

Effective Date:
January 31, 2013**SUBJ:** Initial Event Response

- 1. Purpose of This Change.** This change updates facility actions following post-fatal accidents with air traffic control (ATC). Changes are also made concerning event response group (ERG) notifications to National Air Traffic Controller Association (NATCA) about Red Events, event response team (ERT) launches, and National Transportation Safety Board (NTSB) ATC work groups at Air Traffic Organization (ATO) ATC facilities.
- 2. Audience.** This notice applies to the following ATO service units: En Route and Oceanic, Terminal, and System Operations; and all associated ATC facilities.
- 3. Where Can I Find This Change?** This change is available on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices/ and on the air traffic publications Web site at http://www.faa.gov/air_traffic/publications.
- 4. Explanation of Policy Change.**
 - a.** Ensures the last employee(s) providing ATC services prior to a fatal accident is/are relieved from operational/control positions until a covered event review (CER) and associated training, if assigned, is completed.
 - b.** Adds requirements for the ERG to notify NATCA when an ERT launches or when NTSB determines an ATC work group will be convened.
 - c.** Tasks the event investigation manager (EIM) to coordinate with facility management to afford the bargaining unit facility representative the opportunity to attend the in-out-brief and, if requested during an interview, for the EIM to coordinate with the facility to ensure a bargaining unit representative is made available.
- 5. Distribution.** This notice is distributed to the following ATO service organizations: Terminal Services, En Route and Oceanic Services, Mission Support, Technical Operations, and System Operations; the Office of ATO Safety and Technical Training; the Air Traffic Safety Oversight Service; the William J. Hughes Technical Center; and the Mike Monroney Aeronautical Center.
- 6. Disposition of Transmittal.** Retain this transmittal until superseded by a new basic order.
- 7. Page Control Chart.** See the page control chart attachment.

PAGE CONTROL CHART

JO 1030.3A CHG 2

01/31/13

REMOVE PAGES	DATED	INSERT PAGES	DATED
Table of Contents i	11/26/12	Table of Contents i.....	01/31/13
2-1 through 2-3	11/26/12	2-1 through 2-3	01/31/13
3-3.....	11/26/12	3-3	01/31/13
3-5.....	11/26/12	3-5	01/31/13
4-1 through 4-3.....	11/26/12	4-1 through 4-3	01/31/13
5-1.....	11/26/12	5-1	01/31/13



David Grizzle
 Chief Operating Officer
 Air Traffic Organization

Table of Contents

Chapter 1. General Information

Paragraph	Page
1-1. Purpose	1-1
1-2. Audience.....	1-1
1-3. Where Can I Find This Order.....	1-1
1-4. Background	1-1
1-5. Policy.....	1-1
1-6. Explanation of Policy	1-2
1-7. Scope	1-2
1-8. Distribution.....	1-3
1-9. Disposition of Transmittal.....	1-3
1-10. Definitions	1-3

Chapter 2. Facility Post-Event Notification Process

2-1. Notification Process For Accidents and Incidents.....	2-1
2-2. Notification Process for Security, Traffic Management, and Other Significant Events.....	2-4
2-3. Notification Process for Equipment/Service Interruptions.....	2-6
2-4. Notification Listings.....	2-9

Chapter 3. ATO Response

3-1. Initial Event Analysis	3-1
3-2. Process for Red Events.....	3-4
3-3. Process for Yellow Events.....	3-4
3-4. Process for Green Events.....	3-5
3-5. Response to Selected Events	3-5
3-6. Union Notification.....	3-5

Chapter 4. On-Site Event Review

4-1. Authorities	4-1
4-2. On-Site Coordinator until the Arrival of the EIM.....	4-1
4-3. Initial EIM Activities.....	4-1
4-4. NTSB Coordination.....	4-2
4-5. Legal Coordination for NTSB Investigations.....	4-2
4-6. Upward Reporting	4-3
4-7. Air Traffic Review	4-3
4-8. Military/Homeland Security/Law Enforcement Coordination	4-4
4-9. Data Gathering Protocol.....	4-4
4-10. Event Data Management	4-4
4-11. Event Data	4-5

