

Dean Iacopelli
1515 Stewart Ave
Westbury, NY 11590

Jennifer B. Pennington
Attorney, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, NW, Suite 300
Washington, DC 20036

September 20, 2011

Dear Ms. Pennington,

Please see additional comments regarding the Dalton Departure procedure memorandum dated October 27, 2010, from Clay Foushee to Ronald Engler (OIG). Specifically to the FAA response to Question 5, located on page 4 of the aforementioned memorandum.

I've pasted question 5 and the FAA response below:

5. Question: Are there any other air traffic control towers in the National Airspace System that has a procedure similar to TEB's Dalton Departure procedure?

FAA Response: The FAA is aware of similar departure procedures in use at least three other airports: the "Sheridan Departure" at Hollywood/North Perry (HWO) in Florida; the "CABAA Visual Departure" at Chicago Executive (PWK) in Illinois; and the "Seneca Departure" at Bowman Field (LOU) in Kentucky.

The FAA is response extremely misleading and inaccurate. The only similarity between the three departure procedures listed above and the Dalton Departure is the fact that they are all departure procedures.

All three departure procedures listed above are intended to allow aircraft to depart from the secondary airport while avoiding *airspace* that is used for arrivals/departures from the primary airport. It is important to note that only the Dalton Departure is used to avoid *aircraft and requires aircraft utilizing the procedure to fly directly below arriving aircraft.*

Sheridan Departure: permits departures from the smaller Hollywood/North Perry (HWO) airport to avoid *airspace* used by arrivals from Fort Lauderdale (FLL) airport. This procedure does **not** permit or require aircraft departing HWO to fly directly below the arrival path of aircraft landing at FLL. (See attached)

- **CABAA Visual Departure:** permits departures from the smaller Chicago Executive (PWK) airport to avoid *airspace* used by departures from Chicago O'Hare (ORD) airport. This procedure does **not** permit or require aircraft departing PWK to fly directly below the arrival path of aircraft landing at ORD. (See attached)
- **Seneca Departure (*replaced by the Air Devil Departure*):** permits departures from the smaller Bowman Field (LOU) airport to avoid *airspace* used by departures from Louisville-Standiford Field (SDF) airport. This procedure does **not** permit or require aircraft departing LOU to fly directly below the arrival path of aircraft landing at SDF. (See attached).

In addition, I wanted to make you aware of an agreement between the Union and FAA Management to implement an operational evaluation of the Dalton Departure procedure effective October 1, 2011. (See attached).

As you will read, the FAA has acknowledged, "*the Dalton Departure Procedure poses a safety hazard, although it may be in compliance with existing air traffic guidelines.*" (See Notice paragraph 6.a.).

The operational evaluation requires the New York TRACON to provide a gap in the arrival sequence to Newark (EWR) airport for the purpose of providing sufficient safe separation for the aircraft utilizing the Dalton Departure procedure. Please see relevant paragraph below:

7. Procedures for operational evaluation.

a. A gap in the Newark RWY 22 arrival sequence must be provided for Dalton departures, as it is for TETERBORO SIX IFR RWY 19 departures. This will ensure separation between the Newark arrival and the Teterboro departure in the event the Dalton departure does not properly follow the amended procedure.

I believe the acknowledgement by the FAA that the Dalton Departure procedure is unsafe and implementing, although temporarily, safe guards to ensure the safety of aircraft, is a positive step towards permanently eliminating the unsafe aspects of the Dalton Departure procedure.

I remain concerned that the FAA will attempt to cancel or will not agree to the continued use of the procedures described in the notice as a result of pressure both internal and external groups.

Thank you again for the time and effort you have devoted to this important safety matter and the opportunity to comment on the OIG report.

If you have any questions, please feel free to contact me.

Thank you,

Dean Iacopelli
President, NATCA, New York TRACON

CABAA VISUAL DEPARTURE CHICAGO EXECUTIVE AIRPORT

CABAA Visual- Fort Sheridan Transition RWY 16

After take-off start assigned turn from Chicago Executive ATCT within 1 NM from the departure end of RWY 16 and remain outside Chicago Class B Airspace. Proceed to Fort Sheridan – VFR waypoint **VPFTS**. When instructed, contact Departure to activate your IFR clearance. Maintain VFR until advised by departure of activation of IFR clearance.

