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January 16, 2007

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Paula P. Hochstetler

**Subject: ACC Review Comments – FAA Advisory Circular Introduction to Safety Management Systems (SMS) for Airport Operators, AC 150/XXXX-XX**

Dear Mr. Castellano:

On behalf of the Airport Consultants Council (ACC), thank you for the opportunity to provide input on draft FAA Advisory Circular *Introduction to Safety Management Systems (SMS) for Airport Operators, AC 150/XXXX-XX*.

Attached is a consolidation of comments made by the ACC membership. The most immediate concern is the need for FAA to clarify which airports are expected to implement SMSs and by when. The statement 'At this time the implementation of an SMS is voluntary but strongly encouraged' under 'Application' as well as other references in the draft advisory circular will likely compel airports to move forward in the immediate future. If the FAA intention is to fund a few pilots SMSs at airports of varying sizes using AIP funds so that the NPRM process can benefit from some lessons learned, then it is crucial that the FAA more clearly convey its expectations throughout this document.

The ACC members who contributed considerable time vetting and consolidating these comments to ensure that they accurately reflect the consultant community's views are ACC Safety & Security Committee Chair and Vice Chair, Susan Prediger, with CAGE, Inc.; and Solomon Wong, with InterVISTAS, respectively.

On behalf of ACC, I again thank you for allowing us to provide input on this very important document. Please respond to our comments using this letter or another format suitable for this process. If you have questions regarding our comments, please do not hesitate to call me at (703) 683-5900.

Sincerely,

Paula P. Hochstetler  
President  
Airport Consultants Council

Review Comments:

***Introduction to Safety Management Systems (SMS) for Airport Operators,  
AC 150/XXXX-XX***

Submitted by the Airport Consultants Council (ACC), January 16, 2007

| ACC Comments   | Accept/<br>Decline | FAA Response |
|--|--------------------|--------------|
| <p>1. Assuming this AC aptly represents what the regulatory language will contain in Part 139, Subpart C, this AC needs to reflect this more succinctly, as well as to indicate up front that the addition of the SMS to the airport's ACM will require a most significant effort in particular for the smaller airports, although the impact on larger airports will not be that simple either.</p>                       |                    |              |
| <p>2. While reference is made to ICAO's Annex 14, Volume I concerning the application of SMS to aerodrome certification manuals, it should be noted up front that the 'guts' of their SMS program is in Docket 9774, <u>Manual on the Certification of Airports</u>, 2001 First Edition.</p>   |                    |              |
| <p>3. Given the ultimate inclusion of airports' SMS into their ACM, which aspects of the current ACM can be applied to the SMS to avoid redundancy?</p>  |                    |              |
| <p>4. How does this draft relate to AC 120-92, <u>Introduction to Safety Management Systems for Air Operators</u>, dated June 22 2006? Should this document be mentioned in the draft AC?</p>  |                    |              |
| <p>5. Item 1 (b) of the lead page should read: "Provides <b>initial</b> guidance for SMS development by airport operators", since, later in the document, the FAA states that additional guidelines will be forthcoming.</p>   |                    |              |
| <p>6. On page 2 of the cover letter, it is stated under "Application": "The material contained in this AC is applicable for use at all civil airports". Does the use of the word <b>all</b> include GA airports as well? Or should this sentence read: <b>is applicable to all airports certificated under FAR Part 139?</b></p>   |                    |              |
| <p>7. Under "Application" it states: "A safety management system can be integrated into all aspects of airport operations, business and management practices". Delete the word <b>all</b> as it provides an avenue for a sharp lawyer to sue the airport operator because not "all" aspects were addressed in the plaintiff's opinion. The use of the word "all" can be found throughout this draft document and needs</p> |                    |              |