Chapter 5. Event Response Conclusion

5-1. Notification.....	5-1
5-2. Exit Briefings	5-1
5-3. Team Status	5-1
5-4. Requests.....	5-1
5-5. Disposition of Records for Incidents and Accidents	5-1
5-6. Investigation Report	5-2
5-7. Certification and Refresher Training.....	5-2

Chapter 2. Facility Post-Event Notification Process

The following paragraphs track items included on Figures 2-1, 2-2, 2-3, and primarily encompass the response-triggering activities and the ATO responses that are expected to result. Every organization involved in the notification process must be constantly aware of the objective to keep the timely and factual information flowing upward (see FIG 2-4).

2-1. NOTIFICATION PROCESS FOR ACCIDENTS AND INCIDENTS

a. Initial Notification for Accidents and Incidents. See Figure 2-1.

(1) For fatal accidents when ATC services were provided, managers must relieve the last employee(s) providing ATC services from operational/control position(s) as soon as operationally feasible and must remain relieved from operational/control positions until a CER and associated training, if assigned, is completed.

(2) Immediately after a significant or noteworthy accident or incident that might generate regional or national media or congressional interest, managers who become aware of a significant event must notify their ROC as soon as feasible.

NOTE-

Unless information to the contrary is immediately available, accidents and other noteworthy incidents may be considered potentially security related (for example, incidents that may potentially involve acts of terrorism or other hostile actions) and must be immediately reported to the Air Traffic Security Coordinators (ATSC) managing the Domestic Events Network (DEN). Effective responses to potential threats and other security related events are frequently extremely time critical; therefore, notifications via the DEN should not be delayed.

(3) The ROC personnel must notify the on-duty specialist from the Service Center QCG. The QCG on-call representative will conduct a quick initial review to validate the initial findings and then based on its significance, the QCG (through the ROC/WOC) must provide an abbreviated briefing to the on-call ERG Investigator as soon as practical, preferably in less than 1 hour after becoming aware of the event.

(4) If the ERG determines the event to be of significance, the QCG will ensure that the ROC notifies the OSG (when appropriate), the involved Service Unit Headquarters Office (AJT-2, AJE-3, AJR-1, and AJW-1) and the OCC of a Services Rendered Telephone Conference (SRT). The QCG will notify the appropriate Director(s) of Operations of the event, following established procedures.

(5) The OCC must be notified in a timely manner to ensure that a TOAAR is available for the SRT, if needed. The OCC or TOAAR may request the NTOAAR be notified or to be included in the SRT. Additionally, the TOAAR or NTOAAR may request additional information prior to the SRT from the QCG or facility. Additional SRT participants may be added at the request of the ERG or Director of Operations to include, but not limited to: AJT, AJE, AJW, and AJR, as deemed appropriate.

b. Services Rendered Telephone Conference (SRT). Following a significant or noteworthy event, (as determined by the on-call ERG Investigator) the Service Center QCG must convene a SRT. The affected Director(s) of Operations or designee(s) must participate in the SRT. ROC-initiated telephone conferences are preferred to control participation in this meeting/discussion.

(1) This telephone conference must occur within 3 hours of the time that the facility becomes aware that the event occurred.

(2) The QCG will ensure the SRT commences through the ROC.

(3) Once the ROC has been notified that a SRT is required, they will notify the WOC, and the WOC convenes the conference with the on-call ERG Investigator, the operational Service Unit headquarters office (when required), the appropriate Director of Operations, the appropriate OCC, and the Office of Accident Investigation and Prevention (AVP), when required.

(4) Before the SRT, facility management must review any and all available ATC communications and display/radar playback (from all involved facilities) to determine the quality of service provided, however, this review should not delay the timely notifications of significant or noteworthy events. Paragraph 4-11 contains specifics on data to be reviewed. Facility management must make the audio communications available for playback during the SRT.

NOTE-

Depending on the significance of the event, such as a major air carrier accident, the SRT should be established as soon as possible and not be delayed for an internal review; in order to provide a venue for direct communications with ATO senior leadership, the involved facilities, the QCG, the Director(s) of Operation and Event Response Group.

