

Vincent M. Sugent
7768 Pleasant Lane
Ypsilanti, MI 48197
February 22, 2011

Jennifer Pennington
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D. C. 20036-4505

Dear Jennifer,

Thank you again for your time, patience and effort in addressing safety issues and improprieties at Detroit Tower. As you are aware the primary goal was accomplished by the ceasing of an unsafe operation, ultimately protecting the safety of the flying public.

First I will address the three orders referenced in the supplemental response. Orders 8260.3 and 8260.46 cover arduous processes for establishing instrument and departure procedures respectfully. The following are quotes from the supplemental.

Mr. Engler's memorandum states on page 3, paragraph 1, "*FAA Orders 8260.3B, United States Standards for TERPS, and 8260.46D, Departure Procedure Program, govern the development of TERPS.*" Page 3, paragraph 2 states, "*....while Runway 3R-21L was under construction did not necessitate the development of new departure procedures because the departure procedure from Runway 9R was developed in accordance with TERPS requirements.*" Page 3, paragraph 2 also states, "*In addition, the procedures employed during the Northeast Flow were consistent with FAA Orders 7110.65, Air Traffic Control, and 7400.2G, Procedures for Handling Airspace Matters, and resulted in no change to the airspace design.*"

Boxes being drawn on a radar scope as stated in attachment 1 do not seem to be in line with the deliberate and laborious process of Orders 7400.2G, 8260.3 and 8260.46. These take a considerable amount of time and effort to complete and find it very hard to believe they took place or were even attempted.

There has been much discussion about retaining documents while establishing, amending or adjusting a procedure or flow. Order JO 7400.2G offers the following.

32-3-6. RECORDS RETENTION

Records retention must be in accordance with the appropriate paragraph(s) in FAAO 1350.15, Records Organization, Transfer, and Destruction Standards.

NOTE: Although

chapter 10 of FAAO 1350.15 contains Air

Traffic-specific information, guidance for retention of

environmental documentation is contained in that portion of the order specific to the Airports Division.

Environmental record-keeping should receive special attention at the field facility level. If an action requires preparation of an EA or an EIS, the Service Area Environmental Specialist shall maintain the Administrative Record. The Administrative Record is important in the environmental process because it is a compilation of all the information relied upon by in the FAA decision-making process.

From page 6, last paragraph of Mr. Engler's memorandum, "*We conducted a search of NASA's ASRS online database to determine the status of his complaint. Despite separate searches for complaints, regardless of year, from the State of Michigan using the terms "blast," "fence," and "FOD" - which the former controller used in the complaint - we found no record of the complaint. FAA officials also searched the ASRS database for the April 24, 2008, complaint. Their search, inclusive of dates from March 2008 through June 2008, was unsuccessful. It is unclear, therefore, whether NASA received the complaint and, if it did, what FAA's response was.*" I find it alarming on a number of levels with the lack of concern from the Agency and OIG over the handling of documents surrounding the Northeast Flow.

Ms. Bynum has danced around whether meetings took place, then there were several meetings, but did not formally document the gatherings. Then attachment 1 surfaces with a discussion with individuals not identified in attachment 2. The OIG lists Mr. Rodney Harris as someone interviewed who also was not identified in attachment 2. Yet not one controller, Wheatley, King and Reed, listed in attachment 2 were interviewed. Picking and choosing who you interview does not constitute an investigation.

Page 3, paragraph 3 from Mr. Engler memorandum also states, "*Although departures from Runway 9R occurred infrequently prior to the implementation of the Northeast Flow, the procedures for doing so are longstanding and did not change during the Northeast Flow operation.*" I can say with quite certainty that no procedures ever existed for departing Runway 9R and when we did, it was at the discretion of the departure controller and varied from controller to controller. It appears that the Agency at many levels cannot even differentiate the differences between a flow, procedure and a simple infrequent departure off of any runway let alone Runway 9R.

There also has been contradiction over whether or not the Northeast Flow was a new procedure or flow or an established flow or procedure being amended, yet Ms. Bynum's subject in attachment 1 is even titled, "proposed airspace changes... Response Required".

As I stated in the previous response, the OIG should be embarrassed at the manner in which this investigation was conducted. Given the conduct of Detroit's managerial officials in past, much more scrutiny should have been exercised when the facility was investigated. From the individuals who were interviewed to the individuals involved,

there should have been much more urgency given what had taken place in this facility in the past. Some of these same people involved have a disreputable history in the facility and in my opinion warranted a much more thorough investigation.

Thank you very much for your time and patience with this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "V. M. Sugent". The signature is written in a cursive style with a large, looped initial "V" and a long, sweeping tail.

Vincent M. Sugent

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Vincent Sugent

From: "Jeff Blow" <jblow@natca.net>
To: "Vinnie Sugent" <vinjamie@comcast.net>
Sent: Monday, February 21, 2011 4:49 PM
Subject: Fwd: RE: proposed airspace changes... Response Required.