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| to be deleted for the same reason.  |  |  |
| <b>8.</b> Under "Application" it states: " At this time the implementation of an SMS is voluntary, but strongly encouraged". This conjures up the wrong impression. If not a regulatory requirement as yet, why place airports in the position that they need to do this now before the regulation is finalized? What if significant changes are made between this document and the regulation? That effort would have gone for naught. Why not delay implementation until the final PRM is adopted? We are very concerned of the potential financial impact of this document in particular on the smaller airports in this regard. |  |  |
| <b>9.</b> Paragraph 1.2, Rephrase as follows: Risk Assessment - Assessment of the system or component to establish that the achieved risk level is <del>lower than or equal to</del> <b>compliant or non-compliant</b> to a tolerable risk level.   |  |  |
| <b>10.</b> Paragraph 1.2, Rephrase as follows: Safety Assessment - A systematic, comprehensive evaluation of an implemented system to show that the <del>safety requirements are met</del> <b>achieved safety level is compliant (or not) to the established safety levels.</b>   |  |  |
| <b>11.</b> Replace the last paragraph, " <del>Safety culture, then, is both...</del> " with " <b>Safety culture involves everyone from the individual to the organization and their actions, attitudes, and accountability in reporting, responding and resolving identified safety issues in a timely and efficient manner. Safety thrives when well-trained personnel employ proactive systematic good practices based on well-defined policies and procedures in accordance with local, state, federal and international guidelines.</b> "   |  |  |
| <b>12.</b> Paragraph 2.1, General: Is the achievement of "safety objectives" considered similar in nature to an airport's ARFF Mission Statement? If so, this could be included in the "Safety policy"?   |  |  |
| <b>13.</b> Add the word <i>commitment</i> be added to the 2 <sup>nd</sup> sentence of the first paragraph under 2.1, e.g., "safety management requires <i>commitment</i> , planning,  |  |  |

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| organizing, etc., since commitment is being emphasized throughout the document.  |  |  |
| <b>14.</b> Paragraph 2.2.1, Safety Policy: The last of 5 bullet points states that: "A commitment to make the maintenance of safety the highest priority". This implies that this is the most critical of all the bullet points, which seems incorrect. Delete that the phrase " <b><i>the highest priority</i></b> " in this bullet point and add to the last sentence of the paragraph introducing these bullet points " <b><i>of the highest priority</i></b> " because they are all high priorities. |  |  |
| <b>15.</b> Paragraph 2.2.2, Safety Objectives: In the first paragraph, define "to adequately control resources.  |  |  |
| <b>16.</b> Page 4, second bullet point: Delete the word <b><i>all</i></b> in the phrase "of all key personnel assigned to the airport."  |  |  |
| <b>17.</b> Page 4, fourth bullet point: This implies more money at a time when airports are trying to reduce their operating costs not only for their own reasons, but to appease the airlines as well.  |  |  |
| <b>18.</b> Page 4, 3 <sup>rd</sup> paragraph: 3 <sup>rd</sup> sentence uses the term "Airport SMS Program Manual". IS this to be a separate document or included in the ACM, while the last paragraph states that the SMS will be an appendix to the ACM. This assumes that the final rule will make the SMS mandatory, but should say so because it isn't required by this document.  |  |  |
| <b>19.</b> Section 2.4, Safety Assurance, first bullet point, define "indicators" and "targets."   |  |  |
| <b>20.</b> Section 2.4, Third bullet point, define "adequate resources." Who is to say one person in inadequate?   |  |  |
| <b>21.</b> Section 2.4, second paragraph: Use of the word " <b><i>all</i></b> " should be avoided for the reasons previously stated. This paragraph will have wide sweeping financial implications for the airport operator. Will the costs of developing and implementing the SMS be eligible for FAA grant participation?  |  |  |
| <b>22.</b> Page 6, Third paragraph, second sentence, define "through <b><i>regular</i></b>   |  |  |