(5) During the review of services, the facility and QCG must determine and report whether any non-compliance with FAA orders and directives occurred, regardless of whether this non-compliance was related to the event.

(6) To ensure accuracy and timing of the reportable facts, the ERG representative on the SRT must review the audio communications for all red and yellow events.

(7) During the SRT, the ERG and AVP (for accidents) will participate in the telephone conference and conduct a review of the information that is known at that time. The ERG will determine a color designation and the ERG Director will initiate a discussion with the appropriate Director(s) of Operations to determine the level of response as outlined in paragraph 2-1c and chapter 3. Additionally, the Director of Operations will decide if the service center Operations Support Group (OSG) should be notified for accidents/incidents that impact present/future operations.

c. Conduct of Covered Event Review (CER) or System Service Review (SSR).

(1) Within 3 administrative days following a fatal accident when ATC services were provided, conduct a CER in accordance with FAA Order JO 7210.634, Section 3-4. The employee(s) last providing ATC services must remain relieved from operational/control positions until a CER and associated training, if assigned, is completed.

(2) When an event is designated Yellow or Red, and is not associated with a fatal accident, facilities must conduct a SSR in accordance with FAAO JO 7210.634, Section 3-2, System Service Review.

d. Post-Accident/Incident Drug and Alcohol Testing Determination. Following an event, the affected Director(s) of Operations are responsible for determining whether to conduct drug and/or alcohol testing for events covered by DOT Order 3910.1, Drug and Alcohol Free Workplace. When the QCG convenes a SRT and Post-Accident/Incident Drug and Alcohol Testing Determination is required, the Director's decision regarding testing will be made at the end of the SRT after discussion between only Air Traffic Management of the facility involved, the District Manager, and the Director. Immediately following the conclusion of the Post-Accident/Incident Drug and Alcohol Testing Determination segment of the SRT, the QCG must communicate the decision whether to perform drug and alcohol testing to the on-call ERG investigator.

NOTE-

ATO Safety on-call ERG Investigator is available for consultation during this determination process.

FIG 2-1
Event Notification: Accident/Incident

NOTE-
This post-event notification process does not replace or supersede the established procedures that require facilities to IMMEDIATELY report to the DEN for any security-related event.