Climb and maintain VFR at or below 2000' or as assigned.

CABAA Visual- Bangs Lake Transition RWY 16

After take-off start assigned turn from Chicago Executive ATCT within 1 NM from the departure end of RWY 16 and remain outside of Chicago Class B Airspace. Proceed to Bangs Lake Wauconda – VFR waypoint **VPBNG**. When instructed, contact Departure to activate your IFR clearance. Maintain VFR until advised by Departure of activation of IFR clearance.

Climb and maintain VFR at or below 2400' or as assigned.

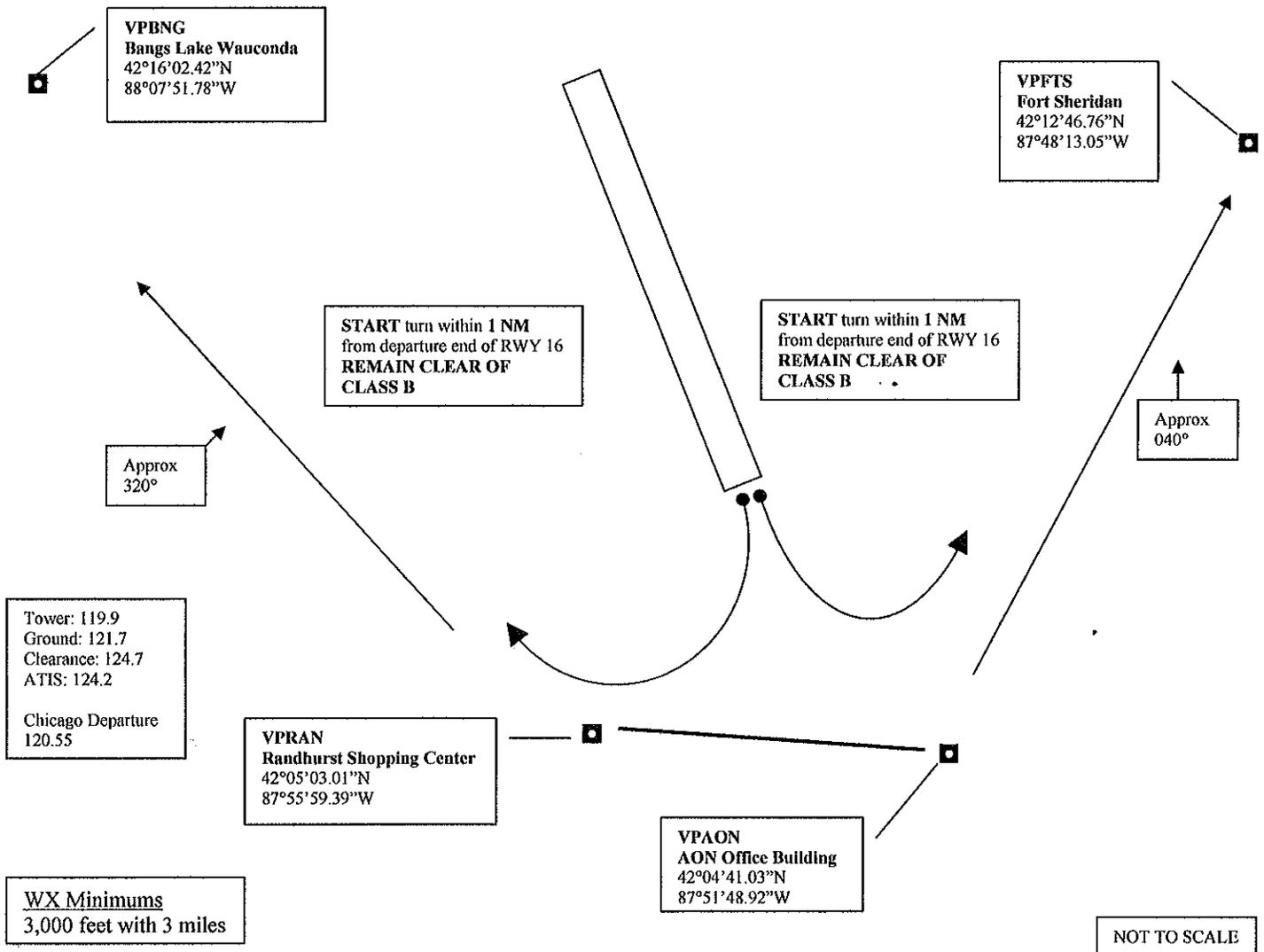
ALL AIRCRAFT REQUESTING THE “CABAA VISUAL DEPARTURE” MUST REMAIN CLEAR OF THE CLASS B AIRSPACE AT ALL TIMES.

