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July 11, 2009

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

Dear Karen,

Thank you for the time and effort you have put forth over the allegations I have made concerning safety and abuses of authority at Detroit Metro Airport. Words were difficult to come by to describe the satisfaction with the investigation findings, especially ceasing an unsafe operation, ultimately protecting the safety of the flying public.

I was also pleased with the substantiation of managerial conduct, but have concerns over how the issues were addressed. Deliberately lying, misleading or being disingenuous, however it is described, was done to continue to put airport capacity before the safety of the flying public. If this conduct is not properly addressed, and I believe it was not, these situations will continue to happen. Management's fraudulent activities should not be minimized or arbitrarily dismissed.

### **ALLEGATION/FINDING 1 and 2**

In Acting Administrator Lynne Osmus's letter to Assistant Inspector General Rick Beitel, she states that management misunderstood the AOV verbal out briefing and it was not until management received the AOV October 2007 written response that they realized that it differed from the August verbal briefing. It strikes me as odd that nowhere in any of the documents I received does it state when DTW management received or had knowledge of the AOV written response. This is an important component to the Senator Levin deception and being able to continue the Southwest Flow in part or in its entirety.

In August 2007, after the AOV left the facility, management began verbally briefing controllers on how to properly "hit gaps", (the very verbiage that Mr. Cooper utilized in his September 13 letter), when departing runway 21 right over the runway 27 left arrivals. This is exactly one of the non-compliant issues that AOV verbally briefed the facility in August 2007. So I am at a loss as to what management misunderstood from the AOV briefing given they were acting upon one of the items specifically mentioned in the October 2007 memorandum. (Attachment 1) During the briefings, supervisors were stating that AOV said what we were doing was fine yet briefing us on how to hit the gaps.

In the body of the October 2007 memorandum it is stated that 5 of the 17 OEP airports with intersecting runway/flight path operations were audited. At the top of the October 2007 memorandum from Anthony Ferrante, Director, Air Traffic Safety Oversight Service, AOV-1, (Attachment 1), is a hand written "due by" date of October 19, 2007. Also in the body of the memorandum it states that a formal response is required within 10 working days from receipt of this memorandum. This means that whatever facility received attachment 1, with the October 19, 2007 due by date, received it on October 4, 2007 from Anthony Mello, Acting Vice President, Safety Services or Bruce Johnson, Vice President, Terminal Services. Assuming that all things are equal, all 5 of the audited facilities would have received the memorandum around the same time if not the same day. The specific date of October 4 was achieved by counting back 10 working days from October 19, excluding weekends and the Monday, October 8 Columbus Day holiday, which puts the receipt date at October 4.

That being said and just for a moment lets believe that DTW management misunderstood the AOV August 2007 briefing. This document also requires a follow up response from ATO-S by November 13, 2007, the precise reason that ATO-S was at DTW October 15-17, 2007, so they could see the progress of the 10 working day response and meet the November 2007 deadline. So that means that around October 4, 2007, DTW management knew of the AOV written response and did absolutely nothing to address their newly discovered information until after the ATO-S October 17, 2007 visit.

Did management temporarily suspend the Southwest Flow in October 2007 because ATO-S stated the facility was noncompliant? Nowhere in Mr. Figliuolo's testimony did he state that ATO-S told him the flow was unsafe. AOV told the facility that they were noncompliant and did nothing to correct the issue, so why would this time be any different. Mr. Figliuolo stated that he did not know that noncompliant meant unsafe, so why the different reactions? Did they suspend it because of the operational error? AOV reported an error in August 2007 and the facility did not suspend the flow or charge a controller with an error. Nowhere in the testimony did management state that they suspended the flow upon receipt of the October 2007 AOV memorandum.

The reason they suspended the flow was because they got caught. They got caught not complying with the August 2007 AOV briefing and the October 2007 AOV letter. They got caught doctoring the briefing guide and conducting improper briefings. So their reaction was to suspend the flow on October 18, 2007 and blame the situation on controllers not hitting the gaps as briefed. Again, there is the "hitting the gaps" statement as stated in the Senator Levin letter. (Attachment 2)

After October 18, 2007, the DTW management team then departs on a dependent-independent operation fiasco to continue departing runway 22 left into the flight path of the runway 27 left arrivals. Management, primarily Ms. Boliard and Mr. Grammes on Mr. Figliuolo's behalf, began stating that runway 22 left departures were independent of runway 27 left arrivals and therefore could depart without any regard to the 27 left arrivals. Then Mr. Grammes and Ms. Boliard issued no less than four clarifications between November 2007 and the eventual March 2008 cancellation of the Southwest

Flow. These clarifications addressed none other than how to separate a runway 22 left departure from a runway 27 left go around, the “independent” runways.

I clearly showed in video playbacks that a runway 22 left departure is just as, if not more unsafe, than a runway 21 right departure when an aircraft goes around on runway 27 left. Mr. Paul Mueller, DTW controller, utilized a shift assessment form to clarify the dependent/independent briefings which are replied to by management in writing. All Mr. Mueller received back from Mr. Grammes was the very briefing he questioned stapled to his shift assessment form he submitted. When I asked DTW management for the definitions of a dependent-independent operation, they stated there were no written definitions of these terms. (Attachment 3)

Mr. Figliuolo, Mr. Grammes and Ms. Boliard did not misunderstand anything. Their August briefings after AOV left facility shows they did comprehend what they were told. Mr. Hartenstine’s testimony supports this fact, as does Mr. Figliuolo’s own testimony where he admits he was aware of AOV’s August non-compliance findings. If Mr. Figliuolo and Ms. Boliard misunderstood AOV, then why did management begin briefings addressing one of the non-compliant issues? Lies are lies and facts are facts and Mr. Figliuolo seemed to start blurring the line between the two, thinking his claims of ignorance, deception and omitting facts would keep him free of blame.

In the August verbal briefings there was no mention of any 7110.65 paragraph let alone 3-9-8 or 3-10-4 or any accompanying documentation. When the ATO-S team arrived in October 2007, Mr. Grammes banned me from attending the in briefing. This is when the typed information, that included paragraph 3-9-8, had to have been physically attached to the briefing guide that the controllers signed off on. During the briefings controllers asked for a copy of what they were being briefed on and the supervisors were unable to comply because there was nothing in the briefing package to give us. Management actually, in a fraudulent manner, added the information to give appearance that they properly briefed us, falsely putting the responsibility on the controllers and endangering the flying public.

Later the next day is when ATO-S showed me the guide and its contents. Management needed to show something to ATO-S that they addressed paragraph 3-9-8 because that is what was briefed to them in August 2007 and was the paragraph that was specifically mentioned in the October 2007 memorandum. Why else would they go out of their way to choose paragraph 3-9-8 as the paragraph to put into the briefing guide? The briefing guide is what management offered as a guise of a formal response.

After ATO-S left DTW on October 17 and after ATO-S observed the same paragraph 3-9-8 violation that AOV observed and the facility charged Mr. Mueller with an operational error on October 18 based on the ATO-S information. Initially the operational error paper work listed the 7110.65 paragraph violated as 3-9-8. Later in the next week, the violated paragraph was changed to 3-10-4. This decision was definitely made due to the all the improprieties I brought up surrounding the briefing guide and the direction the

controllers were given. Management now had to separate themselves from the paragraph 3-9-8 debacle. If they mention it, they have to acknowledge the August 2007 briefing. There is another reason why management did not respond in a timely manner to Senator Levin.

While I agree that the flow was ceased in part due to my allegations being referred to the Secretary in March 2008, it is important to realize that if they responded promptly to Senator Levin then the flow would have probably been ceased in November 2007. To use an excerpt from Mr. Grammes' verbiage under Finding 1, "...Mr. Grammes told us it would be inefficient for DTW to increase spacing between aircraft, stating that if DTW increased the gap between aircraft arrivals from 4 to 6 miles to strictly comply with paragraph 3-9-8, it is not even advantageous for us to run this configuration." That is what this was all about, airport capacity and Northwest Airlines. DTW management put airport capacity ahead of the safety of the flying public. Deceiving, misleading, being disingenuous, however one would like to describe management's actions and the delayed response to Senator Levin, was all done to be able to continually put the flying public in harms way to increase airport capacity.

Management knew exactly why and what they were doing during the AOV August 2007 visit, with the Senator Levin September 2007 letter and between August 2007 and the April 2008 letter to Senator Levin. For Mr. Figliuolo and Ms. Boliard this issue goes as far back as at least 2003 when this procedures safety was being questioned. Matt Bird and I spoke to Mr. Figliuolo, Ms. Boliard and then the current operations manager on numerous occasions about safety and the lack of proper direction surround the Southwest Flow. Also in June 2003, a controller was punished for insubordination when he questioned, along with Matt Bird and I, the safety and application of the Southwest Flow. Mr. Figliuolo used his authority in an abusive manner in punishing the controller and allowed aircraft to be put in harms ways to accomplish this. This is a dangerous characteristic trait for a man who manages personnel and facilities responsible for the safety of the flying public. Attachment 4 is offered as supporting evidence.

If Mr. Figliuolo is going to state that he does not know the difference between non-compliant and a safety compliance issue you have to look no further than his December 20, 2005 memorandum. (Attachment 5) In this memorandum he repeatedly uses words like, "lack of planning, poor priorities, continued disregard for rules, regulations and use your own methods versus those prescribed in the 7110.65" to describe sloppy and nonchalant controllers. This leaves no question to his understanding of noncompliant and safety compliance. Ironic that Mr. Figliuolo's claims toward controllers actually describe his own actions. Although a clever tactic to evade guilt by claiming ignorance, the evidence overwhelmingly supports the opposite. How can a FAA Facility/Hub Manager at any airport, especially an OEP airport, claim they do not know that noncompliance of the 7110.65 would not compromise safety? The 7110.65 governs the safe operations of air traffic.

In Ms. Osmus's letter to Mr. Beitel, she states, "The Director of Operations for Central Service Area counseled the DTW Manager. Closer supervision was provided by monthly

reports through November 2008, followed by quarterly reports to the Director.” Calvin L. Scovel III, Inspector General, states, “... that the Southwest Flow was discontinued in March 2008 because the corrective measures could not assure compliance with FAA Order 7110.65” and “...As reflected in a follow-up AOV audit in March 2008, as well as information related to us during numerous interviews, considerable controller confusion resulted due to incomplete or inaccurate briefings....” There are other references to the March 2008 discontinuation of the Southwest Flow as well.

This is important because in July 2008 three B747's were departed off of runway 22 left with no regard to the runway 27 left arrivals and were initially classified as operational errors. This date falls within the March 2008 discontinuation date and the “monthly reports through November 2008” provided to the Director of Operations for Central Service Area dates. Between August 2008 and October 2008 I received documents, (Attachment 6), that not only contradict the findings of this investigation, but call into serious question what sort of counseling and closer supervision was provided to Mr. Figliuolo by the Director.

In August 2008 in a memorandum to Nancy Kort, Director, Central Terminal Operations, a rambling paragraph is written in support of re-classifying the three operational errors to non-occurrences. The paragraph is as follows, “All three events pertained to a Heavy B747 departing Runway 22L at DTW while landings were being made on Runway 27L. More specifically, either the B747 had not flew across the extended centerline of Runway 27L prior to the arrival being over the Runway 27L, or the arrivals on Runway 27L had not exited the runway prior to the B747 commencing takeoff roll on Runway 22L.” This justification is a direct violation of DTW N7110.156, (Attachment 6), and at a minimum all three should have been classified as operational deviations.