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| review.”  |  |  |
| <b>23.</b> Section 2.5, Safety Promotion: First paragraph: “The provision of appropriate training to <b>all</b> staff regardless of their position within the organization”...etc. Suggest the word <b>appropriate</b> replace “all”. For example a part-time employee located in the airport’s administrative offices, which can be located off-airport, should not be included. |  |  |
| <b>24.</b> Page 7, first full paragraph, 6 <sup>th</sup> line down: “form” should be <b>from</b> .  |  |  |
| <b>25.</b> Page 8: Given the importance of the position “Accountable Executive” (or whatever the appropriate title is), add to Figure 2-1.  |  |  |
| <b>26.</b> Page 10. Given the importance of <b>communications</b> as a key element in the SMS, add to Figure 3-1, because without it there would be a large “gap: in the SMS.   |  |  |
| <b>27.</b> Page 11, Phase 3: Determination of Risk, 3 <sup>rd</sup> sentence first paragraph: Again the use of the word <b>all</b> should be avoided.   |  |  |
| <b>28.</b> Page 12, Phase 4: Assess + Analyze the Risk: Please clarify - this is very subjective. Who determines who is right? The airport operator or the certification inspector?   |  |  |
| <b>29.</b> Appendix 1: Steps to an Effective SMS. Page 16, 2 <sup>nd</sup> paragraph: “However, there are items required by an SMS that are not specifically addressed by Part 139 certification”. What are these “items”?  |  |  |
| <b>30.</b> To spur implementation of SMS at airports, I recommend the AC include a positive statement from the FAA as to the eligibility of SMS development for AIP funding as part of a master planning or design project. Precedence for the AIP eligibility for such plans has been set by the eligibility of such plans as SWPPP and SPCC development efforts.                |  |  |
| <b>31.</b> Development of SMS plans will require no small effort, the resources for which will not be readily available at most smaller airports, including some Part 139 airports. Eligibility for inclusion in the AIP grant process will provide those resources to the airport sponsor and make implementation of SMS much more likely.                                       |  |  |

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| <p><b>32.</b> AC should suggest setup of a secure web-enabled SMS database integrated with the Airport Layout Plan (ALP) in a Geographic Information System (GIS) to enable effective spatial referencing and analysis. Such a system should also include a semi-automated reports generator.</p>   |  |  |
| <p><b>33.</b> The concept of an SMS should be better defined up front, and presented on the first page as part of the Purpose or Background.</p>  |  |  |
| <p><b>34.</b> The FAA's approach to establishing an SMS, having individual airports prepare them utilizing their internal organizational structure will ensure that the plan is appropriate to the individual airport, however it is likely to lead to large variations in the form and effectiveness of SMS throughout the country. The AC should include a discussion of the potential value of outside consultants assisting airport operators with the initiation of the SMS and incorporating airport management into the process. The ISO 14001 Environmental Management System process when applied to the airport environment has been performed this way to ensure thoroughness, continuity, and objectivity. An example of the potential benefit of outside assistance would be the assurance of the continuity and objectivity of the plan if the SMS Accountable Executive is in an appointed position and a new political cycle interrupts the completion of the SMS plan.</p> |  |  |
| <p><b>35.</b> Before the AC establishes the Safety Policy and Objectives (2.2), there should be a more detailed discussion of the Accountable Executive, their role and their responsibilities. For example:</p> <ul style="list-style-type: none"> <li>o <i>Ideal educational and professional background</i></li> <li>o <i>Examples of where this person may fit into different types of organizational structures</i></li> <li>o <i>More detail on the type of control should this person have</i></li> <li>o <i>How should management evaluate their performance? What exactly is "good performance"? Who decides</i></li> </ul>  |  |  |

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| <p><i>whether or not they are actually performing consistent with FAA expectations? How will this person be able to use this responsibility as a function of their professional development?</i></p>  |  |  |
| <p><b>36.</b> Safety Risk Management Phase 2 (p.11): Who is performing the training in SMS and hazard analysis techniques? The AC places a lot of responsibility on the airport operator to “ensure that sufficient operations expertise, safety experience, and training are available to the person or the group to adequately conduct the assessment.” With all of the other responsibilities that airport operators have, how will the FAA and/or ICAO support them or offer resources so that the SMS/SRM will be successful and useful?</p> |  |  |
| <p><b>37.</b> Make reference to Homeland Security Presidential Directive (HSPD)-5 and the adoption of the National Incident Management System (NIMS), and its alignment to the NIMS.</p>  |  |  |
| <p><b>38.</b> Section 1.2, pg 1: Add definitions for the two fundamental terms “Safety” and “Security.”</p>   |  |  |
| <p><b>39.</b> Section 2.4, pg 5: The first bullet addresses validation of safety performance indicators and targets. In the industry of safety, security and reliability there are distinct differences between having something ‘Validated’ and having something ‘Verified’. It is very important that everyone is clear in understanding what the end result is to be and how they are going to get to that end result.</p>   |  |  |
| <p><b>40.</b> Figure 3-2, pg 13: When printed in black and white the difference between the yellow and green shade for Medium and Low risk is fairly subtle and may not be discernable.</p>   |  |  |