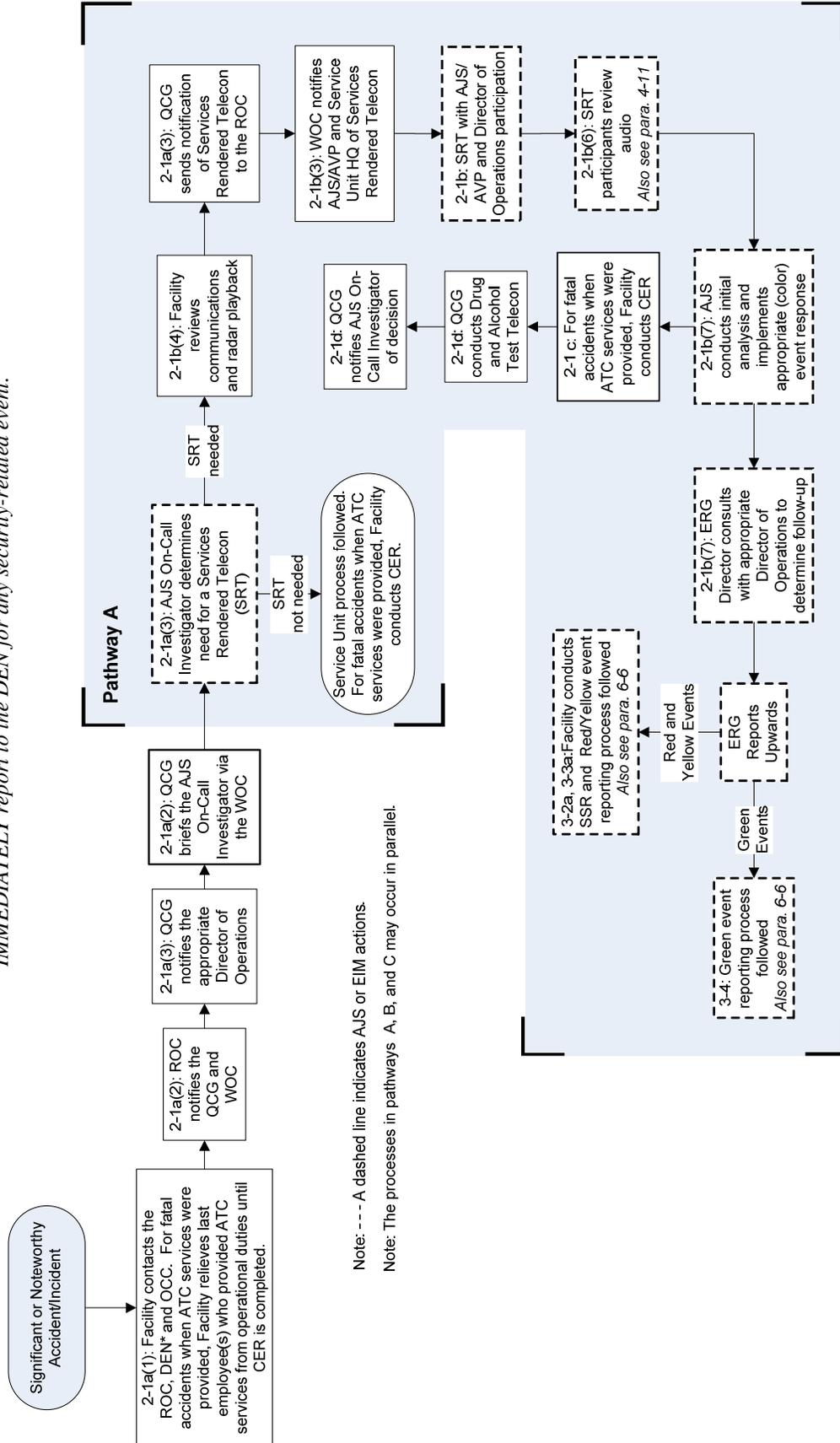
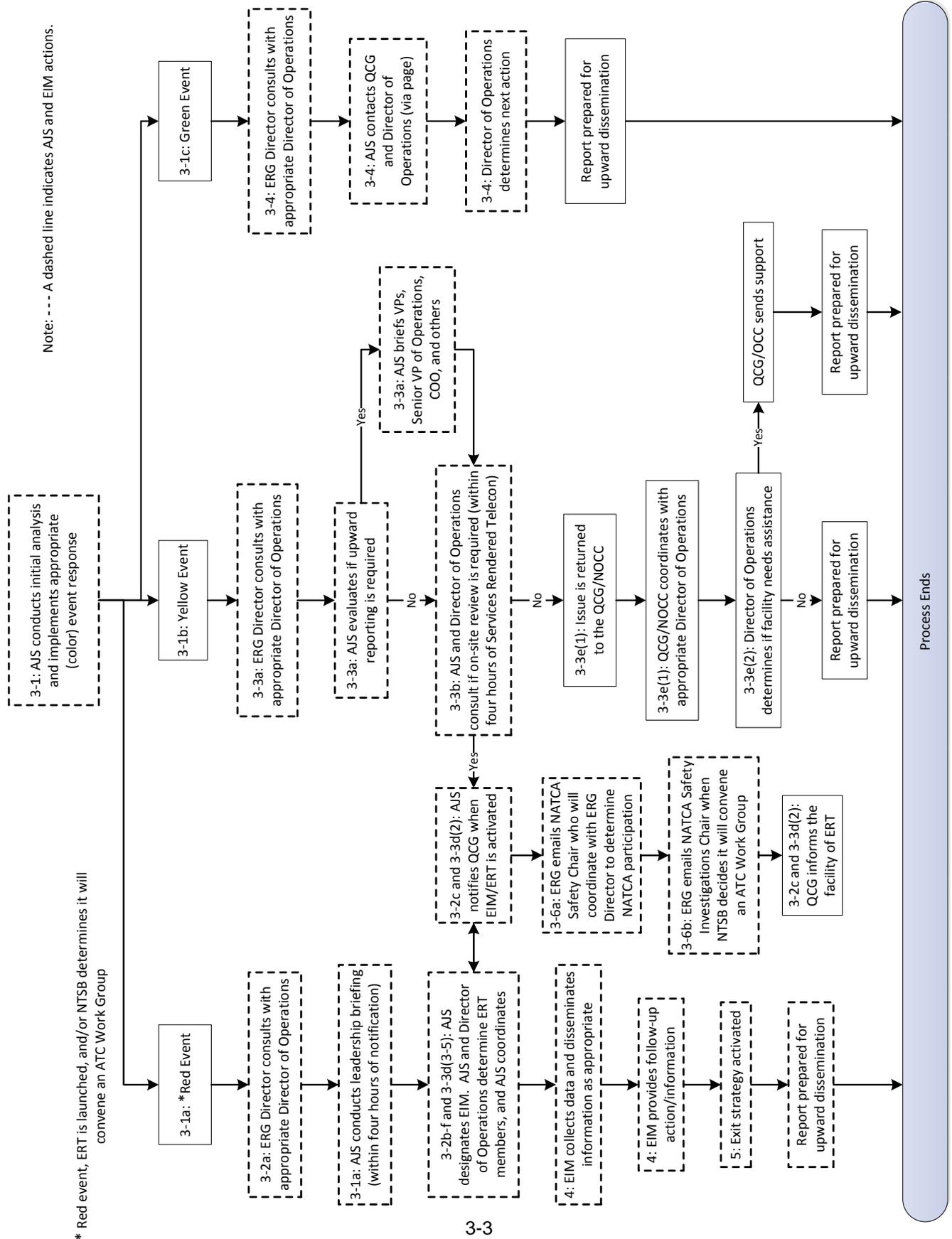