It is also stated in the August 2008 memorandum that the incidents were reported as errors based on a verbal interpretation from an AOV employee during an investigatory visit in March 2008. The March 2008 date has been mentioned as the date when the Southwest Flow was ceased because the corrective measures could not assure compliance with FAA Order 7110.65 and information related to the IG during numerous interviews that considerable controller confusion resulted due to incomplete or inaccurate managerial briefings. So, Mr. Figliuolo did not like what was found and conveyed to him in March 2008 from that AOV employee, so he had a subsequent discussion with AOV and ATO Terminal. These discussions determined that the events were not to be considered deviations or errors. Management states, in attachment 6, that the errors were based on “verbal” interpretations from an AOV employee. I find it very peculiar that management chose the use of “verbal” when describing the interpretation and even more peculiar that AOV did not follow up with a memorandum for Mr. Figliuolo and ATO-S given what took place in August and October 2007.

So everything comes to a head in March 2008 and Mr. Figliuolo makes the decision to cancel authorization to conduct the Southwest Flow. Mr. Figliuolo's decision was based in part on the information received from the March 2008 AOV follow-up audit that the corrective measures and the continued confusion by supervisors and controllers, could

not assure compliance with the 7110.65. Then AOV and ATO-S reverse what was told to Mr. Figliuolo between August 2007 and March 2008 and say that there was not an issue with what took place in July 2008. Yet the July 2008 incidents were exactly what had been taking place at DTW beginning in May 2007.

On September 12, 2008, Mr. James Bedow, Acting Director, Safety Assurance, and Mary Bradley, agreed with the documentation submitted by the Central Terminal Service Area and the Director's decision to re-classify the errors to non-occurrences. I requested the names of the ATO Terminal and AOV individuals contacted for the interpretations that justified the re-classifications. In October 2008, I received a response stating that no facility records identified the individuals. (Attachment 6) Mr. Mueller was charged with an operational error quoting paragraph 3-10-4 of the 7110.65, yet these three departures were classified as non-occurrences.

Ms. Kort has been on watch for the entire Southwest Flow catastrophe. She was involved in Mr. Mueller's operational error and subsequent request for re-classification; she was involved in the insubordinate incident in 2003, she has responded to at least two Southwest Flow hotline calls, been involved with the three July 2008 incidents, has counseled the DTW Manager and requested monthly reports through November 2008 for closer supervision and followed up by quarterly reports from him. The monthly reports through November 2008 encompass the July 2008 incidents and supporting documentation in attachment 6. This does not appear to be solid counseling, support, or effective closer supervision. Ms. Kort appears to be encouraging and validating Mr. Figliuolo's behavior and actions. The fox appears to be watching the henhouse.

On numerous occasions between August 2007 and March 2008 management was told by AOV and ATO-S that they were noncompliant and considerable controller confusion resulted due to incomplete or inaccurate briefings. Then some un-known ATO and AOV employees are contacted that convey guidance that contradicts and reverses everything the DTW Management team has been told over the past eight months and they did not bother to ask who they were. I am surprised management did not contact Senator Levin with an epiphany, retract the two previous letters and state that management was actually correct the entire time.

One glaring example that Ms. Kort's counseling was not effective lies within an incident that occurred April 9, 2009. (Attachment 7) There is confusion over whether or not a controller is required to verify the assigned runway when you do not actually issue instructions all the way to the runway, but only to point where you hand the aircraft to another controller. My intention is to not debate the correctness in the application or interpretation of the rule, but the manner in which Mr. Figliuolo handled the situation.

In my initial contact with management over the counseling of the controller involved I questioned Mr. Grammes' direction that the first controller would assign a runway and issue taxi instructions that ground should confirm the aircraft has the correct runway assignment. While I agree with management, I noticed that the supervisor involved changed the word should to shall to avoid any confusion over the intent. This took place

while the supervisor and controller were discussing the situation and Mr. Grammes' choice of words and they both agreed that the change was necessary.

Mr. Figliuolo's answer to the should/shall amendment in his response to me was to state, "The example of AT, (the supervisor), changing the wording from should to shall in the example I reviewed with her means to me the controller did not take the input provided and she had to mandate compliance." This is a lie. I spoke to the supervisor and she told me that Mr. Figliuolo and her never spoke about the situation or reviewed anything, let alone the reason she changed the should to shall. Also, in talking to the supervisor, she told me that the controller never refused to take her input and again this verbiage correction took place while the supervisor and controller were discussing the situation and Mr. Grammes' choice of words and they both agreed that the change was necessary.

Mr. Figliuolo goes on to state in his response "that common sense should dictate, reasonable to expect the first controller, with the intent, is in fact", when describing what is expected of us as ground controllers and runway assignment. Again I agree with Mr. Figliuolo's thought process. He also states that a briefing for all the controllers on 3-7-2 will be provided.

Unfortunately it took management over a week to put together the briefing guide in attachment 7 and does not include one word written in Mr. Figliuolo's response to me of what is expected of the controllers. Not one word of clarification. It is only an entire copy of 3-7-2 and includes the sub paragraphs. Only 3-7-2 and sub paragraph d are highlighted in red. Sub paragraph d covers the request of runway hold short instructions when not received and I am at a loss as to why it is highlighted. It has nothing to do the situation.

So now when a controller correctly applies 3-7-2 c, we will go through the same thing we just went through. If their "intent, was in fact common sense, reasonable for them to expect" then put in the briefing guide that the initial controller shall assign a departure runway and confirm the aircraft has the correct runway assignment or words to that affect. Instead what do we end up with, another incomplete and/or inaccurate briefing, something that was repeated as a problem with the Southwest Flow throughout the entire report. Effective management would have simply notified us of a change, incorporated that change into any one of our numerous required manuals and moved on. Mr. Figliuolo did neither, he instead chose to hide behind his ignorance and allow a subordinate to operate as a maverick and add confusion where there had been none.

If Mr. Figliuolo does not understand that the 7110.65 rules are for safety. If Mr. Figliuolo did not ask the supervisor in the above scenario what happened and interpreted this on his own, why would controllers believe anything Mr. Figliuolo says after the disastrous handling of the Southwest Flow? The fact is, Mr. Figliuolo has no credibility at DTW and he attempts to rule the facility with threats and intimidation as evident in the 2003 suspension on the controller surrounding the Southwest Flow.

In 2003, the controller who was charged with insubordination for questioning a departure while conducting the Southwest Flow received a 14 day suspension. The supervisor who was running the tower in July 2008 when the three B747's were departed received a three day suspension. Mr. Figliuolo, Ms. Boliard and Mr. Grammes were only counseled for the findings of the IG investigation.

Furthermore, Mr. Grammes was laterally moved from the position of DTW Operations Manager to the position of Operations Manager, Detroit TRACON. Ms. Boliard accepted a one year temporary detail with ATO-S and worked out of the Willow Run facility. After Ms. Boliard's detail was up she was given the position of Willow Run Tower Air Traffic Manager. Mr. Figliuolo accepted a temporary detail of 120 days in Washington, D.C. and will return as the Motown Hub/DTW Manager on September 14, 2009.

There were multiple instances of airplanes being put in harms way for no legitimate reason and controllers were forced to work outside the rules with the threat of financial and disciplinary punishment like Mr. Figliuolo imposed on the suspended controller in 2003. When this issue was challenged by that controller in 2003, Mr. Figliuolo suspended the controller for insubordination when all the controller wanted to do was apply the appropriate rules. DTW management deliberately ignored AOV, lied to a Senator, falsified government documents, intentionally disregarded government Order 7110.65 and endangered the safety of the flying public and then claims ignorance after months of breaking the law. It appears that if a single isolated instance of a controller being disciplined for insubordination while trying to do what was right, then the DTW management team should probably be suspended for months if not removed from federal service based on their own deceitful actions.

Their behavior is unacceptable, appalling and pitiful. I believe they should never be able to direct or manage personnel who perform duties that affect the safety of the National Air Space or perform those duties themselves.

### **ALLEGATION/FINDING 3**

I agree with the findings and recommendations contained in the report addressing the hold short lines/signage, SOP verbiage, ASDE-X depiction and controller training surrounding taxiway Q.

The only problem is there has not been any action taken by management to institute any of the corrective actions. I have not been briefed or informed of any changes to our SOP, hold short lines/signage or the ASDE-X.

The hold short sign issue was raised in part as a delay issue and specifically references the 1500' taxiway Q issue in November 29, 2006 Wayne County Airport Authority meeting minutes. This was the only time I could find this issue raised in Wayne County



meeting minutes. The D7110.134 dated February 1, 2007 was the next time the issue was addressed. (Attachment 8)

In Mr. Scovel's findings he states, "Moreover, neither the DTW controllers and managers we interviewed, nor the Airports Division personnel we contacted, were able to definitely say whether one, the other, or both "hold short" lines are currently required." I am very curious as to what transpired between November 29, 2006 and February 1, 2007. Taxiway Q went from a signage and distance issue in November 2006 to what it morphed into in February 2007. There must have been further discussion between our facility Wayne County Airport Authority and possibility Airports Division at a minimum.

This is what concerns management at DTW. Ronald Bazman, DTW Support Manager, in a May 5, 2009 memorandum, (Attachment 8), addresses the issuance of a taxiway connector between taxiway K and Y. My intention is to not debate the correctness in the application or interpretation of the rule, but the manner in which Mr. Bazman handled the situation.

Mr. Bazman states, "Although our goal of safe surface operations is a shared responsibility with all users and interests on the field, please ensure your phraseology complies with the paragraph above to prevent confusion and a possible runway incursion or surface incident." Kilo 10 does not intersect a runway. Uniform does not intersect a runway. So what possible runway incursion or surface incident can occur? We have never, for the 12 1/2 years I have been at this facility, had a runway incursion or surface incident involving taxiways uniform, K10 or yankee. I have never, for the 12 1/2 years I have been at this facility, had confusion or questions issuing the taxi instructions "uniform yankee" until Mr. Bazman's involvement.

What Mr. Bazman has done is cause confusion. After issuing "uniform, K10, yankee" aircraft join uniform and stop to ask questions. Questions like, "Where do you want us to join kilo? Or they will say, "After uniform say again" and when you re-issue the instructions they will say, "So you want us to join kilo?" If you re- issue the instructions as "uniform yankee" there are no problems. Also after issuing "uniform, K10, yankee" aircraft will also just join kilo instead of yankee and go nose to nose with an opposite direction aircraft. I have stopped utilizing the phraseology Mr. Bazman mandated.

Instead of addressing and correcting the issues surrounding taxiway Q, Mr. Bazman chose to chase his tail over a non-issue and create confusion where there was none. This again shows more of the same with confusing, incomplete and/or inaccurate briefings.

#### **ALLEGATION/FINDING 4**

I agree with the findings surrounding the segregation of jets and props. Unfortunately these measures are more than likely going to be readdressed and adjusted. While this issue was being addressed, I spoke to Ms. Patricia Bynum, DTW Support Manager, about the increase in jet traffic utilizing a prop corridor and the impact on noise abatement. Our

operations are bound by a lawsuit filed by local residents and noise abatement rules dictate how and where we are allowed to depart aircraft on a regular basis to comply with noise abatement. Ms. Bynum stated that there was not enough of an increase to have an impact. Last month I found out from Mr. Bazman that this in fact is an issue and is being looking into.

#### **ALLEGATION/FINDING 5**

I am not in total agreement with the findings and confused over the development of the new procedures and use of the electronic communication system.

This is a two fold issue, the use of an electronic communication system and the assignment of a standard instrument departure (SID). Not all airlines or aircraft types are capable of receiving information via an electronic communication system. This deficiency does not prevent the issuance or utilization of a SID. The method of conveying what SID to use can be accomplished verbally or via electronic communication system.