CABAA VISUAL DEPARTURE CHICAGO EXECUTIVE AIRPORT (PWK)

PILOTS MUST SPECIFICALLY REQUEST THIS PROCEDURE USING THE ABOVE NAME

ALL AIRCRAFT

REQUESTING THE "CABAA VISUAL DEPARTURE" MUST MAINTAIN VFR
AND REMAIN CLEAR OF THE "CHICAGO CLASS B AIRSPACE" AT ALL TIMES



CABAA VISUAL to FORT SHERIDAN Transition RWY 16

After take-off proceed VFR to Fort Sheridan - VFR waypoint VPFTS. Maintain at or below 2000' or as assigned. Expect a climb clearance in vicinity of Fort Sheridan. ATC will advise activation of IFR Clearance.

CABAA VISUAL to BANGS LAKE Transition RWY 16

After take-off proceed VFR to Bangs Lake Wauconda - VFR waypoint VPNG. Maintain at or below 2400' or as assigned. Expect a climb clearance in vicinity of Bangs Lake. ATC will advise activation of IFR Clearance.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Louisville Standiford Airport Traffic Control Tower/TRACON
755 Grade Lane
Louisville, Kentucky 40213

ISSUED: May 10, 2011

EFFECTIVE: May 10, 2011

LOUISVILLE STANDIFORD ATC TOWER LETTER TO AIRMEN NO. 11-1

SUBJECT: Bowman Field "AIR DEVIL DEPARTURE" VFR-to-IFR Departure Procedure

CANCELLATION: May 10, 2013

A new optional VFR-to-IFR departure procedure, called the AIR DEVIL DEPARTURE, is now available for IFR departures off of any runway at Bowman Field, Louisville, Kentucky (LOU). It is published in the SPECIAL NOTICES section of the Airport Facility Directory.

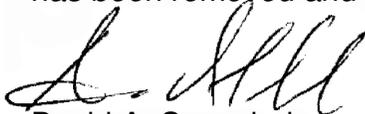
Because of the close proximity of Louisville-Standiford Airport (SDF) to LOU, there are frequently lengthy delays in obtaining IFR releases off LOU, particularly off runways 24 and 33, in order to provide the required IFR separation from SDF departures. The AIR DEVIL DEPARTURE allows pilots to depart under VFR conditions much sooner, and often more aligned with on-course, with the expectation to resume their IFR flight plan once clear of SDF traffic.

To utilize this procedure, pilots that have an IFR flight plan on file should request their clearance on the ground from Bowman Tower and squawk the assigned code. Pilots may then request this procedure by using the term "Air Devil Departure". The Air Devil Departure may also be suggested by LOU tower personnel when it appears a lengthy delay for an IFR release is possible. As always, pilots have the option to refuse the procedure and wait for a normal IFR release.

When the pilot is ready to depart and is released by SDF departure Control, Bowman Tower will assign initial direction of turn and heading to be flown. (**EXAMPLE-** "Air Devil Departure approved, turn left heading zero niner zero, runway two four, cleared for takeoff"). To avoid any conflicts with SDF traffic, pilots are expected to complete the turn within 1½DME of the Bowman VOR (BQM), while maintaining VFR conditions at or below 2500' msl. Once cleared by SDF Departure Control to climb above 2500', and the aircraft leaves 2500', the IFR portion of the flight plan is activated.