FIG 3-1
Three-tiered Response



(2) ATO Safety on-call ERG Investigator must inform the QCG immediately when headquarters has decided to launch the ERT. The QCG must inform the facility's management point of contact, the NTOAAR, the OCC, and the OSG.

(3) Once the EIM has been identified, coordination must take place between the EIM, ATO Safety Event Response Group Director, and the appropriate Director of Operations to determine the size and composition of the ERT. Team members are designated by their organizations to assist ATO Safety. Service Units must notify the EIM of the offices that are sending representatives to participate in the ERT.

(4) ATO Safety Event Response Group Director must communicate the decision to implement a yellow event and/or launch the ERT to the COO, and the appropriate service unit Vice President(s).

(5) ATO Safety Event Response Group Director must notify the Assistant Chief Counsel for Litigation within 4 hours of any yellow event with an accident where air traffic services were provided. ATO Safety Event Response Group Director must communicate whether an ERT is being launched, whether the NTSB is participating, and who has been designated as the EIM (if applicable).

(6) The event review process described in chapter 4 must be followed.

e. If the determination is made not to launch the ERT:

(1) ATO Safety on-call ERG Investigator defers back to the QCG or OCC/NOCC, who will coordinate with the appropriate Director of Operations. The Director of Operations is responsible for taking appropriate follow-up action, including the completion of an Investigative Report (see appendix H) as well as the upward reporting to ATO Safety, and all affected service unit Vice Presidents.

(2) The Director of Operations will determine if the facility needs assistance and must send support if warranted.

3-4. PROCESS FOR GREEN EVENTS

Green events follow a determination that an event does not warrant a red or yellow classification. When ATO Safety jointly with the affected Director(s) of Operation, determines that a green event has occurred, the on-call ERG Investigator will notify the QCG for follow-on coordination with the appropriate Director of Operations. The Director of Operations is responsible for taking appropriate follow-up action, including upward reporting to ATO Safety Event Response Group Director, and all affected service unit(s) Vice President(s). If appropriate, the QCG will prepare a voice and radar reconstruction of the event and ensure that all files associated with the event are stored on ATO Safety Knowledge Sharing Network (KSN) site.

3-5. RESPONSE TO SELECTED EVENTS

The Vice Presidents of the operational service units may request that an ERT be implemented through the Chief Operating Officer. Directors of Operations may initiate such requests through their service unit Vice Presidents.