The problem here at DTW is that routes to certain airports are not on any SID. If an aircraft is capable of receiving information via electronic communication system, but the route to one of those certain airports is not a SID, we then have to issue the clearance via radio void the SID, but issue any applicable information from the SID. This would also apply to aircraft not capable of receiving information via electronic communication system.

It does not matter whether the electronic communication system fails or not, the issue with routes to certain airports that are not on any SID would still apply. The argument that this is a workload issue and not a safety issue is weak at best. The reason for the development of electronic communication systems and SID's is to relieve workload to enhance safety and efficiency.

This is another example of DTW management's ignorance of the operation and their lack of understanding in regard to safety. Sending a message to an aircraft that prints out in the cockpit with standardized routing is preferable to a voice transmission that could be misunderstood or written down in error is undeniable to anyone that understands how the air traffic system communication works. In the event that electronic communication is not available, issuing standard departures that are depicted on charts is preferable to listing instructions step-by-step. It does not take a rocket scientist to understand that when more verbiage is involved, the likelihood of errors increases. Additionally, at a busy airport, the primary asset of a busy controller is frequency time and anything that safely reduces time spent on the frequency by both the controller and the pilot is beneficial to the operation. We choose to increase safety, while they choose to do nothing.

DTW staff has not developed a procedure to ensure all departing aircraft, including those traveling to the airports in Ohio at issue, receive SID's utilizing the electronic communication system as stated in the findings. Furthermore, management states that I have reviewed and expressed satisfaction with the proposed procedure. I have no idea what they are talking about.

Ms. Bynum and Mr. Bazman are the two individuals that I have had contact with over the SID's issue. At one point Ms. Bynum had a DTW Air Traffic Assistant, Richard Sheridan, removed from the schedule to address our SID's issue. Mr. Sheridan modified the SID's for better efficiency and addressed our concerns. This document was passed back and forth between Mr. Bazman and Ms. Bynum for more than 18 months. During the time when the ball was in Mr. Bazman's court and approximately two months ago, Mr. Sheridan and I met with him to discuss the progress.

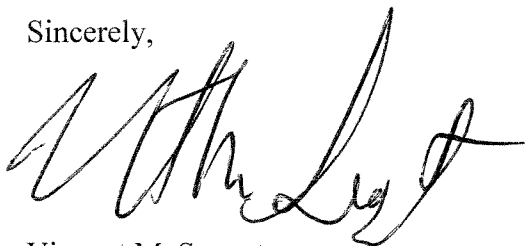
Mr. Bazman had specific questions about what we wanted to accomplish. Every question Mr. Bazman asked was already answered in the document Mr. Sheridan created. It was more than apparent that Mr. Bazman had never read or even looked at what Mr. Sheridan had given him. When I approached Ms. Bynum over where we were at with the SID's, she spoke in generalities about orders, the enroute center and the paper worked involved while never answering my questions. These types of talking in circle exchanges have been going on for more than 18 months with Mr. Bazman and Ms. Bynum and not a thing has been accomplished.

The issue with the routes to certain airports is easily addressed with simple added verbiage to the SID's. Words to the effect of, "If route not on SID, then expect radar vectors first fix", then we are able to issue the SID either via radio or electronic communication system cutting down on excessive verbiage and possible errors.

In closing, the overall performance, actions and conduct by the management team at DTW is inadequate, ineffective and unacceptable. The examples and documentation I offered as supporting evidence not associated with my allegations are only a few instances of poor managerial performance and activity. I believe this can be directly attributed to incompetent leadership and the lack of air traffic knowledge, experience and competency.

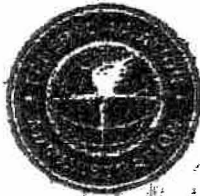
Thank you very much for your time and the opportunity to review, evaluate and comment on the report. If you any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "V. M. Sugent", written in a cursive style.

Vincent M. Sugent

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**Federal Aviation  
Administration**

*Due by*  
*10/19/07*

**Memorandum**

Date: OCT 1 2007

To: Tony Mallo, Acting Vice President, Safety Services, AJS-0  
Bruce Johnson, Vice President, Terminal Services, AJT-0

From: *[Signature]* Anthony S. Ferrante, Director, Air Traffic Safety Oversight Service, AOV-1

Prepared by: Joseph Teixeira, Manager, Air Traffic Operations Oversight Division, Ext. 7-8169

Subject: Audit Report, Intersecting Runways and Nonintersecting Runways

The Air Traffic Safety Oversight Service (AOV) conducted an audit of the Air Traffic Organization (ATO) to determine compliance with FAA orders and separation standards when utilizing intersecting runways or nonintersecting runways whose flight paths intersect.

AOV audited 5 of the 17 Operational Evolution Partnership (OEP) airports with intersecting runway/flight path operations. The audit team focused on three specific areas: operational, procedural, and training as it pertains to the requirements of intersecting and nonintersecting runways.

As a result of this audit, a specific safety compliance issue was identified. The following safety compliance issue will be resolved through the AOV Compliance Process in accordance with FAA Order 8000.86, Air Traffic Safety Oversight Compliance Process. This issue requires a formal response within 10 working days from receipt of this memorandum. The formal response should include a comprehensive plan on how ATO will address this issue.

(1) Compliance Issue Number COMP-FY07-07:

On August 14, 2007, the audit team found Detroit Airport Traffic Control Tower (DTW) to be noncompliant with FAA Order 7110.65, Air Traffic Control, Paragraph 3-9-3 and (b), which requires to separate a departing aircraft from an aircraft using an intersecting runway or nonintersecting runways when the flight paths intersect, by ensuring that the arrival aircraft is clear of the landing runway, completed the landing roll, and will hold short of the intersection, passed the intersection, or has crossed over the departure runway. This issue was briefed to the facility during the audit and reported to ATO Safety on August 29, 2007.

Specifically at DTW, the audit team observed that aircraft A was departing one runway while aircraft B was crossing the landing threshold of a nonintersecting runway that crossed aircraft

A's flight path. No control instructions were given to aircraft B (the landing aircraft) to ensure separation from aircraft A. It is important to note that DTW does not use Land and Hold Short procedures. Also the audit team reviewed local directive DTW 7110.9A, dated 6/8/06, paragraph 6-9, which addresses runways 27L and 21R operation and found that it does not clearly state that this operation must be used dependently, nor does it give specific instructions for rejected landings.

The following audit findings have been identified and noted in the audit report. These findings will be tracked and resolved through the AOV Audit Process, and requires a response from ATC by November 13, 2007.

Focus Area 2: Procedure

- (1) Fifty percent of those facilities that utilize Land and Hold Short Operations (LAHSO) did not meet the full requirements of FAA Order 7110.118, Land and Hold Short Operations. The noncompliant facilities did not have a letter of agreement with the user signatories nor did they have a list readily available to controllers.

Focus Area 3: Training

- (1) Forty percent of the audit facilities' did not indicate specific briefing items were done verbally as required by FAA Order 7210.3, Facility Operation and Administration. The noncompliant facilities produced an electronic mail from their service unit providing an interpretation, that is in contradicts to FAA Order 7210.3 Paragraph 2-2-11 which states in part that "shall ensure that facility air traffic personnel are verbally briefed on changes". The interpretation explained that only major changes to the orders needed to be verbally briefed. The interpretation went on to clarify that any notice changes, disseminated as General Notices (GENOTS), as well as other changes to procedural directives did not have to be verbally briefed.

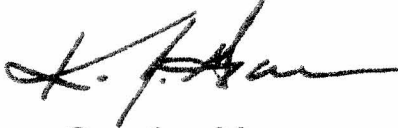
cc: Director, Safety Investigations and Evaluations, AJS-3  
Director, Special Projects, AJS-8

2



# Federal Aviation Administration

## Memorandum

Date: October 18, 2007  
To: All DTW/D21 Personnel  
From:  Operations Manger  
Subject: Southwest Flow RY27L/R21R

R&I	10/18/07
PRE-DUTY	-
DURING SHIFT	
GIB	
Remove on	11/18/07
Originator	KJ
Copies to	D21

ATO Safety conducted a follow up evaluation regarding the Towers performance in regards to the Southwest Flow Operation.

On both Monday and Tuesday the controllers were operating within the guidelines as briefed after the August evaluation.

On Wednesday it was a different story as the two individuals that were observed did not follow the intent of hitting the gaps as briefed.

The decision has been made to temporarily suspend using the southwest flow until this can be corrected. We are looking at areas of training and proficiency that may be used to get everyone operating in the same way.

This does not preclude using a west flow straight 27 arrivals and departing 22R that is still available as needed.





U.S. Department  
of Transportation  
Federal Aviation  
Administration

Great Lakes Region  
2300 E. Devon Avenue  
Des Plaines, IL 60018

07 OCT -9 AM 10:31

**SEP 13 2007**

The Honorable Carl Levin  
United States Senator  
477 Michigan Avenue, Room 1860  
Detroit, MI. 48226

Dear Senator Levin:

This is in response to your letter of August 7, 2007, on behalf of your constituent, Mr. Vincent Sugent, regarding air traffic procedures utilized at the Detroit Metropolitan Airport (DTW).

The procedure to which Mr. Sugent is referring is our "Southwest Configuration." This entails landing runways 22R and 27L, and departing 22L and 21R. The flight paths, not runways, that intersect are 21R and 27L, (21R departures fly over 27L as they are climbing out), which is why we have to "hit gaps" with departures off 21R. The reason for this is, in the event of a missed approach off 27L, the aircraft will be adequately separated.

In addition, we have certain weather minimums, 4 miles visibility and 2,000 feet, when operating this configuration, to ensure visual contact will always be maintained between controllers and aircraft, and pilots and other aircraft, if there were a missed approach. There is adequate time and distance to take action in the event of a missed approach, because of the distance between our runways and overall airport layout.

It should be noted also that we have had personnel from the office of Air Traffic Safety Oversight Service (AOV) visit the facility to observe this particular operation. AOV did not find this operation to be unsafe.

The airlines are also in support of this operation, as it provides another alternative, which enhances safety and capacity during the ongoing construction, and lengthy runway closures DTW encounters.

We trust this adequately addresses your concerns. If you or your staff requires further assistance, please contact George Bloomingbird, Manager of Executive Operations at (847) 294-7231.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry D. Cooper". The signature is fluid and cursive, with a long horizontal line extending to the left and another extending to the right.

Barry D. Cooper  
Regional Administrator  
Great Lakes Region

Enclosure  
Transmitted Correspondence

cc: Washington Office

3

1. Per FAAO 7210.56C, paragraph 5-1-1 an operational deviation is:

d. Operational Deviation (OD). An occurrence attributable to an element of the air traffic system which did not result in an Operational Error (OE) as defined in this Notice, but:

- (1) Less than the applicable separation minima existed between an aircraft and adjacent airspace without prior approval; or
  - (2) An aircraft penetrated airspace that was delegated to another position of operation or another facility without prior coordination and approval; or
  - (3) An aircraft penetrated airspace that was delegated to another position of operation or another facility at an altitude or route contrary to the altitude or route requested and approved in direct coordination or as specified in a letter of agreement (LOA), precoordination, or internal procedure; or
  - (4) An aircraft is either positioned and/or routed contrary to that which was coordinated individually or; as specified in a LOA/directive between positions of operation in either the same or a different facility; or
- NOTE This does not apply to inter/intra-facility traffic management initiatives.*
- (5) An aircraft, vehicle, equipment, or personnel encroached upon a landing area that was delegated to another position of operation without prior coordination and approval.

