AAAE DELIVERS FOR AIRPORT EXECUTIVES

www.airportmagazine.net  |  April/May 2011

AAAE's 83rd Annual Conference and Exposition

May 15-18, 2011 • Atlanta
With this issue, Airport Magazine celebrates AAAE’s 83rd Annual Conference and Exposition, to be held May 15-18 in Atlanta. Hartsfield-Jackson Atlanta International is our host for the conference, and we appreciate their hospitality.

Our lead story — “Atlanta’s International Terminal Moving Forward on Many Fronts” — outlines the progress of this $1.4 billion project, which is now more than 70 percent complete. “The building is sealed in, electricity is running throughout, and the place is buzzing with activity. In 2010, crews logged more than 2.8 million hours of labor.” With this introduction, airport officials lead our readers through the steps it took to come this far, and what remains to be done.

Other features in this special conference issue are: the benefits of air cargo as a revenue enhancer, Manchester-Boston Regional’s lighting energy conservation program, winter operations, legal considerations in implementing a safety management system, and a special Inside AAAE Section that brings you up to date on the workings of your association.

We thank our advertisers in this issue, which are listed on page 46. These companies contribute to the success of Airport Magazine through their support. Please support them in turn.

Features of the Airport Magazine website (www.airportmagazine.net) allow readers around the globe to access the current issue, as well as research an archives section that provides access to all issues for the past three years. A full-color interactive flip book for each issue allows readers to print out articles. Our subscribers and all AAAE members receive printed copies as well.

Sincerely,

Barbara Cook

A NEW BIRD CONTROL SOLUTION

The BirdXPeller Predator Drone (shown above) — is a remote controlled model aircraft designed to repel birds from large, challenging outdoor area such as airports, golf courses and vineyards. In tests at Nashville International Airport in the summer of 2010, the model aircraft, which is painted to look like an eagle and emits bird distress calls, demonstrated that it is capable of dispersing birds and herding birds to move away from the airport. Find out more about the BirdXPeller Predator Drone at www.bird-x.com
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Hartsfield-Jackson Atlanta International: Host of AAAE’s 83rd Annual Conference and Exposition

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Cover Design: Zev Remba
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AA has embarked on an ambitious program to mandate Safety Management Systems (SMS) as part of an international effort to implement SMS throughout the aviation industry. The agency has declared its intent to require SMS for all aviation components that it regulates: airports, air carriers and air traffic.

At this writing, FAA has initiated SMS for several of the agency’s lines of business and has proposed rules to require certificated air carriers and certificated airports to adopt SMS of their own. Many of the key regulatory and advisory documents are available at the following website: http://www.faa.gov/airports/airport_safety/safety_management_systems/.

The two directives that would most directly affect airports are Order 5200.11, FAA Airports (ARP) Safety Management System, issued Aug. 30, 2010, and FAA’s Notice of Proposed Rulemaking to amend FAR Part 139 to require that each holder of an airport operating certificate develop and maintain an FAA-approved airport SMS.

Much has been written in Airport Magazine and elsewhere about the principles of SMS and the preparation of an SMS manual — the document that sets forth each entity’s SMS program. Far less has been written about preparing for SMS, getting an airport ready for the methodical process of institutionalizing safety through new policies and procedures. When airport SMS will be mandated remains an open question because FAA will take comments on the proposed rule until July 5, 2011. Regardless of the implementation date, however, SMS ultimately will be required, and airports should consider preparing now for the changes that SMS will demand. In addition, at least some requirements will become effective in June with Order 5200.11 for small, medium and large hub airports.

This order requires that the FAA airports program conduct safety assessments for most airport actions, including airport layout plan (ALP) approvals, Part 77 hazard determinations, airspace approvals, construction project approvals, noise compatibility program approvals and modifications of standards. Airport sponsors will be expected to provide required planning data, to participate in safety risk management panels, and to comply with all mitigation measures that may fall within their purview.

The order applies to all airports in the National Plan of Integrated Airport Systems (NPIAS), not just commercial service airports, and will be phased in over a period of years, beginning in June 2011.

The proposed rule for certificated airports would require an SMS covering aircraft operation in the movement and non-movement areas, and other airport operations addressed in Part 139. The proposed inclusion of the non-movement area is important because Part 139 currently imposes only limited obligations outside an airport’s movement area. An airport’s SMS would have to address the four pillars of SMS: a safety policy, safety risk management, safety assurance and safety promotion.

The difficulty of implementing SMS will
vary enormously. Some airports already have a strong safety culture, efficient and extensive recordkeeping, considerable sponsor control over airfield activities, the necessary personnel hierarchy, and state laws that protect airports from liability. These airports will find implementation relatively straightforward. For other airports, however, implementation will demand changes to systems, policies and procedures (not to mention relationships with users) that are not yet adapted to SMS principles.