Since this is initially a VFR departure, the reported weather requirements are a ceiling of at least 3000'agl, and a visibility of 3 miles or greater. The flight visibility and cloud clearance requirements for Class C/D airspace specified in FAR 91.155 still apply while the aircraft is at or below 2500' msl. Any deviations from assigned heading/s to comply with this requirement should be immediately reported to ATC.

NOTE- The initial publication of this procedure indicated a right turn in the description, but this was in error, as any direction may be specified. The previous "SENECA DEPARTURE" has been removed and is no longer available.



David A. Senechal
Manager, Louisville Standiford ATC Tower

BOWMAN FIELD

LOUISVILLE, KY

TERMINAL AREA GRAPHIC NOTICE

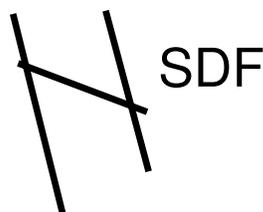
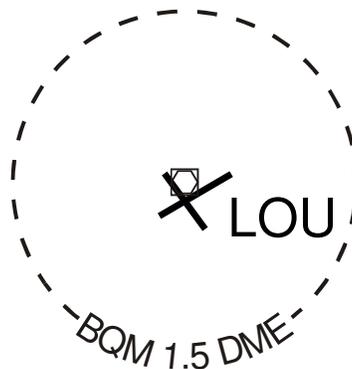
(Not to be used for navigation)

Bowman Airport VFR Departure Procedure

“AIR DEVIL DEPARTURE”

PILOTS SHOULD SPECIFICALLY REQUEST THIS PROCEDURE USING THE ABOVE NAME

ATIS
118.275
CLNC DEL
118.9
GND CON
121.8
BOWMAN TOWER
119.5
DEPT CON
132.075



Remaining within 1½ miles of the Bowman VOR (BQM), turn to the heading assigned by LOU ATCT. Maintain VFR at or below 2500 feet. Expect IFR activation and climb within 10 minutes after departure.

WEATHER MINIMUMS: Ceiling 3000 and visibility 3 miles.

NOTE: Receipt of a clearance to climb above 2500 feet from Louisville Departure Control constitutes activation of IFR clearance upon leaving 2500 feet.

FEDERAL AVIATION ADMINISTRATION
MIAMI TOWER
6400 NW 22ND ST.
MIAMI, FLORIDA
33122-2239

ISSUED: March 24, 2009

EFFECTIVE: April 1, 2009

MIAMI TOWER LETTER TO AIRMEN NO. 09-1

SUBJECT: VFR DEPARTURE PROCEDURE (SHERIDAN DEPARTURE) at HWO
FOR IFR AIRCRAFT DEPARTING RUNWAYS 36 L/R and RUNWAYS 9 L/R

CANCELLATION: March 31, 2011

Due to the close proximity of the runway 9R final approach course at Ft. Lauderdale aircraft requesting IFR release at North Perry from runways other than 27L or 27R and requiring a left turn out are sometimes required to hold for a release.

Miami Tower has implemented a VFR departure procedure for IFR aircraft departing runways 36 L/R and runways 9 L/R. The procedure expedites releases for IFR aircraft by allowing the pilot to depart VFR from runways 9L, 9R, 36L and 36R and receive their IFR activation in the air.

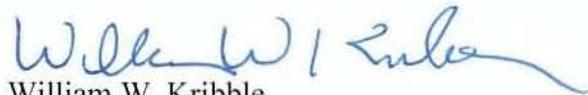
This Letter cancels the Letter to Airmen 08-2 dated October 7, 2008

The Sheridan departure **must be requested by the pilot.**

Sheridan Departures.

(1) Sheridan Departures are authorized as published. (See Appendix A)

(2) North Perry Tower will advise all Sheridan Departures to "Maintain VFR" on departure.