3-6. UNION NOTIFICATION

a. The ERG will notify via email the NATCA Safety Chair when an event is determined to be Red and/or an ERT is to be launched. The notification will include:

- (1) The planned locations(s).
- (2) Dates.
- (3) Scope of the investigation.

b. Following notification of a designated RED event, the ERG Manager and the NATCA Safety Chair will evaluate whether NATCA participation beyond the local activities described above is desirable and appropriate. This determination is independent of whether the NTSB conducts an investigation into the same event and NATCA is granted Party Status.

c. The ERG will notify via email the NATCA Aviation Safety Investigations Chair when National Transportation Safety Board will convene an Air Traffic Control Work Group.

Chapter 4. On-Site Event Review

4-1. AUTHORITIES

- a. For safety events, this order grants authority to the Event Response Group, and the EIM. The authority of each member of the ERT comes from FAA Orders JO 7210.3, 8020.11, and 8020.16.
- b. For non safety-related events, the Chief Operating Officer or designee grants authority to the Event Response Group, the EIM and the ERT.
- c. The EIM manages **all** ATO resources responding to the event review, determines the facts of the event, and disseminates and briefs factual information to ATO Safety Event Response Group Director, and senior ATO leadership, as appropriate. A member of the ERT may be excused or replaced by the EIM at any time. Team members are required to remain assigned to the ERT until released by the EIM.
- d. While this order does not apply to security related events, the Chief Operating Officer (AJO) may request that AJS use the EIM process to conduct a post-event review/investigation of security related events that impacted the safety or efficiency of the NAS. The Director, System Operations Security (AJR-2) may request the EIM process through the Vice-President for System Operations (AJR-0) when warranted.

NOTE-

Discussion with any involved personnel about the event should be limited unless coordinated with the EIM to avoid influencing the employee on his/her recollection of the event.

4-2. ON-SITE COORDINATOR UNTIL THE ARRIVAL OF THE EIM

The air traffic manager of the facility is responsible for designating the air traffic on-site coordinator until the arrival of the EIM. If the Operations Support Group (OSG) has been designated as leading a situation response that is geographically or organizationally related to an event, the EIM should consult with the OSG to determine the earliest time an event review may begin.

4-3. INITIAL EIM ACTIVITIES

Immediately upon arriving at the facility where the event occurred (or the FAA facility where the event review will take place), the EIM must:

- a. Make contact with ATO Safety ERG Investigator to get any additional information about the event. At this point, responsibility for review of the event transfers from the on-call ERG Investigator to the EIM.
- b. As the ATO's on-site representative, assume the lead ATO role for all activities including those regarding the NTSB or AOV investigation and ATO event-response review.
- c. Convene the ERT for an introductory meeting. The EIM must define the ATO's responsibilities, procedures, and objectives for the event review, as well as explain what is expected of each team member.
- d. Conduct an in-brief with the air traffic manager and System Support Center (SSC) or General National Airspace System (GNAS) manager and the District Manager on expectations, requirements, and responsibilities.
- e. Afford the BUE(s) Principle Facility Representative the opportunity to attend the in-brief and out-brief regarding an on-site investigation conducted by the EIM/ERT.
- f. If a bargaining unit employee is to be interviewed by the EIM/ERT, the Principal Facility Representative, or designee will be present if the employee so requests. The EIM will coordinate with the facility to ensure a bargaining unit representative is made available.
- g. Ensure that the operational integrity of air traffic facilities is not compromised. Except under very unusual circumstances, the event review will not begin until the conclusion of the event so as not to adversely influence the event outcome.
- h. Determine if navigational facilities and/or ATC equipment is involved or suspected of being involved and determine if all required notification has been accomplished, including the appropriate Notices to Airmen (NOTAM).

- i.** As the ATO representative, establish liaison with the IIC and act as the FAA IIC's principal contact for ATO information and documents. Provide an initial briefing of pertinent facts to the FAA IIC at the earliest opportunity.
- j.** Establish and maintain contact with the Director, Event Response Group and the Director(s) of Operations for the service unit(s) involved in the event.
- k.** Provide periodic updates to the senior ATO leadership through the Director, Event Response Group.
- l.** Establish Daily Briefing times, and conduct verbal and written briefings to the senior ATO leadership through the Director, Event Response Group.
- m.** Begin the On-site Event Review Checklist (see appendix A).