2. Per the same order, an operational error is:

e. Operational Error (OE). An occurrence attributable to an element of the air traffic system in which:

- (1) Less than 90% of the applicable separation minima results between two or more airborne aircraft, or less than the applicable separation minima results between an aircraft and terrain or obstacles (e.g., operations below minimum vectoring altitude (MVA); aircraft/ equipment / personnel on runways), as required by FAA Order 7110.65 or other national directive; or
- (2) An aircraft lands or departs on a runway closed to aircraft operations after receiving air traffic authorization, or

(3) An aircraft lands or departs on a runway closed to aircraft operations, at an uncontrolled airport and it was determined that a NOTAM regarding the runway closure was not issued to the pilot as required.

f. Performance. Human conduct including actions (or inactions) leading to, during, and after an OE/PE/OD.

g. Preliminary Report. Refers to FAA Form 7210-2, "Preliminary Operational Error/Deviation Report."

h. Proximity Event. A loss of separation minima between two aircraft where 90 percent or greater separation is maintained in either the horizontal or vertical plane. This does not include any violation of wake turbulence separation minima or losses of separation that are classified under the No Conformance minima.

3. Independent and dependent operations – According to Chuck Chamberlain of ATO-T, there are no written definitions of these terms available.

4



National Air Traffic Controllers Association  
Detroit Metro Tower

Building 801  
Detroit, MI 48242  
Office: (734) 955-5164  
FAX: (734) 955-5164



**DATE:** June 22, 2003

**SUBJECT:** Unsafe arrival/departure configuration

**TO:** Joseph Figliuolo

**FROM:** Lewis M. Bird

NATCA is evoking the provisions of Article 65, Section 1 of the Collective Bargaining Agreement for all Bargaining Unit Members at Detroit Metro Tower in reference to the following: When runway 21L is closed, management has chosen to depart from runways 21R and 22L while arriving runways 22R and 27L. Due to the lack of ability to properly ensure departure separation minima (710.65N 3-10-4), wake turbulence minima in the event of a go-around (7110.65N 3-9-8), and the overall complexity and lack of a procedure for a runway 27L go-around; this declaration shall apply. NATCA believes a safer operation during this runway closure is to land runways 22L/22R.

Lewis M. Bird

Joseph Figliuolo

ACTING DTW FACREP

AATM

Revid  
Paul Sattlerwhite

**Response to Proposed Discipline to David Thomson**

Delivered *[Signature]* 8-25-03

Received *[Signature]* 8/25/03



*[Handwritten mark]*



On June 16, 2003, Wayne County closed runway 21L. At some point during the next 2 days, a decision was made by the FAA to operate with inbound aircraft landing runways 22R and 27L, while departing runways 22L and 21R. Taxiway closures added to the complexity, since runway 21L and the parallel, taxiway W were both closed, the first available turnoff for aircraft landing runway 27L was more than three quarter way down the runway. This is an abnormal operation at DTW, and brought about a series of questions that went unanswered for 10 days. The legality of the operation involving departing runway 21R and over flying runway 27L, while inbound traffic was present was in question. The legality of departing wake-turbulence producing aircraft across runway 27L, or across the missed approach course for runway 27L was also in question. What instructions to give a missed approach would be legal (much less safe) were never answered. The instructions we had been given were to, "depart from runway 21R in the gap between arrivals on runway 27L." Some controllers chose to ask a supervisor what the rule was, others didn't, assuming they understood the rules and were comfortable with it. For the first time in a long time, people read, discussed and debated what was contained in the 7110.65 routinely for an entire operation (normally this is done only in the case of an abnormal event).

The acting NATCA DTW facility rep. determined that there was a greater than normal chance for potential error, and based on the lack of guidance from the FAA, filed an Article 65 statement covering the operation on 06/21/2003. At this time the acting NATCA DTW facility Rep. asked management to interpret the rules, and issue guidelines as to how we were to operate legally in this environment. Although management received guidance from the region on June 25, it was not passed in any kind of written form, or briefing to the controllers. The acting NATCA DTW facility rep. met with management after their briefing, and attempted to "pass the word," but even after requesting the clarification be published on the June 27, management refused, saying only, "by the time we could get the information printed and put in the read binders, the other runway would be open and it wouldn't be a factor." (See attachment #1).

The "normal" 27L/R operation at DTW involves strong winds from the West, resulting in slow ground speeds for inbound traffic. Traffic departs from runways 27L/27R, or runway 22R, which is about a half mile west of runway 22L, and in this configuration, most departures turn away from runway 27L. The rules applied in this scenario are straightforward and understood by all controllers. The distance between the departure ends of runway 27L and 22R is great enough to afford time to coordinate in the event of a missed approach.

In this unique operation, runway 27L inbound traffic had a crosswind, or tail wind resulting in much faster ground speed, and greatly reduced time between arrivals. The opportunity for a missed approach, or go-around mixing with traffic departing 21R and 22L was on everyone's mind. In the event of a missed approach, there might have been no time to coordinate what to do, and the potential for three controllers turning their traffic, on three different frequencies, all at each other was there. The fact that there were three or four local controllers potentially unaware of the rules were working the traffic

added to the complexity, and the stress level. Two or three controllers working parallel runways is the norm at DTW. The potential for something bad to happen in the event of a sudden go-around or missed approach was greatly increased. The published missed approach for runway 27L involves climbing, THEN turning southbound. This missed approach passes directly off the end of runways 21R and 22L.

When Mr. Thomson came to work on June 17 and discovered the operation he would be working. He mentioned to Mrs. Thompson and separately to Mr. Williams his recollection of what happened the last time he witnessed this operation. An Airbus on approach to runway 27L had executed a missed approach, and flown directly through the wake of a B747 that had departed runway 22L. Mr. Thomson informed them that the FAA, at the regional level, had issued an order to DTW to stop the operation based on the danger of this happening again. Mr. Thomson pulled the pages of the 7110.65 that he thought applied to this, made copies and gave them to Mark Williams, the O/S and explained what had happened. Mr. Williams stated to Mr. Thomson that he might have something here in reference to the legality of the operation. (See attachment #17).

On the day in question, prior to attending the standup meeting, Mr. Williams assigned Mr. Thompson the LNW position. At about the same time, Mr. Williams showed Steve Schrimmscher, an experienced controller with more than 15 years at DTW tower, working the ground southwest position, a copy of some pages from the 7110.65 (presumably the ones Mr. Thomson had provided him). Mr. Williams requested Mr. Schrimmscher review the rules shown, and asked his opinion. Mr. Williams told Mr. Schrimmscher that he wanted his opinion "quietly, so Dave (Mr. Thomson) won't hear." Mr. Schrimmscher informed Mr. Williams that after reviewing the pages, he was of the opinion that the current operation was in a gray area, and could be determined more than one way. He continued that he could see an argument on either side of the debate, both supporting the legality of it, and supporting the illegal nature of what we had been instructed to do. Mr. Schrimmscher left Mr. Williams with the comment of, "I can see how this could be interpreted both ways." Mr. Schrimmscher added that the definition of flight path was not clear enough to know if it ended at the end of the runway, on the runway or continued past the runway. Mr. Schrimmscher told Mr. Williams that the flight path of an inbound ended at the end of the runway. Not only did MA not respond with what the correct procedure was, he responded that he had a phone conversation with someone at ORD and got the answer. That person told him, "That's why towers have windows," and the conversation ended. (See attachment #2).

Mr. Williams then attended the 2:45pm standup meeting with management from the TRACON, the Tower and the Traffic Management Unit, when he was informed that DTW would be operating the 27L/22R arrival, 21R/22L departure "plan". Mr. Williams knew from previous discussions that Mr. Thomson thought that the operation was illegal, and that he was working LNW, a position impacted by this abnormal operation. Mr. Williams informed the people at the stand up that he had employees that didn't want to do the operation, and inquired if the AATM would back him if he ordered them to do it. (See attachment # 10). The response was in the affirmative. Mr. Williams did not mention that he knew it was Mr. Thomson, and he knew what Mr. Thomson's apparent misunderstanding of the rules were.

Later, at about 3:45pm local time, Mr. Thomson was still working local northwest. His duties included runway 22R (the primary landing runway, due to the gaps needed on runway 27L), and runway 22L, the primary departure runway. Mr. Thomson noticed a B757 taxiing in line to depart, and also noticed that the runway 27L arrivals were spaced about five miles apart. Mr. Thomson, realizing the cab coordinator position was not staffed, requested that Mr. Williams contact the TRACON and provide a two-minute gap between arrivals on runway 27L. Mr. Thomson was operating under the understanding that the operation required a two minute gap between arrivals to safely/legally depart a wake-turbulence producing airplane. Mr. Williams responded with, "roger." A few minutes later, Mr. Williams approached Mr. Thomson (while he was working, in Mr. Williams terms, a moderate to heavy inbound/outbound rush), and asked him what he wanted again, and why. Mr. Thomson explained that he needed a two-minute gap in the arrivals on runway 27L so he could depart a B757, and now a B747, and told him he thought he could get them both out in the same gap, if it was big enough. Mr. Williams again walked away, and it's unclear if he again said, "roger," or not, as Mr. Thomson was obviously very busy (See attachment #16). Mr. Williams then assigned Brian Yax the cab coordinator position, made a phone call (apparently to Joe Figliuolo). The context of the call is unclear, since Mr. Williams cupped his hand over the mouthpiece in an attempt to conceal what he was saying (See attachment #7). Later, Mr. Figliuolo verified that he had talked on the phone at some point with Mr. Williams; Mr. Williams told him that someone working local was not following instructions. Mr. Williams asked if he would be supported in his effort to make the local controller operate in a manner that he saw fit. Mr. Figliuolo answered in the affirmative.

Mr. Williams then instructed Mr. Yax, now working the cab-coordinator position to, "come here, you need to witness this." Mr. Yax wasn't sure what was going on, since he had just entered the cab moment's prior, but he followed him nonetheless. Mr. Williams then approached Mr. Thomson, positioned his body between Mr. Thomson and his traffic, because Mr. Thomson was too busy working to give Mr. Williams the attention he thought he deserved while he was working this busy rush, and instructed him to do something. It is not totally clear what that instruction was, since Mr. Thomson was busy working heavy traffic, (See attachment #14), Mr. Yax had figured out it was a dispute and did not want to be involved, but there does not seem to be any dispute that Mr. Williams had ordered Mr. Thomson to somehow depart the B757. Mr. Williams didn't take the time to ask Mr. Thomson what his level of complexity was at the time, and was not monitoring the position. Mr. Williams did not appear to give a specific instruction (there are several accounts of what was said), but Mr. Williams did apparently expect immediate compliance. Mr. Thomson, between transmitting to airplanes, scanning the runways, his flight progress strips, and the D-Brite, attempted to comprehend just what it was Mr. Williams was instructing him to do. It had become apparent to Mr. Thomson at this point that Mr. Williams was not going to coordinate the requested two-minute gap between arrivals on runway 27L. The B757 had been taxied to an area several hundred yards from the approach end of the runway, there was a lengthy line of departures and both finals were "full." Mr. Williams then instructed Mr. Thomson a second time, again without regard to the heavy traffic Mr. Thomson was working, the potential for aircraft or


controllers to be talking in Mr. Thomson's other ear, and claims that with the second set of instructions he included the phrase, "Listen very close to what I'm about to tell you." Mr. Thomson, due to his level of working complexity and his requirement to, "ensure the safe and expeditious movement of aircraft,"(7110.65) asked Mr. Williams what he expected of him. Both exchanges are murky at best, but it appears Mr. Williams had in mind a specific instruction to order Mr. Thomson to do something with the B757. Mr. Thomson apparently was not able to understand or comply with the order in a fashion that Mr. Williams thought was appropriate, and he had Paul Borys, who had been standing in the back of the tower, relieve Mr. Thomson of his duties. After the exchange between Mr. Thomson and Mr. Williams, Mr. Thomson had moved the aircraft in question up to the runway and into position and hold. Mr. Borys relieved Mr. Thomson, then he departed the B757 in question with the first transmission he made. (Reference the tape of the position.)

