



## **AIRCRAFT OWNERS AND PILOTS ASSOCIATION**

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July 5, 2011

Docket Operations

M-30

U.S. Department of Transportation

1200 New Jersey Avenue, SE

West Building Ground Floor

Room W12-140

Washington, DC 20590-00001

### **RE: Docket FAA-2010-0997 Notice of Proposed Rulemaking (NPRM) Safety Management System (SMS) for Certificated Airports**

The Aircraft Owners and Pilots Association (AOPA) represents more than 400,000 member pilots and aircraft owners nationwide. On behalf of our membership, AOPA is committed to ensuring the future viability and development of all airports and their general aviation facilities as part of a national transportation system. General aviation (GA) aircraft operated by our members comprise more than 42,000 based aircraft at 562 Part 139 certificated airports and will be potentially impacted by the proposed rulemaking for Safety Management System for Certificated Airports. AOPA submits the following comments and concerns in response to the Federal Aviation Administration's (FAA) Proposal: Safety Management System (SMS) for Certificated Airports.

AOPA supports appropriate measures to promote and improve an industry-wide safety culture; however we do have concerns with the potential impacts of SMS beyond Part 139 certificated airports.

While this NPRM is specifically directed at Part 139 certificated airports, previous FAA guidance contained in Order 5200.11 "FAA Airports (ARP) Safety Management System" described a timeline for bringing SMS to all airports contained in the National Plan of Integrated Airport Systems (NPIAS) by June 1, 2014. The FAA changed that guidance on May 31, 2011 to only require that large hub commercial service airports implement SMS beginning June 1, 2011. Implementation of SMS policies and procedures at the remaining NPIAS airports will take place in future years. Regulatory action promulgated under 14 CFR Part 139 will likely be used to measure SMS standards at non-Part 139 airports. AOPA recommends that such additional implementation take place only after a long phase-in period, prior to which a detailed evaluation of the development and implementation process has been undertaken for the SMS programs that includes significant input from all stakeholders. We suggest that the lessons learned will help smaller airports understand how to better implement and use this program, and help the FAA understand to what extent each part of the program should be implemented at these airports, if at all.

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The NPRM acknowledges that the proposal extends into areas not previously regulated by 14 CFR Part 139, specifically the non-movement areas of the airside of the airport. While there may be value in working to improve safety in these areas, the varied number of activities, tenants and agreements may cause significant disruption and expense by implementation of SMS in the non-movement area. We believe that further study and guidance is necessary in order to ensure that SMS is not an undue burden to those hitherto unregulated entities in the non-movement areas.

It is our understanding based on the answer to clarifying question 92 and the *Safety Promotion* section on page 62016 of the NPRM that the FAA is considering a broader SMS training requirement that would encompass all individuals at an airport (beyond the airport staff) accessing the movement and non-movement areas. We are uncertain how that would be implemented so that training received at one airport would suffice for a requirement for SMS training at another airport. Is the FAA considering a generic training course, would there be a logbook endorsement or other recordkeeping requirement? Is the training something that could be done at the individual's convenience such as web-based training or will it require attendance at a classroom? Is this a one-time requirement or will it require recurrent training? Airports currently have difficulty in getting 100% attendance at already required security and driver training and tenants have difficulty in arranging their schedules to attend such classes.

While this NPRM is specifically for 14 CFR Part 139 Certificated Airports, SMS and specifically Safety Risk Assessments (SRA) are required as of June 1, 2011 for certain FAA Airports actions per FAA Order 5200.11, Chapter 4. General aviation airports are not exempt from that requirement. Will they need to have some sort of understanding of SMS or is this purely an FAA internal process applied to their actions? Since this NPRM goes into detail on what must be part of an SMS, it is not outside the realm of possibility that the FAA would apply these conditions to GA airports. AOPA contends that if the FAA expects non-certificated airports to submit SRA's, it needs to put an educational process in place to help those airports conduct the assessments. The FAA should delay the implementation of that requirement at least 12 months to ensure adequate time for a detailed evaluation of the general aviation SRA's from the FAA Pilot Studies. If it is determined that requiring SRA's at GA airports is still necessary, a phased approach, including extensive marketing and promotion of the FAA's educational efforts at regional and state airport conferences, is necessary to learn how to prepare the assessments. Again, we suggest that the lessons learned will help smaller airports understand how to better implement and use this tool if necessary.

Thank you for your consideration of our views on this NPRM. If we can be of further assistance please contact our staff at 301-695-2200.

Sincerely,



John L. Collins  
Manager  
Airport Policy