4-4. NTSB COORDINATION

The EIM must personally direct all ATO facility activities with respect to an on-site NTSB Air Traffic Control Work Group or delegate the following activities:

- a.** Act as the primary ATO liaison with the FAA IIC or FAA NTSB Air Traffic Control Work Group member.

NOTE-

The EIM may not serve as a Group member to a formal NTSB investigation and the other ERT members are there to actively support the NTSB investigation through the EIM.

- b.** Facilitate and assist facility personnel in the compilation of audio recordings, radar data, and other related documentation requested by the NTSB.
- c.** Ensure that data and information are complete and review before they are provided to the NTSB.
- d.** With the concurrence of the FAA IIC/FAA NTSB Air Traffic Control Work Group member, act as the sole ATO representative responsible for providing data directly to the NTSB. Copies of data/information should be provided to the FAA IIC, if requested.
- e.** When advised by the FAA IIC/FAA NTSB Air Traffic Control Work Group member that the NTSB requires a briefing on the air traffic aspects surrounding the event, arrange for the air traffic manager to provide the requested briefing as soon as possible. Any direct requests from the NTSB to the facility must be coordinated with the FAA IIC/FAA NTSB Air Traffic Control Work Group member before granting the NTSB access.
- f.** Any request for Technical Operations documents or records must be made through the NTOAAR. The NTOAAR will obtain the requested information and release it directly to the EIM. (See FAA order 8020.16A paragraph 160 for additional guidance).

NOTE-

For the specific procedures for release of information, see chapter 6.

4-5. LEGAL COORDINATION FOR NTSB INVESTIGATIONS

While on-site, the EIM must establish and maintain contact with the Assistant Chief Counsel for Litigation (or designated representative).

- a.** For events related to accidents, incidents, and other situations where tort litigation may arise, the Assistant Chief Counsel for Litigation is the primary office responsible for providing legal counsel to the Administrator and all FAA employees. For accidents, the Litigation Division attorney assigned to the accident will provide legal advice and counsel to those facilities and employees whose performance is being reviewed by the NTSB, as needed. The EIM must notify the Assistant Chief Counsel for Litigation as soon as possible so that appropriate personnel can be assigned to support the facility.
- b.** When notified of an event, the Assistant Chief Counsel for Litigation will determine who from the Chief Counsel's Office will respond and provide timely legal support to employees and the EIM/ERT. The EIM must provide the Assistant Chief Counsel for Litigation attorney with a brief overview of the initial report and coordinate with the attorney to be at the facility when the NTSB arrives at the facility. The EIM should be

prepared to give the attorney information regarding local accommodations, the address of ATO facilities, local facility contact information, and any other pertinent information.

c. The EIM must coordinate and schedule the following activities with the Assistant Chief Counsel for Litigation (or designated representative):

(1) A review of pertinent information (for example, transcripts, radar replay, airspace, procedures in question, a tour of the physical space, a review of personnel statements, the NTSB's requested order of witnesses, the proposed schedule for briefing witnesses).

(2) A facility manager consultation.

(3) The provision of pertinent documents to the attorney after the field phase is completed.

(4) Review of the in-briefings and out-briefings provided to the NTSB Air Traffic Control Work Group (if requested).

(5) Any other pertinent activities.

d. The EIM must brief the attorney as needed to keep the attorney informed of any new information concerning the services provided by the ATO or any other issue related to the NAS. If multiple facilities are involved, the EIM must coordinate with the attorney to ensure that all facilities and employees are provided legal services.

e. The EIM must contact air traffic personnel involved in the event, arrange for the protection of their well-being as required, and provide them with a briefing on investigation procedures and their right to counsel and union representation (if appropriate) during any interview. If a bargaining unit employee is to be interviewed by the EIM/ERT, the Principal Facility Representative, or designee, will be present if the employee so requests. The EIM will coordinate with the facility to ensure a bargaining unit representative is made available. Additionally, the EIM must inform personnel of their rights as they pertain to drug or toxicology tests.

