ATA Airlines, Inc.
7337 West Washington Street Indianapolis, IN 46231-1300
Mail to: P.O. Box 51609 Indianapolis, IN 46251-0609
Tel: (317) 282-5050 Fax: (317) 282-5970
E-mail: dave.lindskoog@iflyata.com

David J. Lindskoog
Vice President
Flight Operations

September 2, 2003

Dockets Management System
U.S. Department of Transportation
400 Seventh St., SW
Room PL 401
Washington, DC 20590

Subject: Comments to Docket Number FAA-2003-15085

Dear Sir or Madam:

ATA Airlines appreciates the opportunity to comment on the above-referenced proposed rule intended to clarify the Hazardous Materials Training Requirements. Based on our review of the regulatory proposal we present the following comments.

14 CFR 121.804 (c), Page 24816

The proposed rule requires the certificate holder to maintain signed records of each training course for the last three years. This is not in keeping with current practices allowing paper records to be discarded after 90 days if they are entered into an automated record keeping system. Capturing and retaining signatures would require acquisition of document imaging software, electronic signature software or additional paper document storage and unnecessary costs to the carrier. All other training is recorded in an electronic database with the necessary information included. We see no advantage to the signature requirement and recommend HAZMAT training documentation remain unchanged.

Appendix N – Table 1, Page 24824

This table defines training requirements based on Job Function defined by Categories of Personnel. However, the categories of personnel are confusing and will require interpretation if not better defined. Additionally, there is no differentiation between levels of knowledge required based on actual involvement in the dangerous materials transport process.

For example, ATA Airlines is establishing a COMAT only will-carry program under the current regulation. As part of that program, we utilize a courier system whenever we carry Hazardous COMAT. Our flight crewmembers never handle the material. The courier is trained in and oversees documentation, loading and unloading, as well as accompanying the material at all times. Therefore, we do not train our flight crewmembers in the details of filling out HAZMAT documentation, packaging specifics, etc. We do provide them with familiarity training on their responsibilities when dangerous materials are on board and what to do in the event of an emergency.

When we spoke with the Dangerous Goods specialist for the Great Lakes region, he determined ATA pilots would fall under Category 5, which requires extensive training in all aspects of Hazardous Materials handling, since they are ultimately responsible

for the safe conduct of the flight. That interpretation could also be made when considering the somewhat vague statement on page 24817 stating the categories are "function-based" and "...a flight crewmember may need to have training in acceptance of cargo if he or she performed any task relevant to that function." However, our local FSDO determined ATA pilots and flight crewmembers, based on the courier system we have established, would fall under Category 6, which they interpreted to include anyone not directly involved in the handling, packing or loading of the material. Based on the reduced number of mandatory modules associated with Category 6 only a working knowledge of the HAZMAT transportation process would be necessary and result in significantly less training.

In the NPRM, there is no written differentiation in the depth of training required based on the responsibility of the individual's position and their ability "to safely accomplish their specific duties" as is defined in the current "FAA National Operations and Training Manual for the Acceptance and Transport of Dangerous Goods in Air Transportation." Therefore, if, under the proposed rules, flight crewmembers (including pilots, flight engineers, flight attendants and dispatchers) are considered Category 5 and are required to have the same training as a person who accepts cargo or who ships the cargo, there is a significant cost involved in developing and implementing the new training compared to the current program.

Method of Training

The NPRM states "...any approved training program would have to provide an interactive session with an instructor who could address any questions or problem areas" and would have to be tested by a written or performance-based test." ATA Airlines, like many carriers is moving toward more computer based training (CBT), especially for recurrent training, as a cost saving method. HAZMAT training is one of the areas that lends itself well to CBT training. CBT training also allows electronic testing with immediate remediation of errors. To require classroom training for HAZMAT is unrealistic and overly restrictive when compared to other training subjects.

ATA Airlines fully supports the efforts of the FAA to promote safety and protect the flying public. However, we feel the proposed regulation is too specific in it's treatment of training and testing methods and does not adequately take into consideration the different levels of personnel responsibility in and the various types of HAZMAT operations.

Sincerely,

David J. Lindskoog
Vice President of Flight Operations

DJL/pw

Cc: David Bell, ATA B-757 AQP SME
Michell Fraley, ATA Manager of Administration