

## **Transport Canada's Response to Transportation Safety Board of Canada (TSB) Aviation Safety Recommendations A02-01 and A02-02 - Low Visibility and Low Ceiling Approaches**

### **Recommendation A02-01**

The Board believes that there will continue to be inadequate defences against the risks associated with pilots descending below the decision height/minimum decent altitude in an attempt to land in visibility conditions that are unsafe because of a delay in the timely implementation of an approach ban. Therefore the Board has recommended that:

**"The Department of Transport expedite the approach ban regulations prohibiting pilots from conducting approaches in visibility conditions that are not adequate for the approach to be conducted safely."**

### **Response A02-01**

Transport Canada has prepared sixteen (16) Notices of Proposed Amendments (NPA 2000- 001, 002, 006, 007, 008, 009, 010, 011, 012, 106, 107, 108, 116, 117, 194, and 195 attached) to address the TSB Recommendation A02-01 concerning approach ban regulations. These NPAs are currently under review at the Department of Justice and it is expected that the final product will be published in the June 2002 issue of the Canada Gazette. The TSB will be sent a copy of the approved version once available.

### **Recommendation A02-02**

The Board acknowledges that the proposed approach ban addresses the visibility issue but it has noted that there have been a number of accidents where the visibility was reasonable, but the ceiling was below the limits stated in the Canada Air Pilot. The Board believes that an enforceable regulatory barrier is required to prevent pilots from conducting approaches when there is little chance of completing a safe landing. Therefore the Board has recommended that:

**"The Department of Transport take immediate action to implement regulations restricting pilots from conducting approaches where the ceiling does not provide an adequate safety margin for the approach or landing."**

### **Response A02-02**

Transport Canada concurs with the Board's assessment of the extent that the educational programs in risk management and pilot decision-making have contributed to the creation of an acceptable safety culture in aviation operations and agrees that including a ceiling limit in the approach ban merits consideration. The Department is also aware of the difficulty in creating a practical and enforceable regulation based on the known limitations of the available weather observation services and the associated implications of defining what ceiling and sky condition could be used to constitute an adequate safety margin.

Transport Canada will bring forward this recommendation to the Canadian Aviation Regulation Advisory Council (CARAC) Technical Committee Part VII for further consultation and discussion with stakeholders to evaluate the feasibility and potential benefits of adding ceiling criteria to current approach regulations.