Mr. Williams showed no concern about the operation, the controllers working a "moderate to heavy rush", the user or even safety. If he were concerned about safety or a delay to the airplane, he would have relieved Mr. Thomson and counseled him off position as he did with Mr. Wheatley and Mr. Elya who were involved in a similar scenario involving the application of rules and an operation. (See attachments #2 and 12). Mr. Thomson was working moderate to heavy traffic as Mr. Williams stated, and he was put in an undesirable situation while working this traffic, having to continue his work while trying to understand Mr. Williams' statements. (See attachment #14) Mr. Williams knew that there was potential for misunderstanding from Mr. Thomson due to the discussion they had days prior to the incident. (See attachment #15). Further, management was notified the day after the incident by AGL that the operation in question was clarified. (See attachment #1). Even after the clarification from the region and knowing the controversy and confusion surrounding the operation, they would not put out any sort of face-to-face briefing, something in the R & I or even a briefing guide. (See attachment #1). Mr. Williams, knowing Mr. Thomson's and at least one other controllers feelings on the rules and operation, (See attachments #2, 7, 8 and 15), still would not clarify the rules with Mr. Thomson. In fact he kept the fact that it was clarified to him from either Joe Figliuolo or other management personnel, (See attachment #10), from Mr. Thomson when he spoke to Steve Schrimsher after he came from the stand up. (See attachment #2). Mr. Williams stated that the operation was not against the any rule in the 7110. (See attachment #14). If management knew it was legal before this incident, why were the controllers not told, especially the ones that had concerns and questions? If it was legal the entire time, then why the need for the clarification? If Mr. Williams was concerned about the operation, the user or creating an environment that supports and encourages the contributions of all employees and create and maintain a positive and supportive work environment that promotes participation by all employees in work activities for the benefit of the individual and the organization as stated in the Managerial and Supervisory Roles and Responsibilities in the Model Work Environment Action Plan, he would have never put Mr. Thomson on LNW knowing his feelings on the operation and knowing there was clarification out there that could have avoided the incident. If Mr. Williams was concerned about the operation or the user, then after Mr. Thomson showed some confusion and concerns about the operation, knowing there was clarity from the

DTW management, Mr. Thomson should have been relieved by Mr. Borys who was in the back of the tower awaiting assignment. Mr. Thomson should have been warranted the same treatment as Mr. Elya and Mr. Wheatley. He was not. Instead he made a phone call to Joe Figliuolo (See attachment #7), not about the operation, not about a controller who had legitimate concerns and questions, but about a controller not following an order quickly enough. A controller who asked for clarification during the incident and a bargaining unit who did prior to and after the incident but did not receive it. Mr. Williams ask the Cab Coordinator to come over to LNW; he needed him to witness something. First he was unnecessarily distracting to Mr. Thomson working traffic during a moderate to heavy session and now pulling the Cab Coordinator away from his duties during the same session. The time Mr. Williams spent making the phone call and getting the Cab Coordinator to witness the incident he could have had Dave relieved and given him the same treatment as Mr. Elya and Mr. Wheatley. Mr. Williams said he stated that failure to comply with this order, for the second time, could lead to disciplinary action. (See attachments #14). No one else in the tower cab heard Mr. Williams make this statement. (See attachments #7, 8, 9 and 15). While in fact Mr. Thomson had moved the aircraft into position and hold while the exchange took place because that was Mr. Borys first transmission. (On tape). Mr. Thomson could not depart the aircraft as Mr. Williams instructed but had sequenced the aircraft onto the runway. He was unable to depart the aircraft because he had already been relieved. Mr. Williams had questions and was just as confused about the rules even after the clarification from the DTW Management team. If he were clear he would have not had to have talked to someone at ORD tower or ask controllers in the tower before and after the incident. (See attachments #2, 7, 8, and 9). Similar situations since the incident on the 24<sup>th</sup> of June involving the following of orders have happened. Angela Thompson ordered Dan Ricks to send an aircraft around twice and he did not follow the order. Mr. Ricks was not removed from position or any disciplinary action proposed. (See attachments #2 and 13). Another was when Ms. Thompson ordered Bernie Campau to cancel an aircrafts take off clearance. (See attachments #3, 4 and 18). She believed that he did not follow her order and pulled him off position and spoke to him about the situation. (See attachment #3). Both of these scenarios involve safety to the user, and management's impression that rules were being violated. Mr. Thomson was never accused of violating a rule; simply using caution when presented with what he thought was a dangerous situation and a rule violation. These situations, along with the situation of the proposed discipline, show the failure to punish and correct in a fair and equitable manner. It also, with the above aforementioned, shows the proposed disciplinary action is arbitrary, capricious and unwarranted.

Mr. Williams' conduct, not Mr. Thomson's, was disruptive as it was in the past. (See attachments #5, 6 and 11). Mr. Williams' said that Mr. Thomson immediately became a distraction and was argumentative to the point that he had to be relieved. (See attachment # 17). Mr. Williams also said that he noticed that the LNE and GNE controllers were distracted from their duties as a result of Mr. Thomson. (See attachment #17). Other controllers in the tower said that Mr. Thomson's actions were not a distraction let alone disruptive and unprofessional. (See attachment # 7). Others said that both were loud and disruptive. They also stated that the discussion was no different than other conversations in the tower. (See attachments # 7, 8 and 9). The punishment being proposed is

arbitrary, capricious and totally unfounded. Mr. Williams' conduct was much more disruptive and unprofessional earlier in the year, (See attachments #5, 6 and 11), and went unpunished. This disparity in treatment between the non-action towards Mr. Williams and the proposed action towards Mr. Thomson fails to meet the requirements of being fair and equitable. The action that should have been taken was to resolve the misunderstanding Mr. Thomson had with the rules and go about business as usual. Any type of briefing by upper management prior to the event would also have prevented the entire scenario. The second event seems to be "piling on," since the other people in the tower did not think Mr. Thomson's actions were out of the norm. Mr. Thomson should not be disciplined for reacting to Mr. Williams' unprofessional actions in a manner that at worst erred on the side of safety.

  
FOR  
David Thomson

On or about the 7<sup>th</sup> of July, I had a discussion with Joe Figliuolo about Mark Williams' understanding of the rules and operation of the Ry 27L, 22L, 22R and 21R operation. I asked him, "If Mark was clear on the rules of the operation, why did he ask people before and after the incident if they thought the operation was legal." Joe said that on or prior to June 24, 2003, he or someone else had spoken to Mark and there was no confusion and Mark was clear on the legalities.

I then asked Joe if Mark stated at the stand up, on June 24 that he had people in the tower that were unwilling to run the operation. Joe said yes. I then asked Joe what he said to Mark. Joe said, words to the effect of, that he would back or support him on what he needed to do to run the operation.

I then asked Joe if Mark called and him and stated that the local controller would not follow his orders and depart certain aircraft and that you said back to him to order him to do it and get a witness. Joe said no, and then words to the effect of, I did not tell him to get a witness but I did say do what you have to do and I will back you.

Joe did not indicate that any effort was put forth to ascertain who or why there was a problem or how management planned to address this known concern.

A handwritten signature in black ink, appearing to read 'Vincent Sugent', written in a cursive style.

Vincent Sugent

On June 25, 2003, I went into the TRACON sup's office to meet with AU, finding that the afternoon stand-up had just ended. Earl Grand, Joe Fig, Paul Saterwhite were all there and Dan informed me that they had just been informed by the AGL that the operation involving departing traffic from rwys 22L/21R while landing runway 27L was in fact legal. They also told me that the person that informed them of this stated that the legal operation was to depart runway 21R after a runway 27L departure "had landed", and any successive departures needed to be clear of the runway prior to the next arrival passing over the runway 27L landing threshold. I was informed that there was no wake turbulence issue, since the inbound aircraft's rout of flight ended at the runway, and go-around traffic was to be treated the same as a go-around on a single runway, when a heavy departs and the inbound goes around. The event of a go around is treated as an abnormality of flight, and the resulting wake trubulance the aircraft might experience from traffic departing the other two runways was not an issue for ATC to worry about. The operation is legal and if someone complains about flying through the wake of a heavy or B757, I was assured there would be no controller held responsible for this loss of wake turbulence separation. As the acting NATCA DTW president, I took this information to be good news, and was relieved that after nine days of operating this way we finally had guidelines to follow. I assumed that the information would be forwarded in some manner to the controller workforce. On June 26, I arrived to find it hadn't been disseminated, I asked AU why. He informed me that to generate such a breifing would take more time than the planned opening of runway 21L(June 30) allowed, and it wouldn't be a factor after that.

Lewis Bird

*Lewis M Bird* 8/1/03



5



Federal Aviation Administration

Memorandum

Date: December 20, 2005
From: Air Traffic Manager, DTW ATCT
To: All Operational Personnel
Subject: Performance and Conduct

Table with 2 columns: Category and Value. Rows include R&I (12/20/05), PRE-DUTY, DURING SHIFT (Tower), GIB, Remove on (12/20/06), Originator, and Copies to.

Detroit Metro Tower and TRACON have experienced a troubling increase in Operational Errors. For FY 2005, the Tower had two OE's that were both classified as Category A/B, and the TRACON had 14 OE's of which eight were Category A/B. For the calendar year 2005, the Tower has had six OE's of which four were Category A/B, and the TRACON has had 17 OE's of which 10 were A/B's.

The most disturbing aspect about the majority of these errors is that volume was not a primary factor in the event. These were directly caused by a lack of planning, poor priorities, inaction, inattention and downright sloppiness. Despite reminders to avoid practices known to cause OE's, to perform proper position relief briefings, to use proper phraseology and interphone communications, to properly coordinate the use of airspace and to make efficient use of vertical separation, there are controllers who willfully continue in their bad habits. Sloppy and nonchalant controlling cannot and will not be tolerated. Human error aside, continued disregard for rules, regulations and established protocols can no longer be treated as poor performance. In events where sloppy controlling or inattention to duty is the predominant casual factor, the conduct of the responsible individual(s) must be called into question.

If you, as an honest and conscientious professional and team member, are working beside someone who is having problems with the operation, please assist as you can and get a supervisor involved. If you are a supervisor and are not actively engaged in correcting poor performance and bad habits, you are negligent in your duties and responsibilities. If you are an Operations Manager and are looking the other way when supervisors do not make appropriate on the spot corrections or do not effectively manage their resources, then you too are negligent in your duties and responsibilities.

To those of you who exercise good operating practices and techniques, this memo is not addressed to you. Your fine record speaks for itself and I thank you for your continued good work. However, to those of you who choose to continuously take arbitrary short cuts and use your own methods versus those prescribed by FAAO 7110.65, Air Traffic Control, or those mandated by SOP's, LOA's and directives, the organization cannot afford to tolerate your behavior.