William W. Kribble
South Florida District Manager

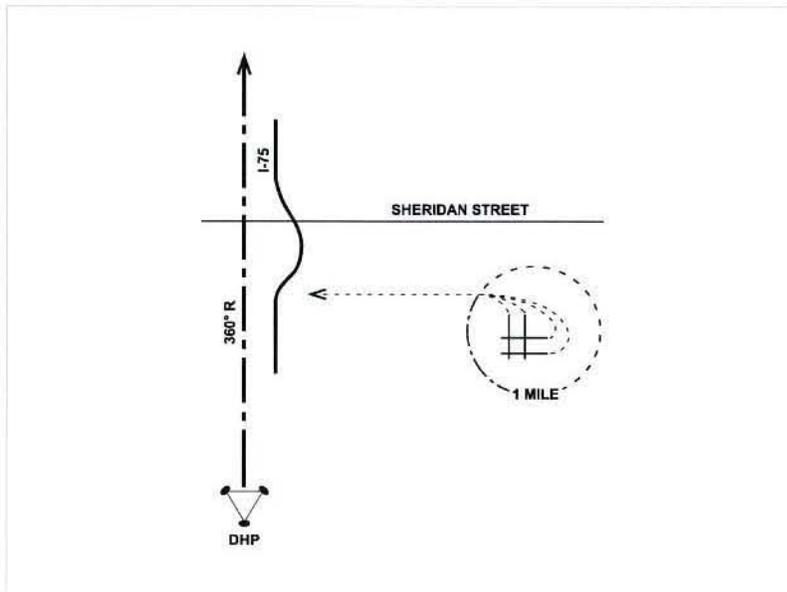
HOLLYWOOD/NORTH PERRY (HWO) HOLLYWOOD, FL

TERMINAL AREA GRAPHIC NOTICE (Not to be used for navigation)

Hollywood/North Perry Airport Runway 9L, 9R, 36L and 36R VFR
Departure Procedure.

“SHERIDAN DEPARTURE”

PILOTS SHOULD SPECIFICALLY REQUEST THIS PROCEDURE
USING THE ABOVE NAME.



ATIS 135.475
MIAMI APP CONTROL 128.6
NORTH PERRY TOWER 132.1
GROUND CONTROL 120.45

Remain within 1 mile from HWO airport, when departing north or east turn left to heading 260. Remain south of Sheridan Street VFR at or below 1500. Expect IFR activation and climb crossing I75 (5 miles west of HWO) or the DHP 360 radial.

WEATHER MINIMUMS: Ceiling 2000 and visibility 3 miles.

NOTE: Receipt of a clearance to climb above 1500 constitutes activation of IFR clearance.

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N90 N7100.956

NY TRACON
SELF
BRIEFING

Effective Date:

October 1, 2011

Cancellation Date:

December 31, 2011

SUBJ: Operational Evaluation of Amendments to Teterboro Dalton Departure Procedure

- 1. Purpose of this notice.** This notice transmits procedures to accomplish the subject evaluation.
- 2. Who this affects.** Newark Area (EWR), Traffic Management Unit (TMU), Supervisors' Committee, National Air Traffic Controllers Association (NATCA), Staff Officers, NY TRACON Training Department, Raytheon; and Eastern Operations Support Group.
- 3. Where you can get a copy of this notice.** S:\N90 Procedures\Current Notices\Notice N7100.956, Operational Evaluation of Amendments to Dalton Departure Procedure
- 4. Action.** Control personnel will receive a mandatory briefing on this notice prior to October 1, 2011.
- 5. Duration.** This test is effective from October 1, 2011 through December 31, 2011.
- 6. Background.**
 - a.** The Air Traffic Safety Action Program (ATSAP) Event Review Committee (ERC) issued a Corrective Action Report stating that reports received through ATSAP and the Aviation Safety Reporting System (ASRS) indicate that the Dalton Departure Procedure poses a safety hazard, although it may be in compliance with existing air traffic guidelines.
 - b.** NATCA and FAA management have agreed to amend the procedure and, with the concurrence of the ERC, begin a test period to gather data on the amended procedure.
 - c.** The following steps have been taken:
 - (1)** All Teterboro Tower personnel were given a "cease and desist" briefing mandating the discontinuation of any solicitation, implying, advising or otherwise informing pilots and users of the availability of the Dalton departure procedure. This will be part of yearly refresher training for Teterboro controllers.

