor findings. Minor findings contained in the assessment report are those deficiencies, which APM's or POI's have recognized. Those deficiencies are being corrected or are correctable. Minor findings should be brought to the attention of the appropriate individuals and may be resolved during the assessment period.

The following summarizes the assessment Team findings:

AREA I. OPERATORS TRAINING PROGRAM.

- A. Are the airmen that are trained and certified in the program, qualified for and proficient in the operations conducted?

ASSESSMENT RESULTS:

Major	X
Minor	

Finding: **I(A)1** The operator has no written procedure for its flight crewmember to confirm the correct takeoff runway. **I(A)2** There is no evidence that SF-340 Crews are trained for takeoff with nose wheel steering inoperative/deferred. **I(A)3** There is no evidence that the preflight pictorial used by Colgan Air pursuant to Exemption 4416L has been approved by the POI. **I(A)4** The SF-340 check airman in his evaluation of holding did not require the First Officer (FO) to complete holding in its entirety.

Comments/Recommended corrective action:
I(A)1 Recommend company adopt procedures outlined in SAFO 07003. I(A)2 Recommend company develop training procedures for takeoff when nose wheel steering inoperative/deferred. I(A)3 The Exemption should be complied with for operations under Part 121. I(A)4 The Practical Test Standards requires that any TASK selected for evaluation during a practical test shall be evaluated in its entirety.

C. Does the carrier have written procedures for Aircrew Program Designee (APD)/check airman?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: I(C) The procedures are weak. The written procedures do not reference the practical test standards, and do not reference specific aircraft types i.e. SF-340 and the DHC-8- 400.	
Comments/Recommended corrective action:	
Recommend timely completion of the draft FOTM by the operator and approval by the CMT.	

AREA II. APD AND CHECK AIRMAN PERFORMANCE

Conduct an assessment based on a review of records i.e. PTRS, practical test standards, etc. the APD's and the Check airman performance to determine if the required standards are being maintained by answering the following questions: **No Findings**

AREA III. OPERATING PRACTICES.

D. Is the policy and direction provided by the operator in their manual or documents clear and adequate?

ASSESSMENT RESULTS:

Major	X
Minor	
Finding: III(D) The existing Crew Member and Dispatcher Training Program Manual (CMDTPM) lacks comprehensive procedures and lesson plan details. In addition, the CMDTPM makes reference to SAAB SF-340A and the Beech 1900 which are no longer operated by the company. The interim Q-400 CFM incorporates by reference the Bombardier AOM, QRH, and the FAA AFM, resulting in interface difficulties. In addition, numerous bulletins have not been timely incorporated into the manual. The current SF-340 CFM contains a significant amount of out-of-date material. (e.g. SF-340A information)	
Comments/Recommended corrective action:	
Revised manuals are in draft. The company and the CMT should address the completion of the manuals revision/approval process as a high priority.	

AREA IV. ADE PROGRAM MANAGEMENT.

Conduct an assessment of the operations portion of the certificate unit to determine if the APM is performing effectively in managing the ADE program and Check Airmen.

- A. Does the CHDO maintain a file for each APD, containing the documents per 8900.1, Volume 13, Chapter 2, Section 3, paragraph 13-111? Does the file contain regional concurrence for initial designation as required by 8900.1, Volume 13, Chapter 1, Section 1, paragraph 13-12. For carriers under ATOS or AQP programs does the CHDO use ATOS or AQP variance for guidance?

ASSESSMENT RESULTS:

Major	
Minor	X

Finding: IV(A) There is no evidence of Regional concurrence with APD selection.
Comments/Recommended corrective action: The CMT needs to develop a process for notifying the RO.

- B. Do the records for APD initial designation and annual renewal documentation reflect adherence to the guidance and procedures of 8900.1, Volume 13, Chapter 2 section 3, paragraphs 13-112, and 13-113? For carriers under ATOS or AQP programs, does the CHDO use the ATOS or AQP variance for guidance?

ASSESSMENT RESULTS:

Major	
Minor	X

Finding: IV(B) There is no evidence that the Chief Pilot/APD Honan has conducted certifications since 10/30/2003.
Comments/Recommended corrective action: Recommend removal, Ref Order 8900, Volume 13, Chapter 2, Section 3, Par. 13-113D

- C. What guidance material/supplies have been provided by the APM to the APD? (ref 8900.1, Volume 13, Chapter 2, Section 3, paragraph 13-110 (B))

ASSESSMENT RESULTS:

Major	
Minor	X

Finding: IV(C) The APM's have no documented process to ensure that the APD's have a continuing access to the guidance material necessary to perform there functions.
Comments/Recommended corrective action: APMs should develop a process that ensures APD access to 8900.1 Volumes 5 and 13 (e.g. by providing internet mapping guidance). In addition APMs should provide all appropriate 8900.1 job aids and examples of the following forms correctly executed: <ul style="list-style-type: none"> • FAA Form 8710-1, "Airman Certification and/or Rating Application" (Pilot) • FAA Form 8060-4, "Temporary Airman Certificate" • FAA Form 8060-5, "Notice of Disapproval of Application"

- FAA Form 8000-36, "Program Tracking and Reporting Subsystem (PTRS) Data Sheet," which may be overprinted to facilitate standardization of data entered into the system.