Handwritten signature of Joseph Figliuolo III
Joseph Figliuolo III

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## Federal Aviation Administration


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### Memorandum

Date: August 5, 2008

To: Nancy Kort  
Director, Central Terminal Operations

From:   
Joseph Figliuolo III  
Air Traffic Manager, Detroit Metro Tower

Prepared by: Earl H. Grand

Subject: Request for Reclassification of DTW-T-08-E-002/003/004

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#### Reclassification Reason and Comments

The events in question occurred on July 21, 2008, and three Preliminary Operational Error reports were filed on the three occurrences.

All three events pertained to a Heavy B747 departing Runway 22L at DTW while landings were being made on Runway 27L. More specifically, either the B747 had not flew across the extended centerline of Runway 27L prior to the arrival being over the Runway 27L threshold, or the arrivals on Runway 27L had not exited the runway prior to the B747 commencing takeoff roll on Runway 22L.

These were reported as Operational Errors based on a verbal interpretation from an AOV employee during an investigatory visit at DTW back in March 2008.

Upon reviewing applicable paragraphs contained in FAA Order 7110.65, the facility does not believe that any regulations were violated. We also contacted several other busy facilities that have similar, if not identical runway configurations, and all were running the arrival/departures independently. Runway 22L departures do NOT overfly Runway 27L.

Subsequently, ATO Terminal, following discussions with AOV, determined that the events were not to be considered Operational Errors or Operational Deviations.

Therefore, the three Operational Errors require reclassification to non-events. If you have any questions or desire additional clarifications of the explanations stated above, please contact Earl Grand, Support Manager for Quality Assurance, at 734-955-5005.




## Federal Aviation Administration

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### Memorandum

Date: September 11, 2008  
To: DTW NATCA Representative  
  
From: Acting Staff Manager, D21/DTW ATCT  
Subject: Response to NATCA DTW Information Request 5-08 Dated September 8, 2008

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This is in response to NATCA DTW information request No. 6-08, dated September 8, 2008, made pursuant to the parties' contract and 5 U.S.C 7114 (b) (4). The Union requests the following information from the facility:

"Any and all information pertaining and relating to DTW-T-08-E-002/003/004. This information should include, but not limited to, emails, text messages, managerial notes, and the Friday Bulletin."

The information request fails to state why NATCA Local DTW needs this information. Nevertheless, a review of the record of events indicates that one bargaining unit employee who was on local control at the time and was identified by investigators as a contributor. Therefore, a copy of the report package for each error is enclosed with this response.

As you will see in the enclosed report, a non-bargaining unit employee was identified as primarily responsible by agency investigators for directing subordinate controllers to use a prohibited operational configuration. Administrative action was taken.

Presently, the occurrences are classified as operational errors. However, the facility has requested that Central Service Area reclassify them as nonevents based upon the findings of ATO-S and AOV.

No references to these errors were made in any Friday Bulletin and, therefore, none have been included.

Finally, a review of other requested documents pertinent to this case that are maintained in the facility's system of records has been conducted. As these documents do not include information concerning the bargaining unit employee represented by NATCA DTW, they have not been provided. If NATCA DTW seeks the release of these documents, it will need to provide management with a statement as to purpose(s) for which it requires this information and how the stated purpose(s) relate to the union's role as the exclusive representative of the bargaining unit.



## Federal Aviation Administration

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### Memorandum

Date: SEP 12 2010

To: R.D. Engelke, Manager, Terminal Quality Assurance

From: *MCS*  
James C. Bedow, Acting Director, Safety Assurance

Prepared by: Mary Bradley

Subject: Operational Error Reclassification Request: DTW-T-08-E-002/003/004  
(07/21/08)

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We have reviewed the documentation and justification submitted by the Central Terminal Service Area to support its request to reclassify operational error numbers "DTW-T-08-E-002/003/004." We concur with the Service Area Director's decision to approve the facility's request. Our records have been changed to show the event as a non-occurrence.

If you have any questions regarding this matter, please contact Mary Strawbridge, Manager, Safety Investigations, at (202) 385-4720.



# Federal Aviation Administration

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## Memorandum

Date: October 6, 2008  
To: DTW NATCA Representative  
*Gary Amine*  
From: Acting Staff Manager, TCL-DTW  
Subject: Response to DTW NATCA Information Request 7-08

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This is in response to NATCA DTW's information request dated and received September 18, 2008. This information request, identified by NATCA DTW as 7-08, contained six items:

1. A list of any and all AOV, ATO-Terminal and ATO-S individuals contacted for verbal interpretations, individuals spoken to and the interpretations received in reference to the request for reclassification of DTW-T-08-E-002/003/004.

There is no documentation or information in the facility's system of records identifying the specific individuals contacted for interpretations. The facility submitted the formal "Request for Reclassification" to Central Terminal Operations.

2. The name of the individual at ATO Terminal, following discussions with AOV, that determined that the events were not to be considered operation (sic) errors or deviations.

In response to item number 2, the facility provides a copy of the memorandum from James Bedow, Acting Director of Safety Assurance to Doug Engelke, Manager of Terminal Quality Assurance. This memorandum supports reclassification of the events.

3. A list of the application (sic) paragraphs in reference to DTW-T-08-E-002/003/004.

The paragraphs consulted are found in FAA Order 7110.65. However, a list of the specific paragraphs consulted in this case does not exist in a document found within the facility's system of records.

4. A list of any and all facilities contacted and a list of the individuals spoken to in reference to the request for reclassification of DTW-T-08-002/003/004.

There is no record of the facilities contacted, nor individuals spoken to, contained in the facility's system of records.

5. Any and all documents, orders, publications, and etcetera, with the definition or description of an independent and dependent operation.

The relevant directive is FAA Order 7110.65 and the facility SOP. A copy of FAA Order 7110.65 can be accessed at <https://intranet.faa.gov/FAAEmployees/search/?q=7110.65>. A copy of the facility SOP can be accessed at <https://loa.faa.gov/> and using the browse function.

6. Any and all documents, orders, publications and etcetera, with the definition or description of an operational error and operational deviation.

See FAA Order 7210.56 at 5-1-1a. and b. respectively. A copy of FAA Order 7210.56 can be accessed at <https://intranet.faa.gov/FAAEmployees/search/?q=7210.56>

Contact me should you have questions or concerns.



# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

DETROIT METRO ATCT

DTW N7110.156

Effective Date:  
Immediately

Cancellation Date:  
March 28, 2009

**SUBJ:** PROCEDURES FOR TRANSITIONING BETWEEN SOUTH AND WEST CONFIGURATIONS.

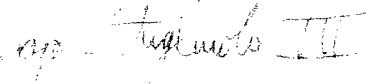
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1. **Purpose of This Notice.** Establish defined transition procedures between South and West Flow configurations and cancel authorization to conduct Southwest Flow operations.
2. **Audience.** This notice applies to DTW Tower employees, and all associated support personnel.
3. **Where Can I Find This Notice?** This notice is available in all applicable DTW publications and the FAA Federal Directives Repository, <https://loa.faa.gov/>
4. **Cancellation.** This Notice cancels Notice DTW N7110.152, PROCEDURES FOR CONDUCTING SOUTHWEST FLOW.
5. **Explanation of Changes:** This Notice establishes defined transition procedures between South and West Flow configurations. It also cancels authorization to conduct Runways 21R/27L Dependent and 22L/27L Independent operations
6. **Procedures.**
  - a. Change Paragraph 6-9, page iv, Table of Contents of the DTW 7110.9 to read:  
  
6-9. TRANSITION PROCEDURES BETWEEN SOUTH AND WEST FLOW CONFIGURATIONS.  
  
b. Replace paragraph 6-9, RUNWAY'S 21R/27L OPERATIONS of the DTW N7110.9 with:  
  
**6-9. TRANSITION PROCEDURES BETWEEN SOUTH AND WEST FLOW CONFIGURATIONS.**
    - a. Configuration transitions involving Runway 27L arrivals and Runways 21R/22L departures shall adhere to the following requirements:

(1) To transition from a South flow to West flow configuration, the last departure from Runways 21R or 22L shall have crossed the Runway 27L projected center line prior to the

Runway 27L arrival crossing the Runway 27L ILS Final Approach Fix or 5.3 nautical miles from the runway threshold.

(2) To transition from a West flow to South flow configuration, the last arrival for Runway 27L shall have landed and be clear of Runway 27L prior to a Runway 21R or 22L departure being cleared for takeoff and commencing takeoff roll.



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Joseph Figliuolo III  
Air Traffic Manager  
Detroit Metro ATCT

7

Guys,

Mr. Kuhlmann was counseled over a situation that involved DAL1413. Mr. Grammes gave his interpretation and limited investigation of paragraph 3-7-2 of the 7110.65 in pointing out what he believes Mr. Kuhlmann did wrong. Mr. Grammes' interpretation only references the first paragraph of 3-7-2 and this is what I will address first.

Mr. Grammes states in the first part of his interpretation, "*The first ground controller would assign a runway (which Mr. Kuhlmann did) and issue taxi instructions that ground should (had to be corrected by Ms. Thompson to shall) confirm the aircraft has the correct runway assignment*". Paragraph 3-7-2 of the 7110.65 states, "*When a taxi clearance to a runway is issued to an aircraft, confirm the aircraft has the correct runway assignment.*" Mr. Kuhlmann did not issue a taxi clearance to a runway. He issued a taxi clearance to K10 with hold short instructions.

Paragraph 3-7-2 (c) states, "*Specify the runway for departure, taxi instructions, and hold short restrictions when an aircraft will be required to hold short of a runway or other points along the taxi route.*" This section covers what Mr. Kuhlmann did. He specified a departure runway and since the aircraft was issued a hold short instruction and not issued a taxi clearance to a runway, there is no requirement, nor is there one stated in this sub paragraph, for Mr. Kuhlmann to verify an assigned runway. If the pilot would have read back the incorrect runway, then Mr. Kuhlmann would have been obligated to verify and correct.

On to Mr. Grammes' second paragraph. He states, "*One exception may be deicing as the runway assignment would normally be issued by the ground controller as the aircraft comes out of the deice pad.*" Two of our pads, depending on what flow is being conducted, the local controller is responsible for the taxi instructions. Mr. Grammes does not speak of the instructions issued to other areas of the airport.

This is also covered in paragraph 3-7-2 (a) which states, "*When authorizing a vehicle to proceed on the movement area, or an aircraft to taxi to any point other than an assigned takeoff runway, absence of holding instructions authorizes an aircraft/vehicle to cross all taxiways and runways that intersect the taxi route. If it is the intent to hold the aircraft/vehicle short of any given point along the taxi route, issue the route, and then state the holding instructions.*" This would apply to aircraft taxiing to parking, deice pad and etcetera. Why we are not required to verify what area we taxied the aircraft to that is other than an assigned runway. We have numerous areas on the airport that we taxi aircraft that potentially could cross an active runway. A potential is a potential regardless of the beginning and ending points.

If the Agency wanted it to be applied the way Mr. Grammes thinks it should be applied, then it should have been written that way. Paragraph 3-7-2 is poorly written nationally and subsequently poorly interpreted locally. This is why NATCA filed a national grievance March 17, 2008 for the lack of a briefing and negotiation over this very paragraph. Facility interpretations of safety rules are not a good thing and why it should

have been properly briefed and negotiated. It could have been look at by people who actually control aircraft and written properly to avoid the pitfalls of facility interpretations.

How about a little common sense here. It clearly states that you need to confirm the runway when a taxi clearance to a runway is issued. We have never been briefed that if you do not taxi an aircraft to a runway we still need to verify the assigned runway. Can you just brief everyone that that is what you want and we just move on.

It is clear to me that Mr. Kuhlmann has fallen victim to a poorly written and interpreted rule. Remove everything from his file in reference to the DAL1413 QAR and cease and desist any further performance discussions of runway assignment verification.