For airports that want to begin early preparations for SMS, the following eight steps should be a guide for this planning. Even for those that lack the resources to launch full-scale implementation, the first two tasks can be enormously helpful in preparing for SMS.

1. **Legal exposure audit.** SMS may well change the legal standards for the airport’s exposure to liability. The significance of such changes will depend largely upon state law and extent of existing immunity for airport sponsors. Even in those states where airports enjoy some immunity, the personnel, recordkeeping and information requirements could make it easier for litigants to join airports in lawsuits over personnel matters or safety incidents. Airports should start by working with their counsel to make an accurate assessment of their existing liability exposure under state law. This audit should assess how state laws might affect the key SMS requirements, including information collection, recordkeeping, lease arrangements, personnel matters, confidential and non-punitive reporting, and whether compliance with SMS requirements will alter the standard of care under state law.

2. **Regulatory documents audit.** Airports will have to change many of their regulatory documents to comply with SMS. The extent of these changes depends upon how much control the sponsor already exercises over airfield activities. Before starting a wholesale revision of all regulatory documents, sponsors should work with their counsel to audit existing regulatory documents to determine whether and what changes would be needed. Among those that may need revision are minimum standards, rules and regulations, lease terms, insurance coverage requirements, personnel policies (and requirements imposed on tenants), whistleblower protection rules, and recordkeeping and document retention policies.

3. **Administrative audit.** SMS not only entails significant recordkeeping, training and monitoring requirements, but it also requires that an airport’s personnel structure accommodate an “accountable executive” who is ultimately responsible for all safety matters on the airfield. Accommodating SMS may require changes in personnel policies, hierarchy and reporting mechanisms, and could require other administrative adjustments in everything from how records are kept to who is responsible for the various elements of SMS. Airports should make an early decision on how to adapt their existing administrative structure to the control mechanisms required for SMS.

4. **Financial assessment.** Airports may choose to outsource preparation of the SMS manual to a consultant team with SMS expertise. While the cost of preparing the
manual is likely to be relatively certain, the SMS manual will not be an isolated, stand-alone burden. It will need to be integrated with other airport functions. In some instances, airports will have to make substantial investments to accommodate SMS obligations for items such as new software or computer systems for recordkeeping and tracking, communications technology to allow disparate airfield elements to communicate effectively, and in many cases, new personnel to administer the SMS. These costs easily could eclipse the cost of preparing formal SMS documentation, and are not likely to be AIP eligible. Since FAA contemplates a relatively fast implementation schedule, and since budgets are as tight today as ever, airports should plan for these investments and identify appropriate funding sources far in advance.

5. **Audit of needed FAA approvals.** Not all SMS implementation will be a paperwork exercise. Especially because the Order 5200.11 requirements will be effective in June 2011 for some airports, airports should begin planning immediately to identify what FAA approvals will be needed for SMS implementation or to implement safety elements that will integrate into the airport’s SMS. The approvals for measures mandated by Order 5200.11 will not necessarily be the same — or even consistent with — the SMS requirements. A comprehensive assessment of needed approvals will enable methodical planning.

6. **Assemble SMS review team.** Consultants undoubtedly will be available to help prepare the airport’s SMS manual and other documentation. But while there are many qualified consultant teams, none of them will know your airport as well as your staff and tenants. The airport should assemble its own team to provide guidance on unique operational issues that the airport will face. The team should include not only senior staff but also operational staff, counsel, planners and key users, each of whom will approach SMS from his/her own practical perspective. This review team should be assembled long before drafting the SMS manual; its members can help identify practical vulnerabilities and problems that need to be addressed as part of SMS planning and can help to oversee preparation of the manual.

7. **Prepare schedule for preparation of key documents.** The next step is the preparation of an SMS planning schedule. This is not a schedule of the roll-out of SMS but instead a schedule for the pre-implementation activities discussed above, all of which should be accomplished long before completion of the SMS manual. Many documents will have to be coordinated with other local government departments, city councils or county commissions. Legal review will be needed of all the implementation documents to address liability, personnel, contractual and lease issues.

8. **Gap analysis.** The last step in planning is also the first step in implementation of SMS. Most consultants recommend a gap analysis as the first step in implementation because it is this analysis that will determine what safety changes are needed when implementing SMS. The gap analysis needs to be candid, analytical, non-punitive and practical. Unless state law protects safety assessments and data from public disclosure, airports should work with their counsel to ensure that the gap analysis is afforded the maximum protection from disclosure (for example, through the attorney-client or attorney work product privilege).

Any change in airports as fundamental as the proposed launch of SMS will take time to integrate into each airport’s existing culture. Even though the precise FAA requirements are still unknown, airports that are well prepared in advance for the arrival of SMS will find the transition both less daunting and less expensive than those that wait for the final FAA rule and deadline to begin planning.

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