

T H E
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January 18, 2017

By email

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Re: Abdul-Malik Ali's new complaint against the City of Cleveland and Cleveland Hopkins International Airport, related to case no. #EWB15580.

Dear federal officials responsible for the traveling public's safety:

I write on behalf of Abdul-Malik Ali to report new and ongoing safety violations at Cleveland Hopkins International Airport.

As you know, Mr. Ali was formerly the manager of airfield maintenance at Hopkins, but was demoted upon his reporting to the FAA of air-carrier safety violations. He reported the violations in case #EWB15580. The FAA reported in a March 27, 2015 letter to Mr. Ali that the agency, following an investigation, had found his safety concerns "substantiated."

Mr. Ali's swift demotion following his whistleblowing is the subject of a pending OSHA investigation. He now spends his days consigned to a broom closet at Hopkins, assigned to the humiliating task of walking around the airport and counting trash levels in dumpsters for a daily report.

We write to report the following additional violations that have come to Mr. Ali's attention.

On Friday, December 30, 2016, multiple violations occurred. These violations are documented in a January 4, 2017 email from Robert Henderson—the airport's current field-maintenance manager—to his foremen and superintendent staff:

- The airport had to temporarily close due to poor runway conditions, an incident Henderson admits was preventable.
- Radios were on the wrong channels, not working, or missing altogether.
- Airfield-maintenance staff lacked situational awareness.
- Three trucks ran off the runway into a safety area.
- Ramp- and runway-team employees failed to follow the foreman's instructions.
- Leaders failed to properly direct team members during operations.
- There was an incident involving a fuel pump being damaged due to lack of leadership focus.
- The ratio of experienced-to-inexperienced personnel during snow operations was a concern.

- Deicing chemicals were not properly applied or applied at all when needed.
- Henderson or his superintendents had to respond or even return to the airport to resolve issues the foremen could not fix.

See enclosed Email from Robert Henderson to Rashon Bings, *et al.* dated Jan. 4, 2017. Henderson's letter requests responses from all recipients by January 9, 2017. We do not yet have those responses but will provide them when we do.

On January 10, 2017, an additional safety violation occurred. That morning, airport leadership blundered by failing to apply de-icing chemicals to runways, taxiways, and ramps, even when leaders were on abundant notice by the National Weather Service of an approaching freezing-rain storm. (See enclosed Log dated Jan. 9 & 10, 2017.) This resulted in shutdown of the airport for nearly two hours as well as cancelled and delayed flights and landings. Airplanes were diverted to other airports.

As FAA officials know, the standard protocol is to apply preventive chemicals 45 minutes to an hour before a storm hits. Even if winds are high, putting solid, granular chemicals at risk of blowing away, liquid deicing chemicals would be applied regardless.

Yet airport personnel failed to do so. And as the enclosed January 10 and 13, 2017 Cleveland.com news reports reflect, Acting Port Control Director Fred Szabo misled the media and public by claiming the shutdown was somehow normal and unavoidable. Mr. Ali knows better from his experience, as do FAA officials. The Akron-Canton airport operated under similar wind-and-weather conditions on January 10, and timely applied liquid de-icing chemicals.

The airport has violated the FAA's May 2017 Settlement Agreement and Order with the City. (Copy enclosed.) These violations warrant a declaration under paragraph 14 of that Order that Cleveland has "failed to fully implement... its obligations set forth in Appendix B..." Appendix B requires the City to maintain "sufficient and *qualified* employees" (emphasis added). The City is failing to do so:

- Hopkins has at least four foremen who have never worked at an airport leading crews. And over half of the seasonal workers have never worked at an airport. The City misled Cleveland.com and the public about the qualifications of its seasonal workers. See *Cleveland Hopkins International Airport proclaims it's ready for snow season*, Cleveland.com (available at http://www.cleveland.com/metro/index.ssf/2016/11/cleveland_hopkins_international_2.html, last accessed Jan. 16, 2017) (copy enclosed).
- Robert Henderson, field-maintenance manager, has no relevant experience.
- Deputy commissioner Eric Turner oversees field maintenance. His last job at the airport was being the custodial manager. His last job before coming to the airport was working at Staples.