Distribution:
N90 Personnel, SUPCOM, NATCA, N90 Training Dept, OSG

Initiated by:
SM-AP

(2) Teterboro Tower controllers have been directed, traffic permitting, to reiterate the 1300' restriction prior to frequency transfer.

(3) Starting in June of 2010, briefings have occurred monthly with Teterboro User Group (TUG) and FBO's. These briefings will continue through 2011 and will be bi-annual starting in 2012.

(4) Amendments to the Dalton Departure Procedure were published June 30, 2011 in the Northeast US Airport/ Facility Directory and by Jeppesen, as follows:

(a) The procedure now mandates that the right turn to 280° be completed within 2 DME of TEB, rather than 4 DME.

(b) Added note: "Caution Wake Turbulence. No wake turbulence separation is provided from Newark RWY 22 arrival traffic descending over TEB from 3000' to 1800'."

(c) Added note: "In the event of lost communication prior to IFR activation. squawk 7600. Maintain VFR."

7. Procedures for operational evaluation.

a. A gap in the Newark RWY 22 arrival sequence must be provided for Dalton departures, as it is for TETERBORO SIX IFR RWY 19 departures. This will ensure separation between the Newark arrival and the Teterboro departure in the event the Dalton departure does not properly follow the amended procedure.

b. For the purpose of collecting accurate data, it is requested that the Dalton departure not be climbed above 1300' until established west of the Newark RWY 22 final approach course.

c. Newark Sequencer will coordinate with Ardley and North Arrival to ensure that appropriate gaps are provided. During periods of consistent arrival traffic to Teterboro, the MUGZY controller must also be included in the coordination to ensure the departure gaps are not lost to Teterboro arrivals.

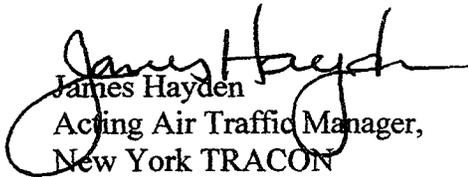
d. When it is anticipated that demand for the Dalton departures will be high or in the event of multiple taxis, the Newark sequencer will coordinate with Traffic Management to establish a plan to ensure gaps can be provided in a safe and timely manner.

e. Teterboro Tower will continue, traffic permitting, to re-iterate the 1300' altitude restriction.

f. During the test period, data will be collected and analyzed to determine if the amendments to the Dalton Departure are sufficient to enable continued use of the procedure. Please submit comments or suggestions to your NATCA representative or FLM.

g. The procedures agreed to by NATCA and FAA management after this evaluation will be incorporated into the next revision of the N90 Standard Operating Procedures Manual.

h. This evaluation may be terminated by mutual agreement at any time, without prejudice. If the parties cannot agree, this issue will be forwarded to the Manager, Quality Control Group, and the Eastern Region Council ATSAP Representative for resolution.


James Hayden
Acting Air Traffic Manager,
New York TRACON

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N90 N7100.956

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James Hayden
Acting Air Traffic Manager,
New York TRACON

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Louisville Standiford Airport Traffic Control Tower/TRACON
755 Grade Lane
Louisville, Kentucky 40213

ISSUED: May 10, 2011

EFFECTIVE: May 10, 2011

LOUISVILLE STANDIFORD ATC TOWER LETTER TO AIRMEN NO. 11-1

SUBJECT: Bowman Field "AIR DEVIL DEPARTURE" VFR-to-IFR Departure Procedure

CANCELLATION: May 10, 2013

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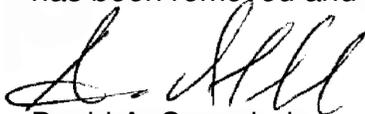
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Since this is initially a VFR departure, the reported weather requirements are a ceiling of at least 3000'agl, and a visibility of 3 miles or greater. The flight visibility and cloud clearance requirements for Class C/D airspace specified in FAR 91.155 still apply while the aircraft is at or below 2500' msl. Any deviations from assigned heading/s to comply with this requirement should be immediately reported to ATC.

