



Federal Aviation Administration

4/2/07

Memorandum

Date: APR 2 2007

To: Bruce Johnson, Vice President, ATO Terminal Services, AJT-0

From: Anthony S. Ferrante, Director, Air Traffic Safety Oversight Services, AOV-1

Prepared by: Jennifer Post, Acting Manager, Air Traffic Operations Oversight Division, AOV-100

Subject: Warning Notice, Noncompliance with FAA Order 7110.65

An Air Traffic Safety Oversight Service (AOV) investigation has determined that the Air Traffic Organization (ATO) is not in compliance with FAA Order 7110.65, Paragraph 3-10-4, at Memphis Air Traffic Control Tower (MEM). MEM was also unable to provide required documentation to demonstrate that the current practice of conducting simultaneous independent approaches to runways 18L, 18C, and 27 was properly authorized.

FAA Order 7110.65, Paragraph 3-10-4, contains no provisions for over flight of aircraft in "taxi mode" as referenced by the ATO Terminal Services Unit (ATO-T). The provisions of FAA Order 7110.65, Paragraph 7-4-4, referenced by the ATO-T are not applicable as this paragraph clearly states that "Although simultaneous approaches may be conducted to intersecting runways, staggered approaches may be necessary to meet the airport separation requirements specified in paragraph 3-10-4, Intersecting Runway Separation".

An internal investigation conducted by the ATO's Safety Services (ATO-S) clearly indicates that there are no provisions that permit the use of visual separation procedures to allow arrival traffic to over fly other landing aircraft, traffic completing landing rollout, or taxiing aircraft on an active runway at any time. Additionally, ATO-S has advised the ATO-T that the current operation at MEM is inconsistent with the safety standards in FAA Order 7110.65. ATO-S has also counseled that complying with current safety standards by conducting a dependent operation can provide identical efficiency with significant less risk.

Absent an authorized waiver approved by the Air Traffic Safety Oversight Service, MEM may not continue to conduct simultaneous independent operations to runways 18L, 18C, and 27. This ongoing lack of compliance with FAA regulations, despite the advice from ATO's Safety Services, is unacceptable and requires your immediate attention to ensure compliance with the safety standards in FAA Order 7110.65.

Unless the Air Traffic Organization takes immediate steps to correct this non-compliance, a Safety Directive will be issued mandating that MEM comply with the requirements of FAA Order 7110.65, Paragraph 3-10-4, and institute a procedure to conduct dependent operations when conducting simultaneous operation on runways 18L, 18C, and 27.

This notice requires that ATO provide a written response within ten (10) working days of receipt of the notice with the steps ATO plans to take to correct the noncompliance described, or provide AOV with any information you would like us to consider in determining whether a Safety Directive should be issued.

cc: Robert Sturgell, Acting Chief Operations Officer
Tony Mello, Acting Vice President, Air Traffic Safety Services