JO 7110.65S

### 3-7-2. TAXI AND GROUND MOVEMENT OPERATIONS

Issue the route for the aircraft/vehicle to follow on the movement area in concise and easy to understand terms. The taxi clearance shall include the specific route to follow. When a taxi clearance to a runway is issued to an aircraft, confirm the aircraft has the correct runway assignment.

#### **NOTE-**

1. *A pilot's read back of taxi instructions with the runway assignment can be considered confirmation of runway assignment.*

“ the first ground controller would assign a runway and issue taxi instructions that ground ~~should~~ confirm the aircraft has the correct runway assignment.”

shall (AT 4/18/09)

one exception may be deicing as the runway assignment would normally be issued by the ground controller as the aircraft comes out of the deice pad

This is in place to help alleviate exactly what happened.

# QUALITY ASSURANCE REVIEW (QAR)

Date 2/24/09 Initials of Person initiating QAR or receiving inquiry BU

Name of Incider DELTA 1413 Affiliation DELTA AIRLINES  
 If applicable  
 Phone # if return call is required \_\_\_\_\_

Describe event or initiating incident\*, including date, approximate time, and call sign, if available:

DELTA 1413 BOUNDARY AIR AND TAXI (CP 1-9) AT 2325Z WAS ISSUED RYDIA VIA KILG/HOVIS SHORT K-10. PILOT DID NOT RE-ACK THE RUNWAY ASSIGNMENT. (CONTROLLER DID NOT VERIFY, DELTA 1413 CHECKED IN ON GROUND, WEST (HAWAIIAN ON GND/ENR) INSTRUCTIONS ISSUED CONFERRED WITH BUT BEFORE HE COULD CLARIFY HE WAS FREE TO GO. THE CAPTAIN FELT THE INITIAL CONTROLLER ON GND (KX) SHOULD HAVE VERIFIED THE INFO (THOUGH HE ADMITS HE MIS HEARD) AND THAT HE WAS CONFUSED. ALSO, SOME OF THE INSTRUCTIONS ON GND WERE CONFUSING AND GND CONTROLLER TALKED A LITTLE FAST. CAPTAIN ALSO EXPRESSED SOME CONCERN AT ALL THE FREQUENTLY LIMITED HE WAS GIVEN.

REVIEW OF AUDIO DATA REVEALS THE GND CONTROLLER (KX) DID NOT VERIFY THE RUNWAY ASSIGNMENT WHEN DELTA 1413 DID NOT READ IT BACK.  
 \*Events requiring a QAR: aircraft accident, pilot/vehicle/pedestrian deviations, TCAS F-100 alarm, and a specific operation such as by flight crew, FSDO, City, passengers, media, etc., and interfacility traffic management initiatives that cause "No notice ground stops" or "No notice airborne holding"

Make FAA Form 7230-4 entry. "QAR initiated (specific operation) from (date if other than today)"

Proceed with investigation of event incident. (If support is needed, contact the QAR Dept)

Person conducting investigation \_\_\_\_\_

Conduct investigation to assess controller's performance during event incident  
 Method(s) used:  
 Discussion with controller(s). List initials of personnel: BU SSU KX (SSU)  
 Voice tape reviewed. PSN or FREQ: 132.72 Time: 2322 to 2335  
 QAR: 1218  
 Other (specify): \_\_\_\_\_

6. Controller's Summary

- Exemplary controller performance.
- No controller performance deficiencies identified.
- Controller performance contributed to incident.\*\*
- Controller performance increased the severity of the incident.\*\*
- Controller performance failed to mitigate the initiating incident.\*\*
  
- Controller performance deficiencies noted; however, not related to incident.\*\*

\*\*Controller's first-level supervisor must determine appropriate corrective action and training to resolve performance deficiency.

First-level Supervisor's summary of action:

I reviewed the tape and found no deficiencies for DR on GNW.  
However, the tape revealed 3500 failed to ~~assist~~ verify the  
runway assignment.

Action:

Reviewed TCPE

Reviewed 7/16/09 3-7-2

Follow up performance discussions to ensure verification of  
runway assignment. To be completed NLT 5/31/09

\_\_\_\_\_ Date of FAA Form 7230-4 entry: "QAR concluded (specific operation) from page 1 of page 1" and the initials of the person responsible for conducting the review.

- Forward to DTW-1, DTW-2 for review
- Forward to DTW-5 for review
- Forward to QA for filing. Copies distributed to OMT's: \_\_\_\_\_
- Forward tracking form.



This is our facility managers, Joe Figliuolo, response to my email over 7110.65, paragraph 3-7-2. My comments are integrated in italic.

Some Background.

There was a QAR inquiry from a Delta Pilot that the FLM's determined was a controller performance deficiency.

Angela Thompson, (*Ken Kuhlmann's FLM*), identified the GSW controller Ken Kuhlmann as not verifying the runway assignment IAW: 7110.65 3-7-2.

Ken was the first Ground Controller that spoke with this pilot and issued a runway assignment with taxi instructions that were IAW: 3-7-2 c.

Example "runway 21R. taxi via Kilo, hold short of Kilo 10 contact ground 121.8"  
*This is correct. Ken issued the instructions per sub paragraph (c) which does not direct the controller to verify the assigned runway; only the hold short instructions. Only paragraph 3-7-2 directs the controller to verify the assigned runway.*

*Joe even contradicts himself in the first two paragraphs. He first states that 3-7-2 is what he believes Ken violates by not verifying the runway assignment. Then he states that Ken issues taxi instructions in accordance with 3-7-2c which does not require the verifying of the assigned runway.*

The pilot did not read back the runway and confusion ensued the remainder of his movement out to the runway. The pilot stated he thought he was going to RY22L. *Confusion ensued because the pilot did not follow two control instructions after Ken switched the aircraft to the other ground controller. The facility did not file deviation paper work against pilot, only against Ken.*

This was brought to Kevin's, (*Kevin Grammes, DTW OM*), attention by Angela as the guidance had gone out to review "first level supervisor summary of action" regarding QARs with the OM prior to discussions with the employee. Angela stated that Ken did not agree with the FLM's conclusions that he technically did not taxi the aircraft to a runway but to Kilo10. *Actually it would be the other way around. Ken did not agree that he taxied the aircraft to a runway, but to K10, not the FLM.*

*Joe states later in the response, "The example of AT, (Angela), changing the wording from should to shall in the example I reviewed with her means to me the controller did not take the input provided and she had to mandate compliance". This word change occurred on April 18. If Grammes and Joe knew that Ken did not agree with Angela's conclusion as he stated above, then why was it not addressed in the first level supervisor summary of action. Kevin reviewed it prior to the discussion with the employee and yet K10 is not mentioned any where on the paper given to Ken.*

*The word should that Grammes used was not being used in instructing Ken on what he should do, but on what he thinks a ground controller should do. Since it is being used in*

*that context was the reason that the “should” was changed to a “shall” and not that Ken was not taking Angela’s input.*

Angela asked for some input on this. She and Kevin reviewed the section of the 7110.65 3-7-2 Taxi and Ground Movement Operations. He did not make an interpretation. He and Angela reviewed the section of the 7110.65 and they (and I) agreed it is common sense and reasonable to expect the first controller who is in contact with the pilot and issues taxi instructions with the intent that the aircraft is going to a runway to depart is in fact issuing taxi instructions to a runway. *Note in this paragraph Joe once again does not mention 3-7-2c, only 3-7-2. Joe also states that he, Grammes, did not make an interpretation. Then what in the hell are “agreed it is common sense and reasonable to expect” and “the intent that the aircraft is going to a runway to depart is in fact” when he speaks of paragraph 3-7-2?*

*Joe and Grammes interpreted 3-7-2 and all they came up with is what was given to Ken on April 18. Why was not any of their justification that is included in this response in the April 18 paper or in the briefing guide? I will tell you why. They are making this up as they go along. It has to be the controllers fault and they will try and manipulate the paragraph to hide their short comings and the poorly written national paragraph.*

*This paragraph probably has the most pathetic sentence of the entire response. The use of “agreed it is common sense and reasonable”, “with the intent” and “is in fact” goes against everything we are taught and apply as controllers. The rules and regulations we utilize are to be written to avoid every one of those statements.*

In fact 3-7-2 c is an example of exactly that scenario. *It is only an exact scenario because that is how they interpret 3-7-2. Does this not sound a lot like their rationale of the southwest flow, dependent and independent, and their “because we say it is” attitude? Joe and Grammes did not know that anything below 3-7-2 even applied or existed for that matter until we brought it to their attention.*

*Again, 3-7-2c is an example of Ken’s scenario, not 3-7-2. If they can read into 3-7-2 so insightfully, what is the purpose 3-7-2c?*

The requirement to verify the correct runway assignment is in the first paragraph of 3-7-2 and would apply to all following sections especially b and c which are examples of taxing aircraft to a runway for departure. *If they want this to be applied in following sections, then it should have been written that way. Joe is basing this sentence on what he says is not an interpretation of 3-7-2 while using “would apply to all following sections especially” verbiage.*

The example of AT changing the wording from should to shall in the example I reviewed with her means to me the controller did not take the input provided and she had to mandate compliance. *There is, was and will be no actions by Ken that ever appeared to be unprofessional. Ken is the consummate professional and unfortunately management at DTW is unable to recognize this because they are not familiar with the job we do. In*

*this case, Angela and Ken put their heads together and corrected a poorly written document. Grammes cannot even differentiate between should and shall.*

*If Ken wanted to be obstinate he would have said yes he will comply with the way the guidance was written with should instead of shall and not say a thing to Angela. Then wait for the ensuing "that our intent was in fact common sense and should have been reasonable for them to expect" argument. He did not do that. He worked with Angela to correct Grammes' stupidity.*

The exception provided was not all inclusive or an interpretation but an attempt to help explain the differences between taxiing an aircraft to a runway for departure and taxiing an aircraft to a point on the airport such as a deice pad. *Why are not required to confirm the deice pad? The exact same situation can arise. We have deice pads that we taxi to and have to cross active runways. The same intent, common sense, reasonable to expect and facts would apply, right? Well I guess it would depend on your interpretation or definition of interpretation.*

Ken is not being singled out, however this issue was brought to light through the QAR process. In addition to Angela having a performance discussion with Ken. Kevin, on 4/16/09, contacted the 3 chief Pilots for Delta / NWA who operate here at DTW, and Clint Smith in charge of Delta /NWA OPS. As it appears we are seeing and will see more unfamiliar crews as a result of the merger. I expressed my concerns that pilots are assuming or pre briefing runways based upon assumptions and that a reminder to them to listen to what the actual assignment is and if unsure to verify. *If the issue arose through the QAR process, then deal with it as such. Put out a proper briefing guide and do an on the spot correction with Ken and this would have been over the day it happened. Ken is being singled out by virtue of the performance discussion. Something is wrong so it must be the controllers fault.*

Kevin also sent a request to SM, (Support Manager), for Training on 4/20 for a briefing for all the controllers on 3-7-2 be provided. This is similar to the same requests he made after performance issues with Braking Action Advisories and FOD reports. *It took management over a week to put together the attached briefing guide and does not include one word written in this response of what is expected of the controllers. It is only an entire copy of 3-7-2 and includes the sub paragraphs. Only 3-7-2 and sub paragraph d are highlighted in red. Sub paragraph d covers the request of runway hold short instructions when not received and I am at a loss as to why it is highlighted.*

*So now when a controller correctly applies 3-7-2 c, we will go through the same damn thing we just went through. If their "intent, was in fact common sense, reasonable for them to expect" then put in the briefing guide that the initial controller shall assign a departure runway and confirm the aircraft has the correct runway assignment or words to that affect.*

Kevin has also asked the FLM's to make this an awareness with the controllers on the need to use standard phraseology and methods and that we are facing more and more new crews who are not familiar with the airport and extra vigilance will be required.

