

# Wing Tips

## PLEASE NOTE

This will be the last edition of the “Wing Tips” Newsletter to be sent through the mail. In the future, our newsletter will be forwarded to you via email.

Please provide us with an email address so that you can continue to receive the information contained in this quarterly publication from the Des Moines FSDO. Your data can be sent to [barbara.fransen@faa.gov](mailto:barbara.fransen@faa.gov)

Thank you in advance for your continued cooperation.

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## FROM THE DESK OF THE FAAST TEAM MANAGER



**Two major meetings will be held in Iowa during the month of April. They are:**

**FAA Safety Team Safety Stand Down**  
April 16, 2011  
0900-1200  
Exec 1 Aviation  
Ankeny Regional Airport

**FAA Safety Team Pilot Safety Meeting  
During the Iowa Aviation Conference**  
April 20, 2011  
1900-2100  
Sheraton Hotel  
West Des Moines, Iowa

## SAFETY STAND DOWN MEANS FAA WON'T PUT UP WITH GA ACCIDENTS

While the safety record for commercial aviation sets new records every year, the same cannot be said for general aviation, and the FAA plans to do something about it.



Administrator Randy Babbitt announced that the FAA Safety Team is launching the agency's second annual safety stand down outreach effort to general aviation pilots and mechanics.

Beginning in April, more than 120 FAA employees and approximately 3,000 volunteer safety representatives across the country will hold scores of meetings to remind pilots that getting back to basics will help reduce the accident rate in the general aviation community.

While the general aviation accident rate for 2010 — 1.14 accidents per 100,000 flight hours flown — might not sound like a lot, it translated into 268 fatal accidents with 457 fatalities. That's too many for the FAA, which has a goal of reducing the general aviation fatal accident rate per 100,000 flight hours by 10 percent over a 10-year period, from 2009 to 2018.

The stand down is one part of a 5-year plan to promote GA safety. The focus is on reducing GA accidents by using a non-regulatory, proactive strategy to get results now. The agency will center its efforts on education, outreach, and engaging the GA community to transform the safety culture. The strategy is to use data to identify and mitigate risk and then work with the GA community to implement changes, much as the FAA does with the commercial aviation industry.

In particular, the agency is concerned about a disproportional fatal accident rate among amateur-built/experimental aircraft, in relation to the number of hours that they fly. Improving the training of certified flight instructors is another goal.

Partnering with the FAA are the Experimental Aircraft Association, Aircraft Owners and Pilots Association, and the General Aviation Manufacturers Association.

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“If you think you can, you probably can. If you think you can’t, you’re right.”  
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## FAA ADVISES PILOTS TO REVIEW VISUAL APPROACH PROCEDURES



In an "information for operators" advisory released recently, the FAA reminded pilots that the conduct of visual approaches during marginal visual meteorological conditions requires "careful decision making." The controller must not clear a pilot for the visual approach unless the ceiling is reported at or better than 1,000 feet with three miles visibility, the FAA said; and in accepting a visual approach, it is the pilot's responsibility to have either the airport or the preceding aircraft in sight and to remain "clear of clouds" at all times. Since even a thin "scattered" or "isolated" layer could prevent a pilot from remaining "clear of clouds," the pilot must advise ATC immediately if he or she is unable to continue following the preceding aircraft, cannot remain clear of clouds, needs to climb, or loses sight of the airport.

In any of these cases, a go-around would be necessary, the FAA said. The requirement to remain "clear of clouds" extends to this go-around, since visual approaches lack missed-approach segments. The FAA recommended that directors of operations, directors of safety, and pilots should review the guidance provided in the AIM regarding visual approaches. Pilots should be aware of the responsibilities of accepting and flying visual approaches, particularly during marginal VMC. The FAA said it was issuing the advisory due to several recent instances when pilots accepted and flew visual approaches in marginal VMC, "raising questions as to their compliance with regulations."

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“We find comfort among those who agree with us – growth among those who don’t.”  
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*The following article courtesy of  
January/February Aviation Safety Briefing*

## TEN DAYS: How the FAA Handles LOIs

This article's title starts with two words: ten days. Ten days is how long the FAA gives you to respond to a Letter of Investigation (LOI). An LOI is your notice that the agency is looking into some action you have taken or some work that you have done. Although not mandatory, most FAA Aviation Safety Inspectors (ASI) will send you an LOI if the evidence shows that a violation exists. According to Order 2150.3B, FAA Compliance and Enforcement Program:

*A letter of investigation (LOI) serves the dual purposes of notifying an apparent violator that he or she is under investigation for a possible violation and providing an opportunity for the apparent violator to tell his or her side of the story.*

The LOI is part of a process that you should know about. If it appears that a violation exists, FAA inspectors open an Enforcement Investigative

Report (EIR). Relevant evidence and information—statements, records, photographs, etc.—is gathered to prove or disprove the apparent violation that precipitated the investigation. That evidence and information, along with the regulations that allegedly were violated, are placed in the EIR. If the evidence is sufficient to support a violation, the ASI recommends the appropriate action. If the ASI recommends legal enforcement action, the Order provides guidance to ASIs and other FAA employees on how to address regulatory violations.