I don't remember what changes are being referred to in this memo, but I do inform everybody on the list that the union "remains" adamantly opposed to the N.E. flow. I know I had more correspondence than this, but it's been so long, I guess it must have been purged.

Jeff

Jeff Blow
 National Air Traffic Controllers Association
 Detroit Tracon Facility Representative
jblow@natca.net
 (734) 925-1494

----- Original Message -----

Subject: RE: proposed airspace changes... Response Required.

Date: Mon, 2 Mar 2009 12:28:56 -0500

From: <Patricia.Bynum@faa.gov>

To: Jeff Blow <jblow@natca.net>

CC: <Cliff.Auxier@faa.gov>, "Dennis Bailey" <dbail@buckeye-express.com>, <Earl.Grand@faa.gov>, <Gary.F.Ancinec@faa.gov>, <Paul.Walsh@faa.gov>, <John.Guth@faa.gov>, <Paul.Walsh@faa.gov>, <Thomas.Boland@faa.gov>, <Tom.Murphy@faa.gov>

Thanks Jeff.

Patricia Bynum
 Detroit Metro TRACON (D21) Support Manager
 (734) 955-5007
 FAX (734) 955-5289

"Jeff Blow" <jblow@natca.net>

03/02/2009 11:39 AM

To Patricia Bynum/AGL/FAA@FAA, Paul Walsh/AGL/FAA@FAA
 cc Cliff Auxier/AGL/FAA@FAA, Gary F Ancinec/AGL/FAA@FAA, Thomas Boland/AGL/FAA@FAA, Tom Murphy/AGL/FAA@FAA, John Guth/AGL/FAA@FAA, Earl Grand/AGL/FAA@FAA, Paul Walsh/AGL/FAA@FAA, John CTR Hoelscher/AGL/CNTR/FAA@FAA,
 "Dennis Bailey" <dbail@buckeye-express.com>

Subject RE: proposed airspace changes... Response Required.

Pat,

Thanks for bringing us in the loop.

We don't have a problem with the airspace redelegation...however:

We are adamantly opposed to any change to the S.O.P. that refers to a box that has to be drawn on the scope. Just because we are in the mode of jumping through whatever hoop is placed in front of us doesn't mean we have to be sloppy about it. Let's do it right, or don't do it at all!

We remain adamantly opposed to the NorthEast flow at all, therefore don't support any changes to the airspace. The entire procedure needs to be scrapped before someone gets hurt.

Jeff

From: Patricia.Bynum@faa.gov [<mailto:Patricia.Bynum@faa.gov>]

Sent: Monday, March 02, 2009 11:13 AM

To: Paul.Walsh@faa.gov

Cc: Cliff.Auxier@faa.gov; Gary.F.Ancinec@faa.gov; Thomas.Boland@faa.gov; Tom.Murphy@faa.gov;

John.Guth@faa.gov; Earl.Grand@faa.gov; jblow@natca.net; Paul.Walsh@faa.gov; John.CTR.Hoelscher@faa.gov

Subject: Re: proposed airspace changes... Response Required.

All,

Attached are some proposed changes to the SOP. Please review and send your comments to me by 13th, if you have any questions please talk to Paul to answer them.

Patricia Bynum
Detroit Metro TRACON (D21) Support Manager
(734) 955-5007
FAX (734) 955-5289

Paul Walsh/AGL/FAA
TCL-DTW, Detroit Metro
ATCT, MI

To [Cliff Auxier/AGL/FAA@FAA](mailto:Cliff.Auxier/AGL/FAA@FAA)

cc [Gary F Ancinec/AGL/FAA@FAA](mailto:Gary.F.Ancinec/AGL/FAA@FAA), [Patricia Bynum/AGL/FAA@FAA](mailto:Patricia.Bynum/AGL/FAA@FAA), [Thomas Boland/AGL/FAA@FAA](mailto:Thomas.Boland/AGL/FAA@FAA),

2/22/2011

03/02/2009 11:00 AM

Tom Murphy/AGL/FAA@FAA

Subject Re: proposed airspace changes...[Link](#)

Cliff,

Responses inline...

- As soon as you can have the NOTICE completed for briefing, we can develop an F-12 shaded area re-delegating this airspace to feeder for all four flows until the new maps are finished. This could possibly wait until 6k.

After thinking more about this, if we do not wait until the 6k implementation, this would definitely delay our ability to implement 6k in April, so the F12 drawing thing will hopefully be an option.

- The operational management team including GA, CD and SUPCOM are in favor of this change.

Pat said she is going to send it our for comment...

- Need to include North East Flow.

pdm22 attached is the Northeast flow, its just not labeled the same as the rest.

- Your South flow drawing has the red arrow pointing to the airspace A owns 4000-8000. Needs to point to the airspace A owns SFC-8000.