These appointments, deficient training by supervisors who are themselves incompetent, and the resulting keystone-cop performance violate both the Order and FAA Part 139 Subpart D requirements regarding qualified personnel.

Mr. Ali is deeply concerned about the traveling public's safety. Were he not still being treated as a pariah at the airport, he would raise these concerns directly with management and offer them a plan to fix the issues. Unfortunately, he remains *persona non grata*. He thus asks the FAA and OSHA to move swiftly to protect the public.

Mr. Ali is not alone in his concerns. Many airport employees in or close to field-maintenance responsibilities are equally distressed. But airport management and the administration have created such a climate of fear by their retaliation against Mr. Ali, and by their other behavior, that other potential whistleblowers are too fearful to come forward. The FAA and OSHA need to investigate this as well.

The airport's serial violations—and the climate of fear—warrant active, day-to-day FAA oversight of Hopkins. The FAA's agreement with Hopkins reducing by \$535,000 the civil penalty for the previous violations Mr. Ali reported was, in retrospect, unwise. Simply put, the FAA got snookered by Hopkins management's empty promises and lack of candor. The initial civil penalty should be re-imposed and all measures necessary to protect the public should be undertaken immediately, before people get hurt. In addition, the FAA should

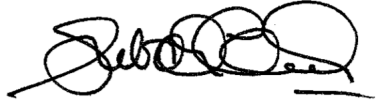
- open a new investigation into the events and circumstances described in Robert Henderson's January 4, 2017 email, and into the operational knowledge and experience of all airport-maintenance foremen hired in field-maintenance;
- review the operations-department training of each foreman the airport has scheduled to take the airfield-driving and FAA Tower communications test;
- send a monitor to determine if the field-maintenance personnel are actually qualified to be on the airfield.

By copy of this letter, we also request that Richard Abernathy of OSHA consider the above information as further corroboration of Mr. Ali's pending retaliation allegations, and that he act to ensure that no further retaliation occurs.

Also by copy of this letter, we are requesting Cleveland Director of Law Barbara Langhenry to lead within the administration an approach to safety concerns different from that previously exhibited by the administration. Please provide all the complaint-related documents Mr. Ali and his counsel have filed with the FAA and OSHA to the new Port Control director, Robert Kennedy, so that he can evaluate them in a dispassionate fashion and take a fresh approach that is untainted by Fred Szabo's vindictive attitude. Cleveland's law department needs to stop enabling illegal conduct and start acting to protect the public interest.

Too much is at stake to keep playing the same old political games of retaliation against an employee who, when faced with serious safety concerns, acts to protect the public.

Sincerely,

A handwritten signature in black ink, appearing to read 'Subodh Chandra', with a horizontal line underneath.

Subodh Chandra

Enclosures

Cc: Barbara Langhenry, Director of Law, City of Cleveland
Jonathan McGory, Esq.

From: Lewis, Quartez
Sent: Wednesday, January 04, 2017 6:07 PM
To: Henderson, Rob; Bings, Rashon; Ferguson, Dwain; Fitzgerald, Phillip; Goodman, Roosevelt; Howard, Tim; Klein, Karmen; Martemus, Darren; Neff, Adam; Rader, Joshua; Watkins, Ed; Williams, Winson
Cc: Turner, Eric
Subject: RE: Snow Operation Deficiencies
Expires: Tuesday, April 04, 2017 12:00 AM

Roger

From: Henderson, Rob
Sent: Wednesday, January 04, 2017 5:08 PM
To: Bings, Rashon; Ferguson, Dwain; Fitzgerald, Phillip; Goodman, Roosevelt; Howard, Tim; Klein, Karmen; Lewis, Quartez; Martemus, Darren; Neff, Adam; Rader, Joshua; Watkins, Ed; Williams, Winson
Cc: Turner, Eric
Subject: Snow Operation Deficiencies
Importance: High