NOTE- The initial publication of this procedure indicated a right turn in the description, but this was in error, as any direction may be specified. The previous "SENECA DEPARTURE" has been removed and is no longer available.



David A. Senechal
Manager, Louisville Standiford ATC Tower

BOWMAN FIELD

LOUISVILLE, KY

TERMINAL AREA GRAPHIC NOTICE

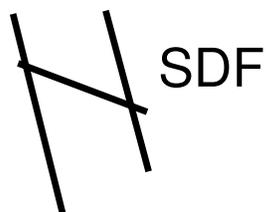
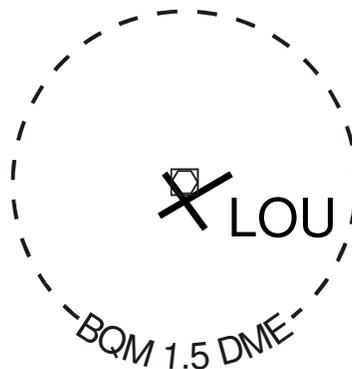
(Not to be used for navigation)

Bowman Airport VFR Departure Procedure

“AIR DEVIL DEPARTURE”

PILOTS SHOULD SPECIFICALLY REQUEST THIS PROCEDURE USING THE ABOVE NAME

ATIS
118.275
CLNC DEL
118.9
GND CON
121.8
BOWMAN TOWER
119.5
DEPT CON
132.075



Remaining within 1½ miles of the Bowman VOR (BQM), turn to the heading assigned by LOU ATCT. Maintain VFR at or below 2500 feet. Expect IFR activation and climb within 10 minutes after departure.

WEATHER MINIMUMS: Ceiling 3000 and visibility 3 miles.

NOTE: Receipt of a clearance to climb above 2500 feet from Louisville Departure Control constitutes activation of IFR clearance upon leaving 2500 feet.

CABAA VISUAL DEPARTURE CHICAGO EXECUTIVE AIRPORT

CABAA Visual- Fort Sheridan Transition RWY 16

After take-off start assigned turn from Chicago Executive ATCT within 1 NM from the departure end of RWY 16 and remain outside Chicago Class B Airspace. Proceed to Fort Sheridan – VFR waypoint **VPFTS**. When instructed, contact Departure to activate your IFR clearance. Maintain VFR until advised by departure of activation of IFR clearance.

Climb and maintain VFR at or below 2000' or as assigned.

CABAA Visual- Bangs Lake Transition RWY 16

After take-off start assigned turn from Chicago Executive ATCT within 1 NM from the departure end of RWY 16 and remain outside of Chicago Class B Airspace. Proceed to Bangs Lake Wauconda – VFR waypoint **VPBNG**. When instructed, contact Departure to activate your IFR clearance. Maintain VFR until advised by Departure of activation of IFR clearance.

Climb and maintain VFR at or below 2400' or as assigned.

