Memorandum

Date: JUN 01 2015

To: George E. Blair, Acting Executive Officer, AFS-10

From: James E. Gardner, Manager, Flight Standards Division, AGL-200

Prepared by: Tim Derner, Safety Analysis and Evaluation Branch, AGL-290F

Subject: Whistleblower Complaint, EWB15-542, American Airlines

This memorandum and attached Report of Investigation is in response to Whistleblower Protection Program (WBPP) Complaint EWB15-542 to determine if there was a safety violation or other act of noncompliance with Federal Aviation Administration (FAA) regulations in accordance with the WBPP, 49 U.S.C. §42121.

Three (3) of the four (4) allegations were found substantiated. However, due to the nature of the findings discovered during this investigation, no legal enforcement action is warranted that would support legal proceedings.

Attachment
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WHISTLEBLOWER PROTECTION PROGRAM

CASE #EWB15-542
REPORT OF INVESTIGATION

FOR OFFICIAL USE ONLY
Public availability to be determined under 5 USC 552
Investigation Team: Tim Dernier (IIC) (Air Carrier Maintenance)
Larry G. York (Air Carrier Maintenance)

Person(s) Interviewed: John Talty (Complainant)
\[\text{(A&P Mechanic, American Airlines)}\]
\[\text{(A&P Mechanic, American Airlines)}\]
\[\text{American Airlines}\]

Other Investigation Activities: The investigation team reviewed sections of the American Airlines (AA) General Procedures Manual (GPM), Aircraft Damage Log (ADL), Engineering Procedures Manual, and the MD80 Aircraft Maintenance Manual (AMM). The following Aviation Safety Action Program (ASAP) reports were reviewed: 1405, 779, 289, and 1612. Several aircraft maintenance records packages were reviewed to include the following: Aircraft 7AR “C” check performed at HAECO, “B” checks for six different aircraft, Paint Job Work package for aircraft 7AL, aircraft 7CA Field Repairs, aircraft 7CB Bill of Work, Field Engineering Authorization (FEA) for three aircraft, and Flight Log Pages for aircraft 520 dated 12/31/2014 to 2/03/2015.

FINDINGS & FOLLOW-UP ACTIONS

ALLEGATION 1: Failure to follow appropriate maintenance procedures. Example:
- Maintenance sign-off without completing full procedure
- Out-sourced maintenance provider conducting improper/incomplete C-checks

Investigation: The complainant alleged that Supervisor James Martin replaced a leading edge slat deflection seal door spring on aircraft 7BU without doing the operational test of the seal door as required by the AA AMM. The investigation team asked the complainant if he had constant oversight of the aircraft in question to ensure that the operational test had not been accomplished; he stated he did not. During maintenance records review of aircraft 7BU, objective evidence was found to indicate the spring was replaced in accordance with AMM 57-41-59 which would include an operational check of the seal door.

In an interview with AA mechanic \[\text{[Redacted]}\] he expressed concerns that AA was using the FEA procedure to “Move aircraft” and explained the AA GPM stated that a FEA was not to be used for this purpose. FEA procedures are actually published in the AA Engineering Procedures Manual and states, “It does not release aircraft to service” which means a maintenance action has to be performed and a return to service accomplished in accordance with the procedures of the AA GPM before operation of the aircraft. He alleged aircraft 520 was flown in revenue service from Raleigh-Durham, NC (RDU) to Dallas, TX (DFW) without performing a left engine borescope inspection due to compressor blade damage found in Raleigh-Durham. Review of the maintenance records for aircraft 520 produced objective evidence that the aircraft was operated in revenue service for one flight (RDU to DFW) in accordance with the maintenance procedures outlined in FEA 18011.
Through a review of FEA 18011 and conversation with AA [redacted], the investigation team determined FEA 18011 was prepared consistent with the accepted AA Engineering Procedures Manual. The maintenance procedures required by the FEA were correctly performed prior to the aircraft departure from RDU.

AA mechanic [redacted] expressed his concern with the ADL program. He alleged that some of the damage tracked by the ADL on aircraft 7AL was signed off and removed from the ADL when the aircraft was painted. The investigation team reviewed the ADL records and discovered 9 ADL items that were signed off as serviceable and removed from the ADL. All of the items had scratches that had been blended at the time they were discovered, and were no longer visible after the aircraft was painted with the new AA livery.

