



Seattle-Tacoma International Airport

SMS Minimum Standards

Prepared For: Federal Aviation Administration
Office of Airports
Airport Safety and Operations Division

Prepared By: Landry Consultants LLC, on behalf of Seattle-Tacoma International Airport and
Operations Senior Manager, Mark Coates

Date: 11/25/2009

Revision History

Date	Version	Summary
10/15/09	v.0.1	Initial draft for SEA review
11/21/09	v.0.2	Updated draft
11/23/09	v.0.3	Revised final draft
11/25/09	v.1.0	Final

Prepared in Support of Statement of Work Section C – Safety Assurance, Task 4:

Develop a minimum standard for safe operations on the ramp and in the bagwell (if applicable).

As discussed under Task 3, the ramp and bagwell are not currently regulated under Part 139 and present increased potential for incidents and accidents. Under this task, the airport will develop a minimum standard for safe operations; identifying areas of concern or potential for increased incident and/or accidents; and, list baseline incidents and accidents for trending.

Table of Contents

1. Introduction	1
2. Airport Role	1
2.1 Developing Minimum Standards	1
2.2 Minimum Standards	2
3. The Role of Accidents/Incidents	3
4. Operator Responsibilities and Compliance	3
5. Summary of Findings	4

1. Introduction

According to Advisory Circular (AC) 150/5190-5 *Exclusive Rights and Minimum Standards for Commercial Aeronautical Activities*, airports that have accepted Federal assistance are encouraged to establish minimum standards for aeronautical services. These minimum standards establish, in writing, what is needed to conduct business services at an airport without granting an exclusive right to one company and to ensure the opportunity for fair competition. Specifically AC 150/5190-5 states that “The FAA’s policy on exclusive rights and its recommendation for the development of minimum standards stem from the airport sponsor’s general assurances to make the airport available for public use on reasonable conditions and without unjust discrimination.” With regard to safety objectives, the AC advises the following. “The FAA policy for recommending the development of minimum standards serves the objective of promoting safety in all airport activities, maintaining a higher quality of service for airport users, protecting airport users from unlicensed and unauthorized products and services, enhancing the availability of adequate services for all airport users...”

This document presents information regarding minimum standards as they relate to Safety Management System (SMS) implementation at airports. Since minimum standards are not required at airports and many airports do not have minimum standards in place at this time, the extension of minimum standards to the ramp and baggage may be an opportunity for airports to develop new, comprehensive standards for the entire operation. However, to most effectively, minimum standards should align with the SMS Policy underlying goals and objectives. It may also be advisable for some airports to delay developing minimum standards until accident/incident and hazard data can be baselined to assist with defining areas of concern.

2. Airport Role

The role of the airport with regard to minimum standards is to ensure those who operate at the facility have no unfair advantages and conduct business in a safe and responsible manner. Minimum standards should reflect the airport’s type of operations and tenants and should apply consistently and equally to all including ground services providers (GSPs), caterers, fuelers, etc. As such, minimum standards must be broad enough to be applied over a variety of services, but also must include a level of detail to allow for ensuring tenant compliance.

2.1 Developing Minimum Standards

A variety of minimum standard guides exist to aid in the development process including the Aircraft Owners and Pilots Association (AOPA) *Minimum Standards for Commercial Aeronautical Activities* and the American Association of Airport Executives and National Air Transportation Association’s *Airport Sponsor’s Guide to Preparing Minimum Standards for Airport Aeronautical Service Providers and Airport Operating Rules and Regulations*. These guides assist airports in collecting information and shaping the content of the minimum standard to reflect the airport’s specific operations and tenant community services governed by the standards. Important to the development of these standards is the public review process that ensures tenants can comply with standards without undue burden or disadvantage to other providers. Airports should allow enough time for a variety of public review and comment sessions as part of the development process. Additionally, airports need to commit to the staffing levels necessary to

develop and publish minimum standards that are thorough and relevant. Under the SMS, developing and implementing minimum standards is an important aspect of creating a comprehensive safety program. In fact, the FAA cautions airports in AC 150/5190-5 (8 c. How to Develop Minimum Standards) that “Minimum standards should be tailored to the airport to which they will apply...the FAA will not endorse “fill-in-the-blanks” minimum standards and blanket adoption of another airport’s standards because of the high probability that many airport sponsors would adopt the document without modifying it to the needs of their particular airport.” The Safety Manager assigned to develop the airport Safety Policy will need to incorporate minimum standards as part of the Policy and its associated goals and objectives.

