ATOS Question and Answers

1. What does it mean if an inspector answers an ATOS DCT question with a "No?"

   SAI and EPI questions are answered either "yes" or "no". The significance of a "no" response depends on the specific question. A "no" answer in and by itself does not constitute regulatory non-compliance. It was never intended that a single "no" answer would equate to an unsafe condition or a regulatory violation. Depending on the nature of the question and the observation, a "no" response will fall into one of three categories:

   - **"No" answers that do not require any action on the part of the certificate holder.** In this category, a single "no" answer may represent a risk that is being managed at an acceptable level. Another example may be a "no" answer related to a safety attribute that is, in and by itself, not significant for approval or acceptance.

   - **"No" answers that require certificate holders to take corrective action.** In this category, the observation usually involves a previously approved or accepted program that no longer meets the intent of a regulation or standard. This may be due to a program that was altered, or guidance material that was revised, or the program shouldn't have been approved or accepted in the first place. ASIs must be very clear about their concerns when dealing with this type of "no" answer. ATOS tools can help the ASIs describe the system deficiency by referring to the safety attributes and explaining how the deficiency ultimately relates to the regulatory requirements. This "no" answer may indicate increased risk. The risk should be eliminated or mitigated to an acceptable level. If not, principal inspectors may limit, withdraw, or amend operating approvals and authorizations.

   - **"No" answers tied to regulatory requirements.** In this category, the issues associated with a "no" answer may require an enforcement investigation. (The question may include Specific Regulatory Requirements (SRRs) that are an indicator of regulatory implications.)

2. What is the purpose of the Job Task Items (JTIs) in the ATOS Data Collection Tools (DCTs)? JTIs are for inspector reference only. Applicable JTIs may aid the inspector in determining if a certificate holder’s written policies, procedures, instructions, and information meet the regulations, including the intent of the regulations. Inspectors are not required to “answer” JTIs.

3. How do inspectors use policy and guidance material during ATOS inspections?

   Air carriers are required to comply with applicable regulations. Air carriers are not required to "comply" with FAA policy or guidance. ASIs are required to use the applicable policy and guidance (orders, notices, and advisory circulars) during the evaluation of an air carrier's program or system to determine if the air carrier met the regulations, including the intent of the regulations. Guidance material may include language that refers to regulations or identifies safety requirements. Guidance material may also describe an acceptable means, but not necessarily the only means for demonstrating that procedures comply with applicable regulations and meet the intended level of safety.