

An introduction to the Aviation Safety Action Program

STORY BY LINDSEY MCFARREN

Does your organization participate in the Federal Aviation Administration's Aviation Safety Action Program? Advisory Circular 120-66B explains ASAP and states the objective of the program is "to encourage air carrier and repair station employees to voluntarily report safety information that may be critical to identifying potential precursors to accidents."

"A good ASAP helps drive and improve a company's safety culture," said Russ Lawton, director of safety and ASAP program manager for the Air Charter Safety Foundation. "ASAP can build a safety culture by recognizing good work and sharing lessons."

ACSF, a nonprofit organization, has entered into an agreement with the FAA to enhance safety by providing a systematic approach for employees of on-demand charter operations, fractional program managers, and Part 91 flight departments to identify and correct potential safety hazards. ACSF acts as host and program guide for its ASAP participants. The ACSF ASAP now includes 128 participants, including Part 91 flight departments, air charter operators and some aircraft manufacturers.

An ASAP is not a substitute or alternative to a safety

management system. In fact, ASAP is an excellent complement to an SMS.

ASAP is for the voluntary reporting of safety information through a partnership with the FAA and certain certificated entities. ASAP is available to Part 121, 135 and 145 certificate holders, as well as certain Part 91 operators. Over 200 certificated entities participate in ASAP.

The certificate holder must contact its FAA certificate management team and request to participate in an ASAP. The certificate holder and the FAA then sign a memorandum of understanding before starting the program. The FAA Reauthorization Act of 2018 encourages expansion of ASAP to more entities and may further simplify the process for entering the program.

In most cases, ASAP is the voluntary reporting of errors, with the intent of a cooperative, nonpunitive approach to resolving errors.

Let's say a crew decides an approach is unstable and executes a go-around. The crew reports the unstable approach and go-around through the ASAP web-based software, typically within 24 hours of becoming aware of the issue. The ASAP process requires the company to conduct a root cause analysis and develop a corrective action plan for mitigating the risk of making the same error in the future. This process is completed in



part through a partnership with the FAA and the company through the event review committee, which typically meet every four to eight weeks. During these meetings, the ERC conducts root cause analysis and develops corrective action plans for new ASAP reports and follows up on progress from previous reports.

In some cases, the FAA isn't directly involved in the resolution. As long as a reported event doesn't involve one of the "big five" – international noncompliance with regulations; intentional disregard for safety; criminal activity; substance abuse, controlled substances, or alcohol; or intentional falsification – the report will be accepted by the ERC and may not require FAA involvement.

This is partly due to the FAA's compliance philosophy, which seeks to improve safety by managing instances of noncompliance with regulations and safety incidents without immediately pursuing an investigation and resulting enforcement action. Compliance philosophy is part of the FAA's effort to promote just culture.

AC 120-66B will soon be replaced by an updated version, but until then, consider the AC and ASAP in general in light of the FAA's compliance philosophy.

"ASAP and the FAA's compliance philosophy go hand in hand," Lawton said. "Compliance philosophy makes ASAP participation a no-brainer. Both initiatives help develop and ensure a just culture. This connection is made clearer in the upcoming AC 120-66C."

If the ERC accepts the report as a legitimate event covered by ASAP, the reporters will face no penalty or punishment – from the FAA or the company – for their error. (It's important to note retraining as a corrective action to prevent reoccurrence of that particular event is not considered "punishment.")

There are some limitations to ASAP, though. Any event involving the "big five" listed above will not be accepted through ASAP. Also, reports must be made within 24 hours, except for reports considered "sole source." Sole source reports are those about which the FAA would have no knowledge except for the ASAP report. (In some cases, two pilots or other employees involved in the same incident may submit an ASAP report. This would still be considered sole source, since the FAA would have had no knowledge of the event without the ASAP report.)

Lawton estimates almost 90% of the reports received through the ACSF ASAP are sole source.

"Sole source reports are incredibly valuable; these are incidents

the company never would have known about, except for the ASAP report," Lawton explained.

Some crewmembers, maintenance professionals, companies and other prospective participants in ASAP worry about submitting transparent reports of errors and other safety concerns, considering it airing their dirty laundry to the FAA and potentially the public. It's important to know ASAP reports are not discoverable in legal proceedings and are not subject to distribution through a Freedom of Information Act request.

Also, the FAA representative on the ERC is typically not one of the management team of inspectors assigned to the certificate

holder. Usually, the FAA representative is a few degrees of separation removed from the company but still a specialist in that particular type of operation (i.e., 121, 135, 145 and so on).

ASAP reports are de-identified and become part of a database to help the FAA and industry identify common safety issues.

"ASAP gives the company and other industry participants real-world feedback," Lawton said. "For example, the scenarios reported through ASAP can be added to current training to mitigate

the risk of recurrence and make sure other pilots know how to respond to a similar event."

Lawton reports most companies participating in ASAP find the process to be an opportunity to provide overall feedback to personnel and improve safety communications.

"If you give people the right tools, they'll take the ball and run with it," Lawton said. "We've found participants have a very constructive attitude and outlook. People who participate in ASAP feel like they're making a difference and are able to improve a part of the operation they might not have known about, except for the ASAP report."

Maintenance repair organizations can learn more about ASAP through the FAA's "A Practical Guide to Maintenance ASAP Programs" available at www.faa.gov/about/initiatives/asap/policy/media/Maintenance_ASAP_DOT-FAA-AR-9-28.pdf, which is a useful resource for maintenance and repair organizations, including discussions about best practices, developing a positive safety culture, human factors in SMS, and even investment analysis of implementing an ASAP.

The FAA's ASAP advisory circular is available at www.faa.gov/documentLibrary/media/Advisory_Circular/AC120-66B.pdf. □

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