2.2 Minimum Standards

As mentioned in the introduction, minimum standards are not mandatory, but highly recommended to establish the threshold entry criteria for those who wish provide aeronautical services at an airport. In some cases, airports may include minimum standard language in Lease or License Agreements; however, this is not recommended as the minimum standards should be a separate document or set of documents that can be reviewed and updated independent of the Lease or License Agreements. Also, while rules and regulations often provide operational guidelines that support minimum standards they are also typically separate documents. The list below presents the document and its purpose:

- 1) Minimum Standards – tenant entry criteria including financial, qualifications, and safety standards for relevant types of commercial aeronautical activities.
- 2) Lease or License to Operate Agreements – agreements to operate on the facility including fees, terms of agreement, areas and hours of operations, indemnification, insurance, permits, financial audits, compliance with laws, reference to Rules and Regulations, etc.
- 3) Rules and Regulations – operational guidelines such as speed limits, number of carts allowed on the ramp and in the bagwell, smoking policy, fire regulations, hazardous materials management, aircraft operations, enforcement policies, and appeal processes.

Typical minimum standards include financial, safety, and operational qualifications such as staff training and credentials; conformance to safety, health and sanitary codes; evidence of financial stability; and provision of stated indemnity and insurance minimums. For the purposes of this document and its discussion regarding minimum standards, only safety and associated operational issues will be addressed.

To ensure levels of operational safety are met on the airfield and in the bagwell, airports can require tenants to provide staff certifications, attend driver training sessions, comply with Rules and Regulations, and meet minimum standards. Airports can approach minimum standards in a variety of ways:

- 1) Adopt a nationally recognized safety standard such as the International Air Transport Association’s (IATA) Safety Audit for Ground Operations (ISAGO). This program is founded on an audit system conducted in a standardized and consistent manner, using internationally recognized auditing principles.

- 2) Develop a set of minimum standards developed jointly by airport and tenant representatives.
- 3) Allow for airline carriers/operators to develop, supervise, and audit minimum standards for their service providers. According to AC 120-92 *Introduction to Safety Management Systems for Air Operators*, the AC guidance indicates that: Title 49 of the United States Code, subtitle VII, chapter 447, section 44702 states, in part, that “When issuing a certificate under this chapter, the Administrator shall consider the duty of an air carrier to provide service with the highest possible degree of safety in the public interest and differences between air transportation and other air commerce...” This section of the public law makes management of safety a specific legal responsibility for air carrier management teams and, as such, is a fundamental principle of the FAA oversight doctrine. While this section applies specifically to air carriers, the FAA expects all certificated organizations to make safety a top priority and holds their managements accountable for doing so.” This statement indicates that air carriers are responsible for the service provider safety as well as their own.
- 4) Allow for multiple programs as long as tenants meet the equivalent of the established minimum standards.

Regardless of the program, the airport's role in facility oversight and safety, especially as part of an SMS, can increase safety awareness through minimum standards. But, if airports merely require the above and do not participate in the oversight of the program through tenant program reviews, the message is that safety is a matter of document compliance and not operational safety. If an airport decides to develop minimum standards as part of an SMS, a commitment to ongoing program administration and participation needs to be in place.

3. The Role of Accidents/Incidents

In developing minimum standards, airports can review trends through its collection of accident and incident information. The type and frequency of accidents and incidents can provide information on the current gaps that exist in Lease Agreements or Rules and Regulations. These gaps can be addressed through the adoption of more rigorous minimum standards especially with regard to safety.

4. Operator Responsibilities and Compliance

As a function of the minimum standard program, it is on the part of the operator to appropriately and reasonably show that they have met the airport's minimum standard. Also, if the operator submits an argument that they have met a minimum standard in a way not directly referenced in the minimum standards document, it needs to be incumbent on them (not the airport) to demonstrate a precedent that other airports have accepted it and it worked successfully. Most importantly, the airport needs to commit resources to reviewing and approving operator submissions to ensure disadvantages to the operator are not a result of the established minimum standards.

5. Summary of Findings

Establishing minimum standards, especially with regard to safety, can improve airport/air carrier/service provider awareness and establish a higher level of compliance to safety standards through either internal or external standard programs such as ISAGO. An airport's role in maintaining safety standards needs to ensure fairness is maintained as part of (AC) 150/5190-5 and also assign an adequate level of staff for program oversight and review.