*There was a phone call from the pilot of DAL1413 that was taken in the tower by a controller in charge, not a member of management. Not one member of management asked the controller in charge what the pilot said or what the content of the conversation was.*

*The local investigation was limited and poorly executed and therefore the subsequent interpretation and direction grossly flawed. This all stems from paragraph 3-7-2 being inadequately written nationally and incompetent leadership.*

**Mandatory Briefing Item**

**\*\*REFRESHER GROUND OPERATIONS\*\***

		Date	O.I.		Date	O.I.
<u>DTW-7</u>	<u>Grammes, Kevin</u>	KJ				
<u>DTW-7.1</u>	<u>Limon, Tony</u>	LN		<u>DTW-7.4</u>	<u>Kruse, Don</u>	KZ
Chatel, Greg	CL			Campau, Bernard	CU	
Desantis, Larry	DS	4/24/09	DS	Kubinski, Michael	BD	
Haefner, Robert	RD			Mueller, Paul	PJ	
Mack, Regan	MZ	4/24/09	MZ	Stewart, Jakeim	JS	
Reinbold, Robert	RB			Thomson, David	EZ	
Walker, Craig	CW	4/24/09	CW	Vaught, Anthony	TV	
				Wheatley, Richard	RW	
<u>DTW-7.2</u>	<u>Barttelt, Kevin</u>	KB				
Eby, John	EB			<u>DTW-7.5</u>	<u>Yax, Brian</u>	BY
Headley, Adam	AM			Ardanowski, Dave	DX	
Kirby, Anthony	TK			Bird, Matt	MB	
Pierce, Harold	HP			Gault, Brian	BG	4/24/09 EP
Reed, Mike	MR			Haefner, Amelia	JJ	4/24/09
Rodriguez, Richard	RZ			Klawender, Gary	CK	EP
Schrimsher, Steve	SS			Scanlon, Steve	SE	
				Torres, Jaidy	JD	
<u>DTW-7.3</u>	<u>Thompson, Angela</u>	AT				
Carlson, Ron	YR					
Demers, Brent	BT			<u>DTW-5</u>	<u>Grand, Earl</u>	EG
Ferguson, Richard	RF			Szelag, Jeff	TU	
Kuhlmann, Kenneth	KX					
Pytlak, Ron	RP					
Ruehl, Dan	DR			<u>SYS-1</u>	<u>Guth, John</u>	GH
Simmel, Klint	KT			Fairbanks, Chris	CJ	
Sugent, Vincent	VM			King, Greg	GG	
				<u>ATA's</u>		
				Vasquez, Lupe	GV	
				Cid, Sal	SC	
<u>DTW-09-026</u>				Sheridan, Rich	RS	
<u>FLM DESK</u>				Belue, Dirk	DB	
				Mendoza, Dan	DM	
<u>Updated 3/31/2009</u>						

### 3-7-2. TAXI AND GROUND MOVEMENT OPERATIONS

Issue the route for the aircraft/vehicle to follow on the movement area in concise and easy to understand terms. The taxi clearance shall include the specific route to follow. When a taxi clearance to a runway is issued to an aircraft, confirm the aircraft has the correct runway assignment.

#### **NOTE-**

1. *A pilot's read back of taxi instructions with the runway assignment can be considered confirmation of runway assignment.*
2. *Movement of aircraft or vehicles on nonmovement areas is the responsibility of the pilot, the aircraft operator, or the airport management.*
  - a. When authorizing a vehicle to proceed on the movement area, or an aircraft to taxi to any point other than an assigned takeoff runway, absence of holding instructions authorizes an aircraft/vehicle to cross all taxiways and runways that intersect the taxi route. If it is the intent to hold the aircraft/vehicle short of any given point along the taxi route, issue the route, and then state the holding instructions.

#### **NOTE-**

*Movement of aircraft or vehicles on nonmovement areas is the responsibility of the pilot, the aircraft operator, or the airport management.*

#### **PHRASEOLOGY-**

**HOLD POSITION.**

*HOLD FOR (reason)*

*CROSS (runway/taxiway)*

*or*

*TAXI/CONTINUE TAXIING/PROCEED/VIA (route),*

*or*

*ON (runway number or taxiways, etc.),*

*or*

*TO (location),*

*or*

*(direction).*

*or*

*ACROSS RUNWAY (number).*

*or*

*VIA (route). HOLD SHORT OF (location)*

*or*

*FOLLOW (traffic) (restrictions as necessary)*

*or*

*BEHIND (traffic).*

**EXAMPLE-**

*"Cross Runway Two Eight Left."*

*"Taxi/continue taxiing/proceed to the hangar."*

*"Taxi/continue taxiing/proceed straight ahead then via ramp to the hangar."*

*"Taxi/continue taxiing/proceed on Taxiway Charlie, hold short of Runway Two Seven."*

*or*

*"Taxi/continue taxiing/proceed on Charlie, hold short of Runway Two Seven."*

b. When authorizing an aircraft to taxi to an assigned takeoff runway and hold short instructions are not issued, specify the runway preceded by "taxi to," and issue taxi instructions. This authorizes the aircraft to "cross" all runways/taxiways which the taxi route intersects except the assigned takeoff runway. This does not authorize the aircraft to "enter" or "cross" the assigned takeoff runway at any point.

**PHRASEOLOGY-**

*TAXI TO RUNWAY (number) VIA (route).*

**EXAMPLE-**

*"Taxi to Runway Three Six via Taxiway Echo."*

*or*

*"Taxi to Runway Three Six via Echo."*

c. Specify the runway for departure, taxi instructions, and hold short restrictions when an aircraft will be required to hold short of a runway or other points along the taxi route.

**EXAMPLE-**

*"Runway Three Six Left, taxi via taxiway Alpha, hold short of taxiway Charlie."*

or

*"Runway Three Six Left, taxi via Alpha, hold short of Charlie."*

**PHRASEOLOGY-**

*RUNWAY (number),*

*TAXI/PROCEED VIA (route),*

*HOLD SHORT OF (runway number)*

or

*HOLD SHORT OF (location)*

or

*ON (taxi strip, runup, pad, etc.),*

*and if necessary,*

*TRAFFIC (traffic information),*

or

*FOR (reason).*

**EXAMPLE-**

*"Runway Three Six Left, taxi via taxiway Charlie, hold short of Runway Two Seven Right."*

or

*"Runway Three Six Left, taxi via Charlie, hold short of Runway Two Seven Right."*

d. Provide a read-back of runway hold short instructions when it is not received from the pilot/vehicle operator.



**PHRASEOLOGY-**  
**READ BACK HOLD INSTRUCTIONS.**

**EXAMPLE-**

1. "American Four Ninety Two, Runway Three Six Left, taxi via taxiway Charlie, hold short of Runway Two Seven Right."

or

"American Four Ninety Two, Runway Three Six Left, taxi via Charlie, hold short of Runway Two Seven Right."

"American Four Ninety Two, Roger."

"American Four Ninety Two, read back hold instructions."

2. "Cleveland Tower, American Sixty Three is ready for departure."

"American Sixty Three, hold short of Runway Two Three Left, traffic one mile final."

"American Sixty Three, Roger."

"American Sixty Three, read back hold instructions."

3. "OPS Three proceed via taxiway Charlie hold short of Runway Two Seven."

or

"OPS Three proceed via Charlie hold short of Runway Two Seven."

"OPS Three, Roger."

"OPS Three, read back hold instructions."

**NOTE-**

*Read back hold instructions phraseology may be initiated for any point on a movement area when the controller believes the read back is necessary.*

e. Issue progressive taxi/ground movement instructions when:

1. A pilot/operator requests.

2. The specialist deems it necessary due to traffic or field conditions, e.g., construction or closed taxiways.

3. Necessary during reduced visibility, especially when the taxi route is not visible from the tower.

**NOTE-**

*Progressive instructions may include step-by-step directions and/or directional turns.*

**REFERENCE-**

FAAO JO 7110.65 Para 2.1.1.1 Runway Proximity.

FAAO JO 7110.65. Para 2.1.1.2 Taxi and Ground Movement Operation

f. Issue instructions to expedite a taxiing aircraft or a moving vehicle.

**PHRASEOLOGY-**

*TAXI WITHOUT DELAY (traffic if necessary).*

*EXIT/PROCEED/CROSS*

*(runway/taxiway) WITHOUT DELAY.*

8

**SUBJECT:** Wayne County Airport Authority  
Airfield Coordination and Safety Meeting

**DATE:** November 29, 2006

**PLACE:** Conference Room 1

**ATTENDEES & COPIES TO:** See Attached List

Minutes of Airfield Coordination and Safety Meeting held on November 15, 2006 were reviewed and accepted.

### Old Business/Updates

#### Runway 3R

Steve Wiesner advised everyone a punch list is being done. Runway 3R flight check is scheduled for Thursday, November 30, 2006 at 0500 LCL (approximately two hours).

#### Pavement Repairs

Bruce Greenberg mentioned no closures were planned. Mr. Greenberg also mentioned after the FAA inspection a closure would be asked for to move the wind sock on Runway 4R.

#### Roadway-Concourse B20-McNamara Terminal south end

Mr. Greenberg advised the roadway is closed to traffic and all paint has been eradicated.

#### New Business

Rodney Harris questioned a sign on Taxiway Q for holding aircraft short of the 4R Light Line. Mr. Harris suggested ALSFII would be appropriate. The current hold short signs are spaced 1500 feet apart and could cause delay issues under certain conditions. Dianne Walker advised Airfield Operations will do some research and will have information available by the next Airfield meeting.

Wade Kellogg asked about the start up date and completion date for work on Runway 3R. Dan Amann advised work is planned to start sometime in April 2007 and completion November 2007.

#### Next Meeting

Wednesday, December 13, 2006, 9:00 A.M., Conference Room 1.

Christine M. Kring, Clerical Specialist/Airfield Operations – ACM 11-29-06



# Federal Aviation Administration

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## Memorandum

Date: 05/05/09

To: All Tower Personnel

From: Ronald D. Bazman, Support Manager, DTW ATCT

Prepared by: Rodney Harris, x5024

Subject: Detailed/Correct Taxi Instructions

During a recent Runway Safety Action Team meeting conducted on April 22, we received numerous pilot concerns regarding taxi instructions from the south terminal circles 3N & 4N westbound to join twy Y. The cited instructions include "Taxi to Runway Two Two Left via Uniform, Yankee", but there is no mention of twy K-10 in that routing as required by Paragraph 3-7-2 of FAAO 7110.65.

### 3-7-2. TAXI AND GROUND MOVEMENT OPERATIONS

Issue the route for the aircraft/vehicle to follow on the movement area in concise and easy to understand terms. The taxi clearance shall include the specific route to follow. When a taxi clearance to a runway is issued to an aircraft, confirm the aircraft has the correct runway assignment.

An example of correct phraseology would be "Taxi to Runway Two Two Left via Uniform, Kilo Ten, Yankee".

With the amount of new Delta pilots that will be stationed here, the chance of pilot confusion rises with clearances that are not detailed or correct. All controllers must issue correct and detailed instructions to all pilots each and every time taxi clearances are issued.

Although our goal of safe surface operations is a shared responsibility with all users and interests on the field, please ensure your phraseology complies with the paragraph above to prevent confusion and a possible runway incursion or surface incident.

*BRILLIANT*