The complainant alleged that on August 23, 2012 aircraft 395AN located in DFW was sent from the gate to the maintenance hangar due to a leaking lavatory dump valve. While at the hangar AA [redacted] signed off the discrepancy as, “Lav. service, serviced all lav. no leaks noted” and sent the aircraft back to the gate. When the aircraft arrived at the gate a mechanic noticed that the valve was still leaking. The aircraft was sent back to the maintenance hangar where the dump valve was replaced, and the aircraft was approved for return to service.

The complainant alleged that on October 18, 2014, during a B check of aircraft 7AV, he discovered 5 cabin fire extinguishers were 3 months past the weight check due date. He stated this aircraft recently had a C check performed by HAECO in China, and the fire extinguishers should have been weighed at that time. Maintenance records and photographs of the fire extinguishers installed documented that four of the extinguishers were not due until 8/2015 and one due 4/2015.

On August 10, 2013 while performing a B check on aircraft 7AF, the complainant discovered 50 out-of-date oxygen generators. This aircraft recently had a C check performed by HAECO in China, and the complainant stated the oxygen generators should have been replaced at that time. The B check card states, “Replace the generator if 13.5 years have elapsed since DOM” (Date of Manufacture). The actual time limit for the generators is 15 years from the date of manufacture; therefore, the generators had not gone past the approved life limit. A 1.5 year buffer is incorporated in the B check program to ensure the generators do not exceed the 15 year limit.

Finding: A violation of a regulation, order or standard of the FAA related to air carrier safety is substantiated.

Corrective Action: On two occasions maintenance functions have been completed by AA Supervisory personnel; although not contrary to regulatory or AA GPM requirements, this is an unusual situation. The investigation team notified the AA Certificate Management Office (CMO) that this is an area of concern. The CMO
Manager has agreed to discuss this issue with AA Senior Management at the next possible opportunity.

ALLEGATION 2: Maintenance personnel pressured to not write up identified discrepancies.

Investigation: The complainant alleges that on multiple occasions, he and other mechanics have received pressure from supervisory personnel concerning the amount and type of discrepancies written up during aircraft B checks. This situation was also acknowledged by mechanics [Redacted] and [Redacted]. They stated it was their duty as a certificated mechanic to record aircraft discrepancies when they are discovered. None of the mechanics gave any examples of any aircraft being operated in an unairworthy condition or of any disciplinary actions directed at them or others for documenting aircraft discrepancies.

Finding: A violation of a regulation, order or standard of the FAA related to air carrier safety is substantiated.

Corrective Action: The investigation team notified the AA CMO that although this type of management style is not regulatory, it is an area of concern. The CMO Manager has agreed to discuss this issue with AA Senior Management at the next possible opportunity.

ALLEGATION 3: Maintenance personnel pressured to deviate from maintenance procedures.

Investigation: The complainant alleges that on multiple occasions, he and other mechanics have received pressure from supervisory personnel to “shortcut” maintenance procedures. This situation was also acknowledged by mechanics [Redacted] and [Redacted]. They stated it was their duty as a certificated mechanic to comply with published aircraft maintenance procedures. None of the mechanics gave any examples of any aircraft being operated in an unairworthy condition or of any disciplinary actions directed at them or others for complying with proper maintenance procedures.

Finding: A violation of a regulation, order or standard of the FAA related to air carrier safety is substantiated.

Corrective Action: The investigation team notified the AA CMO that although this type of management style is not regulatory, it is an area of concern. The CMO Manager has agreed to discuss this issue with AA Senior Management at the next possible opportunity.

ALLEGATION 4: Insufficient investigation of ASAP submissions.

Investigation: On four occasions during the period of 2012 to 2014, the Complainant submitted his safety concerns to the company using the ASAP program.
The complainant expressed his concern that each ASAP submission was investigated and closed without his participation in an interview by a representative of the FAA. The investigation team advised the complainant and his counsel that an interview by FAA personnel during an ASAP investigation was not a normal procedure. In fact, if the ASAP Event Review Committee (ERC) needed additional information from the reporter, this would be gathered by company personnel and not FAA personnel. The investigation team reviewed each of the referenced ASAP submissions and found all to be properly investigated by the ERC.

Finding: A violation of a regulation, order or standard of the FAA related to air carrier safety is not substantiated.

Corrective Action: None required.