### **Mistakes Happen**

Consider this scenario: You own a repair station that works on Thingamabobs. Your principal FAA inspector comes by for a visit and during a review of your work orders she notices you repaired a Widget 9000. Unfortunately, you are not rated to work on Widgets, only Thingamabobs. Your employees thought that the two devices were the same thing, so they brought in a Widget and repaired it. After completing her inspection, the inspector makes a copy of the work order and discusses the issue with you. You assure her this was a onetime mistake and that it will not be repeated. The inspector tells you that she is concerned that your procedures did not adequately prevent you from working on the wrong item and says that she intends to issue an LOI. While you wait for the expected LOI, take steps to ensure that your repair station will not make the mistake again. Because your repair station is not rated to do the work, the best you can do is to send the Widget to a properly rated repair station. Then, the LOI arrives. It comes in a white envelope with a green receipt tag and reads something like this:

*During planned surveillance of your repair station, it was noted that you maintained and approved for return to service a Widget 9000. Your repair station is not rated to maintain Widget 9000s. This is to inform you that the FAA is investigating this matter. We wish to offer you an opportunity to discuss the incident in person or submit a written statement within 10 days following receipt of this letter. Your statement should contain all pertinent facts and any mitigating circumstances you believe may have a*

*bearing on the incident. If we do not hear from you within the specified time, we will process this matter without the benefit of your statement.*

It does not sound good, but it offers you a chance to respond. And, you should respond. Let me repeat: You should respond. Note that the last sentence in the letter states that the FAA will proceed with or without your input.

### **Just the Facts, Ma'am**

There are several reasons you should respond. First, responding shows a cooperative attitude, something FAA inspectors like to see. Second, it is possible that your answer will persuade the FAA to stop its action. Third, even if the FAA does not drop the case, you could provide facts that mitigate or reduce the sanction in this case. If you choose to respond, you may want to seek legal advice. You may also decide that you need more than 10 days to develop an appropriate response. You or your counsel should request an extension within the initial 10-day period from the ASI who initiated the LOI. Chances are good that she will grant a reasonable extension.

What should you say in your letter to the FAA? In my work as an inspector, I have seen a wide variety of responses. While many include an outright plea for sympathy, the best tactic is to explain the facts. Most violations are inadvertent and if that is true in your case, say so. As an inspector, I would like to know why it was inadvertent and what you have done to ensure that it does not happen again. For example, if you used a tool that has not been checked for calibration, tell me about the program you are putting in place to check for tool calibration. Explain how you will train your employees on the system. Describe what you are going to do about the aircraft/engine/part on which you used the tool. Furthermore, as the FAA and the aviation community move into safety management systems, it is helpful to outline the steps you are taking to look at your other processes, such as keeping your manuals current and your people properly trained. Admittedly, this is a lot to do in 10 days. If you cannot accomplish it all, then include in your letter your plan for getting everything done. If the FAA continues to process the violation despite

your best efforts, this information can be useful at an informal conference, but that is a topic for another article.

While this article is geared toward operations and maintenance violations, FAA guidance regarding the issuance of LOIs applies to all FAA programs that enforce regulations, such as those involving hazardous materials and drug and alcohol violations. The moral of the story: It is in your best interest to be engaged in the process. Do not ignore the LOI. Help yourself by presenting the facts and, when appropriate, the fix. If your systems are not sufficient to prevent a repeat of the problem, change them. The bottom line is safety. That is the entire point of receiving an LOI as well as the role of FAA regulatory oversight.

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“Accept that some days you’re the pigeon, and some days you’re the statue.”

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*The following article courtesy of NASA’s Aviation Safety Reporting System*



Safe flight operations involve an ongoing contest between proper procedures and a number of human factors that threaten to undermine them. This month’s *CALLBACK* looks at a recent fuel exhaustion and fuel starvation incident in which human error was the primary cause. The reports also offer a lineup of constructive lessons regarding fuel planning, usage and system operation. If we keep the spotlight on the lessons learned, proper procedures will win the contest.

**Contestant #1: *Mis*Calculation**

Determining fuel remaining based on assumed fuel burned figures and on gauges that are assumed to be correct is a dangerous gamble. This Piper Navajo pilot learned that physical verification of the fuel onboard is the best way to prevent miscalculations.

■The aircraft started to run out of fuel on the midfield downwind position as a result of a fuel miscalculation that I had made. At the first indication of fuel exhaustion, I commenced a descending right turn to the runway and notified Tower of my situation. I was cleared to land and did so without incident. During the turnoff onto a taxiway, the right engine quit running....

To the best of my knowledge, the origin of my fuel miscalculation was during a flight...on the previous day.... Based on [the flight time] and the chart our company uses for fuel consumption on the Navajos, I calculated that I departed on this flight with 25 gallons of fuel which should have yielded 38 minutes of flight time. [The flight was] approximately 10-15 minutes. When making fuel calculations with this table, it is my personal habit to err on the side of caution, and I often make it a point to add several gallons to whatever number is given so that there is a bit of a “cushion.” Although the numbers on paper indicated that the aircraft had 25 gallons of fuel, I was certain that there was a bit more. I was quite alarmed when both engines started to sputter on the midfield downwind leg.