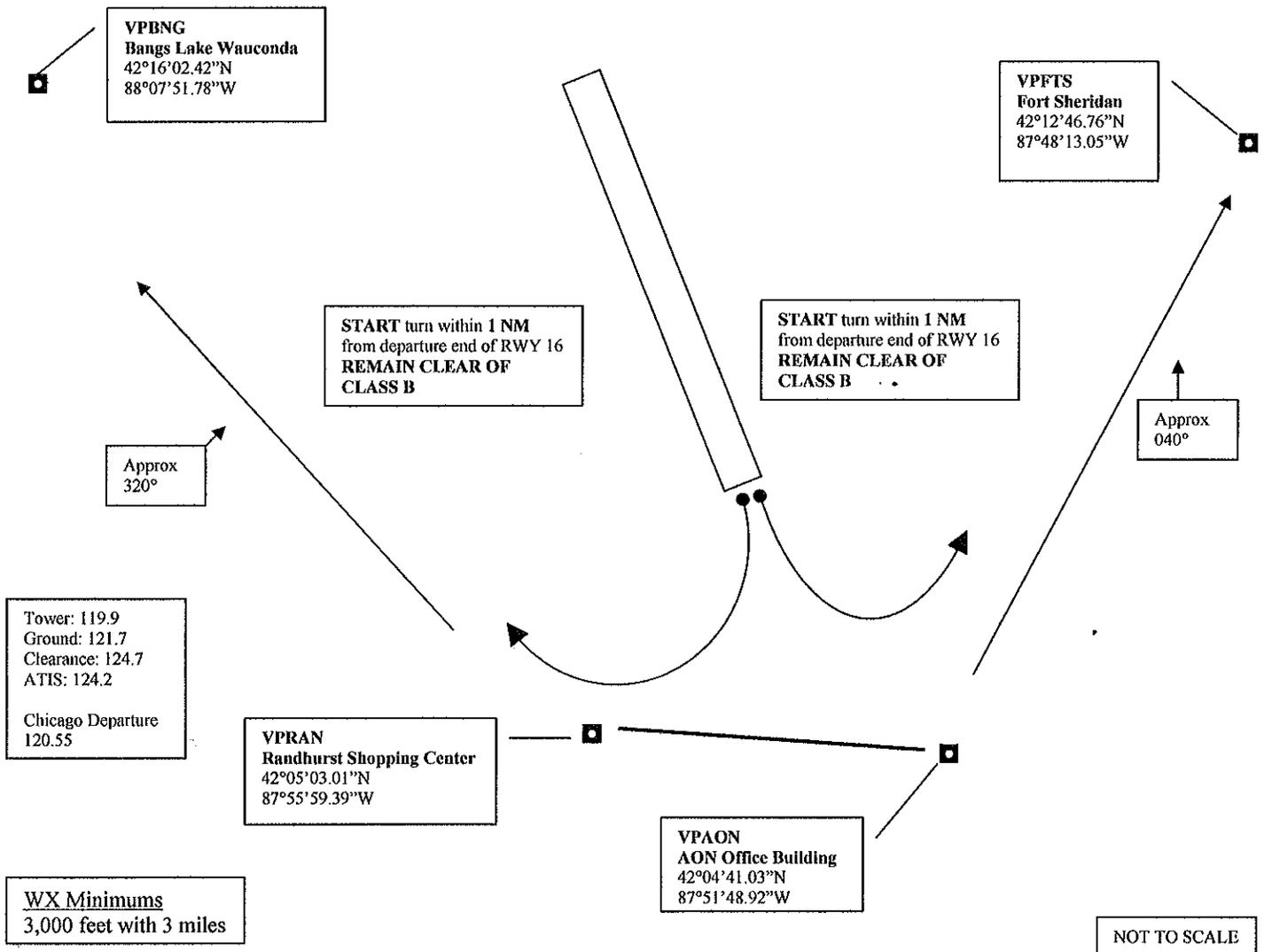
ALL AIRCRAFT REQUESTING THE “CABAA VISUAL DEPARTURE” MUST REMAIN CLEAR OF THE CLASS B AIRSPACE AT ALL TIMES.

CABAA VISUAL DEPARTURE CHICAGO EXECUTIVE AIRPORT (PWK)

PILOTS MUST SPECIFICALLY REQUEST THIS PROCEDURE USING THE ABOVE NAME

ALL AIRCRAFT

REQUESTING THE "CABAA VISUAL DEPARTURE" MUST MAINTAIN VFR
AND REMAIN CLEAR OF THE "CHICAGO CLASS B AIRSPACE" AT ALL TIMES



CABAA VISUAL to FORT SHERIDAN Transition RWY 16

After take-off proceed VFR to Fort Sheridan - VFR waypoint VPFTS. Maintain at or below 2000' or as assigned. Expect a climb clearance in vicinity of Fort Sheridan. ATC will advise activation of IFR Clearance.

CABAA VISUAL to BANGS LAKE Transition RWY 16

After take-off proceed VFR to Bangs Lake Wauconda - VFR waypoint VPBNG. Maintain at or below 2400' or as assigned. Expect a climb clearance in vicinity of Bangs Lake. ATC will advise activation of IFR Clearance.