NOTE-

The EIM needs to ensure that activities related to any personnel involved in the event follow the provisions in appropriate collective bargaining agreements.

f. The EIM Team Lead must arrange with the Assistant Chief Counsel for Litigation to conduct pre- and post-interview debriefings of all FAA ATO employees with whom the NTSB requests an interview.

4-6. UPWARD REPORTING

a. The EIM must disseminate and brief factual information through ATO Safety Event Response Group (both the Director and EIM Team Lead).

b. The EIM is required to brief ATO Safety Event Response Group, the Vice President of ATO Safety, the involved service unit(s) Vice President(s), and the Chief Operating Officer each day regarding the progress of the investigation and ATO event review. Daily briefing times will be scheduled in advance, and notifications will be made to appropriate service unit(s) Vice President(s) and Director of Operations for their participation.

c. Briefings must be conducted throughout the entire investigation and specifically as key details become available, at a minimum on a daily basis, and after conclusion of the on-site investigation.

4-7. AIR TRAFFIC REVIEW

During the on-site investigation, the EIM must conduct a review of all air traffic aspects of the event to confirm the adequacy of equipment, procedures, and personnel; prior to, during and post event. The EIM must promptly advise the FAA's IIC (if appropriate), ATO Safety Event Response Group, the Vice President of ATO Safety, the involved service unit(s) Vice President(s), the appropriate Director(s) of Operations, and the Chief Operating Officer of any deficiencies noted and the recommended corrective actions.

NOTE-

Recommendation development is traditionally the responsibility of the Service Unit Director(s) of Operation, but the ERT will often develop recommendations for inclusion in their reports.

Chapter 5. Event Response Conclusion

5-1. NOTIFICATION

The EIM must inform the affected facility manager(s), the affected Director(s) of Operations, and ATO Safety Event Response Group when the NTSB and the FAA IIC/FAA NTSB Air Traffic Control Work Group member(s) and/or the ERT have departed the facility and/or when the field phase of any event review is complete.

5-2. EXIT BRIEFINGS

The EIM must:

- a. Arrange for an exit briefing by the NTSB Air Traffic Control Work Group Chairman.
- b. Conduct a separate exit briefing with the ERT, facility management, Event Response Group, Director of Operations and senior ATO leadership
- c. Afford the bargaining unit facility representative the opportunity to attend any exit briefing.

NOTE-

Every opportunity should be made to allow the respective QCG, Director(s) of Operations, Service Unit Vice President, ATO Safety Event Response Group, Chief Operating Officer and other ATO leadership to participate via a Telcon.

5-3. TEAM STATUS

- a. Once the EIM recommends that the ERT's on-site review of the event be concluded, the Vice President of ATO Safety will decide on the official status of the ERT members. If desired, the official status of the ERT may continue as long as necessary to complete the data collection, analysis, and report formulation.
- b. Once official support to the ERT is suspended, individuals with access to the data that were collected during any portion of the event review must continue to adhere to the policies outlined in this order and in all other applicable policies.

5-4. REQUESTS

NTSB and FAA IIC/FAA NTSB Air Traffic Control Work Group member requests directed to the ATO that are generated after the completion of the field phase will be handled in accordance with FAA Order 8020.11 or FAA Order 8020.16.

5-5. DISPOSITION OF RECORDS FOR INCIDENTS AND ACCIDENTS

- a. For all incidents and accidents, the EIM and the ERT must retain and protect all pertinent data for analysis. At the conclusion of an NTSB investigation or ATO review, the facility must retain all original records in accordance with FAA Order 1350.15, or 8020.16, whichever is longer or appropriate; a copy of each record must be given to ATO Safety.
- b. For incidents and accidents involving one or more fatal injuries, ATO Safety must maintain associated raw data (in electronic form, if available) in accordance with FAA Order 8020.11 and FAA Order 8020.16.
- c. Accident and incident data related to litigation must be retained in accordance with the direction of the Assistant Chief Counsel for Litigation. Retention periods are described in FAA Orders 1350.15, Records Organization, Transfer, and Destruction Standards and FAA Order 8020.16, Air Traffic Organization Accident and Incident Notification, Investigation, and Reporting.