As a result of this incident, I made it a point to review the fuel logs for all flights made several days prior and have come to the conclusion that the error was made sometime during this period. In the end, the lesson learned here is that fuel gauges and fuel logs can be grossly inaccurate.... If you cannot physically see or touch fuel in the tanks, you cannot make assumptions.

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**TSA IDENTIFIES TOP DOCUMENTATION ERRORS**



In a recent meeting TSA officials were asked where flight instructors and flight-training providers could improve; agency representatives shared some of the most common discrepancies they see.

The top three errors seen by TSA for instructors and training providers include missing citizenship verifications (25 percent of schools visited), missing photographs for training according to the Alien Flight Student Program (22 percent), and non-documentation or non-compliance with security awareness training (13 percent).

Make sure you all keep up to date on the required documentation for TSA as well as FAA documentation as you work with your students.

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### FAA CLARIFIES COMMERCIAL PILOT INSTRUMENT REQUIREMENT



On Dec. 17, the FAA issued a clarification on a letter of interpretation (LOI) that stated that hours used to obtain the instrument rating would not count toward the commercial certificate.

“In the response, the FAA confirmed that as long as the training is documented properly, the instrument training received in pursuit of an instrument rating may be counted toward the commercial certificate.”

Instrument pilot applicants and flight instructors are to be sure that instrument training is clearly logged to indicate that the training given meets the requirements of 14 CFR 61.65 as well as those of 14 CFR 61.129. That would avoid questions about the training’s applicability should the pilot one day advance to training for a commercial pilot certificate.

The FAA’s new clarification of that LOI said in part, “We anticipate that for commercial pilot

applicants who already hold an instrument rating, the hours of instrument training used to obtain that rating will meet at least some, if not most, or quite often, meet all the requirements for instrument aeronautical experience as required under 61.129.”

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“The most important political office is that of the private citizen.”

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### FAA: CHARTER PILOTS MUST HAVE CRM TRAINING



Non-scheduled airlines and air taxis operating under Part 135 will have two years to create crew resource management (CRM) training programs for their roughly 24,000 pilots, plus flight attendants, according to a final rule announced in January. The FAA said analysis showed that CRM training helped reduce the rate of fatal accidents caused by pilot error by 25 percent. The agency believes the new training will reduce pilot error by improving decision-making, reducing stress and increasing awareness about the impact of fatigue. The rule addresses recommendations from the NTSB and becomes effective 60 days after its coming publication in the Federal Register. It was introduced as an NPRM in May of 2009, and received just seven comments.

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“Age is a question of mind over matter; if you don’t mind, it doesn’t matter.”

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### INCIDENTS

The private pilot of an RV-6 made an emergency landing on the highway following engine failure. The drive belt to the propeller had failed. There was no damage to the aircraft.

The commercial pilot of an MU-2 slid off the runway during landing causing minor damage to the

aircraft. The pilot reported the runway lights were obscured by snow causing a loss of visual clues.

The commercial pilot in a CE-182 had to make an emergency landing on a highway due to engine failure. The aircraft landed without incident.

Another landing incident due to snow conditions occurred when the commercial pilot in a CE-206 landed off the side of the runway. The pilot reported snow covered the runway limiting recognition of the center of the runway.

The private pilot in a PA-28R landed gear up. The pilot reported he was landing short of his destination due to physiological reasons. Investigation revealed the pilot was flying with an expired medical certificate and had not had a current flight review.

## ACCIDENTS

The private pilot of an experimental aircraft was involved in a landing accident when he lost control

on flare out due to gusty wind conditions. The aircraft sustained substantial damage to the main gear.

The private pilot and two passengers escaped injury when the pilot made an emergency landing at the airport shortly after takeoff. Investigation revealed the BE-35 had engine failure due to fuel exhaustion and apparent mismanagement of the fuel system from the pilot.

The commercial pilot in an experimental aircraft struck the tail of another aircraft while taxiing during roll out. Both were tail wheel aircraft and the pilot stated he did not see the aircraft in front of him. Investigation of the accident revealed the pilot had an expired medical certificate and the aircraft did not have a current airworthiness certificate.

The ATP pilot of a BE-90 had to return for landing shortly after takeoff due to the right aileron coming off during flight. The aircraft landed without incident. Investigation revealed that installation of the aileron after maintenance was done incorrectly.

Until Next Time! Have a Safe Flight



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**HOURS OF OPERATION  
MONDAY THROUGH FRIDAY  
7:45 a.m. – 4:15 p.m.**

*Visitors are requested to make appointments.*

**The DSM FSDO will be closed on the following dates  
in observance of a national holiday:**

**May 30, 2011  
July 4, 2011**

**Memorial Day  
Independence Day**

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