

Air Carrier ATOS Voluntary Disclosure Reporting Program (VDRP) Review

Presented to: **Air Carrier Part 119 Personnel**

By: **Rocky Mountain Certificate
Management Office (RKMCMO)**

July, 2010



Federal Aviation
Administration



Applicability

- **Required by FAA Order 8900.1**
- **VDRP Guidance Covered in FAA Advisory Circular (AC) 00-58, Voluntary Disclosure Reporting Program**



FAA Order 8900.1

- **Volume 10, Chapter 2, Section 4:**
 - **10-172.A., Design Assessments (DAs) Conducted in Partnership With the Air Carrier.** The air carrier may partner with the FAA to complete the DA. When collaborating on the assessment, air carrier personnel are active participants and working members of the Safety Attribute Inspection (SAI) team, and determine and resolve element evaluation issues with the Principal Inspector (PI).



FAA Order 8900.1

- **Volume 10, Chapter 2, Section 4 (cont.):**
 - **10-172.A.(1).** When an air carrier collaborates with the FAA in the DA, **all** key management officials (as defined in Title 14 of the Code of Federal Regulations (14 CFR)) part 119, §119.65 of the air carrier **must receive a briefing** on ATOS policies and procedures of Advisory Circular (AC) 00-58, Voluntary Disclosure Reporting Program, current edition, before the beginning of the assessment. The air carrier's management **must** understand the requirement to use the appropriate SAI to validate the comprehensive fix of any identified air carrier element deficiency that involves an apparent violation of FAA regulations.

FAA Order 8900.1

- **Volume 10, Chapter 2, Section 4 (cont.):**
 - **10-172.A.(2).** When an air carrier actively participates as a working member of the evaluation team, apparent violations of FAA regulations discovered during the assessment and subsequent enforcement action is governed by the provisions of AC 00-58.



FAA Order 8900.1

- **Volume 10, Chapter 2, Section 4 (cont.):**
 - **10-172.A.(3).** When an air carrier elects to **not** actively participate in the assessment as a working member of the SAI team, the provisions and protections contained in AC 00-58, do not apply to apparent violations of FAA regulations discovered during the specified evaluation period.



Guidance from AC 00-58 (VDRP)

- **Paragraph 8. Legal Enforcement Action**
 - **8.b. Exceptions-Joint Audit.** Similarly, if a regulated entity voluntarily agrees to conduct a joint audit (inspection) with the FAA during which an apparent violation is discovered either by the company or FAA members of the audit (inspection) team, the FAA may accept a voluntary disclosure submitted by the company, even though the FAA has already learned of the apparent violation during the course of the joint audit (inspection).

FAA Regulatory Guidance

- **Where can I find the FAA regulatory guidance?**

<http://fsims.faa.gov>



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EPI Master List 6-16	Data	6/16/2010
M MU-300 R7b	MU-300 Series, Rev. 7 Date -- 06/16/2010	6/16/2010
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M BE-200 R14a	BE-200 Series and 1-30, Rev. 14a Date -- 06/14/2010	6/14/2010
M BH-429 R0	BH-429, Rev. 0 Date -- 06/14/2010	6/14/2010
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N 8900.123	Approval of Temperature Controlled Shipping Containers (Date--06/10/2010)	6/10/2010
M DHC-6 R13	DHC-6 Series, Rev. 13 Date -- 06/09/2010	6/9/2010
M HP-137 R5	H.P. 137 Mk. 1 and Jetstream Series 200, Rev. 5 Date -- 06/09/2010	6/9/2010
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8900.1 CHG 94	Aircraft Dispatcher Qualification Curriculum Segments and Recurrent and Requalification Curriculums	6/7/2010
-127	Night Vision Imaging Systems (NVIS)	6/7/2010
N 8900.121	Maintenance/Alteration Using Manufacturer's Blueprints and/or Parts (Date--06/07/2010)	6/7/2010
N 8900.122	Title 14 CFR Part 121 Training Program Review (Date--06/07/2010)	6/7/2010
APR2010	Maintenance Alert for 2010 April	6/3/2010
N 8900.120	Special Emphasis Inspection of Air Tour Operators (Date--06/01/2010)	6/3/2010
EPI 3.1.1 (OP)	Passenger Handling - OP 06/01/2010	6/1/2010
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AC 00-25		01/01/1965	Forming and Operating a Flying Club
AC 00-30B		09/09/1997	Atmospheric Turbulence Avoidance
AC 00-31A		09/20/1982	[Large AC] United States (U.S.) National Aviation Standard for the Very High Frequency Omnidirectional Radio Range (VOR)/Distance Measuring Equipment (DME)/Tactical Air Navigation (TACAN) Systems
AC 00-33A		02/14/1973	Nickel-Cadmium Battery Operational, Maintenance, and Overhaul Practices
AC 00-34A		07/29/1974	Aircraft Ground Handling and Servicing
AC 00-41B		10/10/1989	FAA Quality Control System Certification Program
AC 00-44II		05/01/1997	Status of Federal Aviation Regulations
AC 00-45G		02/11/2010	Aviation Weather Services
AC 00-46D		02/26/1997	Aviation Safety Reporting Program
AC 00-54		11/25/1988	Pilot Windshear Guide
AC 00-56A		06/13/2002	Voluntary Industry Distributor Accreditation Program
AC 00-57		09/10/1997	Hazardous Mountain Winds and Their Visual Indicators
AC 00-58B		04/29/2009	Voluntary Disclosure Reporting Program

AC 00-58B

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VDRP Reporting Guidelines

- **In order to be covered, five conditions must be met (AC 00-58 paragraph 7.b.):**
 - Certificate Holder must notify the FAA immediately after detecting apparent violation.
 - Apparent violation was inadvertent.
 - Does not indicate a lack, or reasonable question, of qualification.
 - Immediate action was taken upon discovery to terminate the conduct.
 - Certificate Holder has developed, or is developing, a comprehensive fix and schedule of implementation satisfactory to the FAA.
- **VDRP does NOT apply to violations by individual airmen.**

Timeline for VDRP Submission

(AC 00-58 Appendix 1)

- **Initial Notification**

- Accomplished on a timely basis, ordinarily within 24 hours of the discovery of the apparent violation
- If not made by 119 personnel, must be accompanied by letter from 119 personnel
- If notification was oral, update web-based system with 72 hours

- **Air Carrier Written Report**

- Provide to PI within 10 **WORKING** days of notification

- **Implementation of Comprehensive Fix**

- Time schedule for implementation/completion of comprehensive fix and self audit should be included with written report
- FAA works closely with carrier, monitoring implementation

- **FAA Signoff**



Bottom Line

- **By collaborating with the FAA when conducting Design Assessments, the Air Carrier has the opportunity to self disclose any apparent violations by submitting a VDRP.**



QUESTIONS?

Contact your Principal Inspector