F. Have APM's personally conducted a minimum of *four* certifications actions oral test or flight test) each year?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(F) There is no evidence that four certifications are done annually for DHC-8.	
Comments/Recommended corrective action: The CMT must ensure that the APM's are conducting a minimum of four certification actions a year. (Order 8900.1, Volume 13, Chapter 2, Section 3, Par. 13-113)	

G. Are APM's personally conducting the required number of inspections that follow:

4. Conducting surveillance of flight simulators and training devices used in the operator's training program to determine if they are being properly used with respect to program requirements and are they being maintained so the training program is not adversely affected?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(G)(4) No evidence of simulator/training device surveillance on the DHC-8-400 - PTRS 1630, EPI, or DOR.	
Comments/Recommended corrective action: The CMT must ensure that the surveillance is being conducted and documented on simulators and training devices. (Order 8900.1 Volume 6, Chapter 2, Section 21, Par. 6-625F)	

I. Are APM's reviewing training programs for their assigned aircraft and monitoring operator's actions when students do not progress as scheduled or fail proficiency test?

ASSESSMENT RESULTS:

Major	X
Minor	
Finding: IV(I) The Director of Flight Standards notifies the POI of failures. The POI notifies the APM's. There is nothing written requiring the operator to notify the POI. The office has no policy on follow-up monitoring of remedial training and rechecking.	
Comments/Recommended corrective action: Recommend CMT and the Certificate Holder together develop a formal process for reporting failures and additional training requirements and subsequent surveillance of remedial training and rechecking. (Order 8900, Volume 13, Chapter 2, Section 2, Par. 13-79C3, SAFO 06015, Notice 8900.71)	

J. How are APMs monitoring and analyzing the effectiveness of en route inspections program on both the operator and the assigned aircraft on a continuing basis?

5. Are en route inspection trend analysis reports prepared by the POI in conjunction with each APM?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(J)(5) POI rather than the APM monitors enroute inspections through SPAS, DORs and EPIs.	
Comments/Recommended corrective action: The APM needs to develop a process for trend analysis of enroute inspections. (Order 8900.1 Volume 13, Chapter 2, Section 2, Par 13-79C6c)	

O. Is the operator willing to participate in the program?

3. Is the operator giving the APMs unrestricted access to facilities, working level personnel and managers?

ASSESSMENT RESULTS:

Major	X
Minor	
Finding: IV(O)(3) The APM does not have access to training managers.	
Comments/Recommended corrective action: The APM has no access to training managers because both the Director of Training and the Manager of Training have resigned and those positions are currently vacant. A ground school instructor is serving as the point of contact for training department questions. The Company's Manager of Flight Standards plays a significant role coordinating activities among Flight Standards, Training and Scheduling personnel and is very knowledgeable regarding training issues. Her departure would lead to serious resource deficiencies for the Company's training organization. Recommendation: The Company and CMT should address this staffing issue as a high priority.	

R. Has the Certificate Managing Office manager established procedures for the efficient processing of airman certification paperwork?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(R) No office written procedure. Order 8900. 1 is followed.	
Comments/Recommended corrective action: Office needs to establish a written procedure IAW 8900. (Ref: 8900.1 Volume 13, Chapter 2, Section 2, Par. 13-79A)	

T. At the close of each quarter, did the POI and the Office Manager have prepared three required reports in the proper format for use by the APMs in managing their work programs? (Ref 8900.1, Volume 13, Chapter 2, Section 2, paragraphs 13-88)

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(T) The APD Surveillance report is not formatted IAW 8900.1. Check Airman Surveillance Report does not contain aircraft type and number of approved of check airmen. The Aircraft Activity Report is not aircraft specific.	
Comments/Recommended corrective action: Format reports in accordance with the 8900.1.	

V. Are APMs completing the following training?

4. The operator check airman training for pilot duty position.
5. Observing *three* flight crews on line flight before designation.

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV (V)(4)(5) No documentation of APM operator check airman training nor of his line observation experience (OE) as required by MOU.	
Comments/Recommended corrective action: If accomplished, recommend CrewQual modification to document APM initial/recurrent check airman training and OE. (Volume 13, Chapter 2, Section 2, Par. 13-83B5)	

Z. If operator has training facilities outside the area of geographic responsibility of the CHDO, has an analysis been made of the benefits of a remotely sited APM?

ASSESSMENT RESULTS:

Major	
Minor	X
Finding: IV(Z) There has been discussion on this matter, but the office has not performed an analysis of the benefits of a remotely sited APM. The contract simulator training facilities are located at Houston, TX, St. Louis, MO, Seattle, WA, and Ontario, Canada.	
Comments/Recommended corrective action: Recommend an analysis.	