Without doing major modifications to make the text fit I depicted it this way. What I did was just so we could get the idea across for comment, there are actually several areas where text will need to be moved and clarified.

- Is this change 4 miles deep?

Its a guess at 4 miles, if we go ahead with it I will ask AVN to make the lines 4 miles out

Paul Walsh
Airspace & Procedures / Automation Specialist
Federal Aviation Administration
Detroit Metro Airport
Building 801
Detroit, MI 48242

734-955-5043 (o)
734-955-5289 (f)

2/22/2011

Cliff Auxier/AGL/FAA

TCL-D21, Detroit

TRACON, MI

03/02/2009 10:05 AM

To Patricia Bynum/AGL/FAA@FAA

cc Paul Walsh/AGL/FAA@FAA, Gary F Ancinec/AGL/FAA@FAA, Tom Murphy/AGL/FAA@FAA, Thomas Boland/AGL/FAA@FAA

Subject Re: proposed airspace changes...[Link](#)

Thanks for the airspace drawings. Not sure about the 6k re-delegation stuff or the time frame this is occurring. Couple of things:

- No this cannot wait. This is happening through coordination or point outs now. Work force needs to believe we are getting things done, not just providing lip service.
- As soon as you can have the NOTICE completed for briefing, we can develop an F-12 shaded area re-delegating this airspace to feeder for all four flows until the new maps are finished. This could possibly wait until 6k.
- The operational management team including GA, CD and SUPCOM are in favor of this change.
- Need to include North East Flow.
- Your South flow drawing has the red arrow pointing to the airspace A owns 4000-8000. Needs to point to the airspace A owns SFC-8000.
- Is this change 4 miles deep?

CD

Paul Walsh/AGL/FAA

TCL-DTW, Detroit Metro ATCT, MI

03/01/2009 10:04 AM

To Cliff Auxier/AGL/FAA@FAA

cc Patricia Bynum/AGL/FAA@FAA, John CTR Hoelscher/AGL/CNTR/FAA@FAA

Subject proposed airspace changes...

Cliff,

Attached are the requests you gave me last week for airspace changes. Just so you know, if we decide to go ahead with this at this time it is going to take a lot of additional time due to the fact that just about every main video map we have has a 'current' edition and a 'future' edition - which are intended for use when the 6k re-delegation is made effective.

2/22/2011

In other words, modifications will need to be made to:

- the PDM's, like the ones attached which describe our airspace
- the proposed and finalized PDM's which include the 6k re-delegation airspace
- the actual video maps we currently use for all 4 flows affected
- the proposed and finalized video maps which have 6k re-delegation airspace lines

The proposed maps are all currently loaded in STARS at temporary locations and would need to be coordinated and overwritten.

This is all very confusing and difficult to keep straight at times.

I'm not saying this can't be done, but the chances of a screw-up are high since there are 4 divisions involved: AT, AVN, AOS and Tech Ops. If there is any way this can wait until the 6k change goes into affect I would highly suggest it.

Paul Walsh
Airspace & Procedures / Automation Specialist
Federal Aviation Administration
Detroit Metro Airport
Building 801
Detroit, MI 48242

734-955-5043 (o)
734-955-5289 (f)

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U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

Fort Worth, TX 76193-0000

MAR 25 2009

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Vincent M. Sugent
7768 Pleasant Lane
Ypsilanti, MI 48197

Dear Mr. Sugent:

Subject: Freedom of Information Act (FOIA)
Request Number 2009-002982

This is in response to your letter dated February 10, 2009, requesting copies of certain records from the Detroit Metro Tower and Detroit TRACON.

A records search was conducted at the Detroit Airport Traffic Control Tower (DTW) and the Detroit Terminal Radar Approach Control (D21). We are enclosing copies of the following items:

- Sick leave request forms for DTW / D21 employees from October 1, 2008 to February 1, 2009. These forms are only kept for the current rating cycle.
- Overtime usage for DTW / D21 staff specialists, support manager, front line managers, and operations managers from July 1, 2005 to February 1, 2009.
- Holidays worked for DTW / D21 staff specialists, support managers, and operations managers from July 1, 2005 to February 1, 2009.
- Known individuals involved in establishing DTW's Northeast Flow procedures:
 - Cliff Auxier, Steve Mack, Carl Burton, Kevin Grammes, Kevin Bartelt, Richard Wheatley, Greg King, and J. Michael Reed.
- Wayne County Airfield Coordination Meeting minutes. The minutes provided are the only dates available.

There were no records for the following items:

- A waiver is not required to depart aircraft from runway 9R with taxiway Quebec and the service road less than 2000 feet from the approach end.
- No documents associated with staff studies reference the Northeast Flow have been retained and a waiver is not required.
- No documents have been retained regarding Safety Risk Management and the Northeast Flow.

Your request is within a category which entitles you to all review time, 2 hours of search time, and 100 paper copies all free of charge. The fees associated with your request are \$66.20 for the photocopies.