Gentlemen,

During last week's snow event starting on Friday 2nd shift we had quite a few things to go wrong that we need to ensure doesn't happen again if we can help it. Some of the things that I recognized to be a problem are as follow:

- Radio communication (Radios were on the wrong channel, not working, or missing all together)
- Situational Awareness Off (we had 3 trucks run off the runway into the safety area)
- Employees not following instructions (members of the Ramp and Runway teams were not following instructions from foreman)
- Members of leadership still not taking ownership of their full responsibilities (not properly directing team members during operations)
- Leadership losing focus in mid task (fuel pump incident)
- The airport had to temporarily close due to poor runway conditions (could we have prevented this from happening)
- When situations happen the manager and superintendents have to respond or report to the airport to help in the mitigation of the problem
- Proper placement of experience to non-experience personnel in our snow operations is a must at all times
- Proper application of chemicals is a must at all times

Please add to this list by C.O.B. Friday anything you feel is a problem with our operations and need to be addressed. To resolve the issues identified it will take a collected effort. So I need at least two solutions to each problem listed from all of you individually by C.O.B. Monday 1/9/17.

Once all the solutions are in we will review them then take action.

Thank you in advance for your corporation on this very important matter.



Cleveland Hopkins International Airport Operations Log

Time	Occurrence	Action	Agent
Sunday, January 8, 2017			
23:34	Per PASSUR: Last inbound flight to KCLE: RPA4424 (E175) KMIA - KCLE ETA 0052 EST	DEP MIA 2154 EST	JH
Monday, January 9, 2017			
7:30	P. Jira, W. Horvatin, L. Polsley, J. Leanza, M. McNeal.	0730-1530 log open.	WH
7:31	Current Wx: 19010KT 10SM BKN060 OVC075 M08/M16 A3053.		WH
7:32	Simplex Computer shows Fire Pump Conc D Ramp Level trouble alarm.	Building was notified, will inspect.	WH
8:00	Ops conducting the CHIA weather planning call.		PJ
8:30	Car 5 conducting the primary Part 139 inspection.		JL/RM
8:56	Continuum indicates the temperature in MS2 is below normal.	Lilli (Building) notified.	LP
9:18	Issued NTM 01/301 CLE RWY 06R/24L CLSD 1701091501-1701091530	ATC (TG) notified.	LP
9:18	Issued NTM 01/300 CLE RWY 06L/24R CLSD 1701091430-1701091500.	ATC (TG) notified.	LP
9:37	ATC (VL) reports that they are now showing RWY 24R closed.	All stations notified.	LP
9:47	Continuum indicates the sanitary lift station #7 went into alarm and reset 30 seconds later.	Lili (Building) notified.	LP
9:49	Continuum indicates the sanitary lift station #7 went into alarm and reset 30 seconds later.		LP
9:50	Car 5 reports no significant change in airfield conditions.		RM/JL
9:49	Car 5 reports all vehicles are clear of RWY 24R. The RWY can be opened.	ATC (VL) notified. NTM 01/300 cancelled.	RM/JL
9:53	Issued NTM 01/302 CLE RWY 24R FICON 10 PRCT COMPACTED SN OBSERVED AT 1701091454. 1701091454-1701101454.	ATC (VL) notified. Cancelled NTM 01/295.	LP
9:56	Issued NTM 01/302 CLE RWY 24R FICON 10 PRCT COMPACTED SN OBSERVED AT 1701091454. 1701091454-1701101454	ATC (VL) notified. Cancelled NTM 01/296.	LP
9:56	Issued NTM 01/304 CLE RWY 28 FICON 20 PRCT COMPACTED SN OBSERVED AT 1701091457. 1701091457-1701101457.	ATC (VL) notified. Cancelled NTM 01/294.	LP
9:57	ATC (VL) reports that they are now showing RWY 24L closed for electrical maintenance.	All stations notified.	LP
10:00	Issued NTM 01/305 CLE TWY ALL FICON COMPACTED SN BA GOOD TO MEDIUM OBSERVED AT 1701091500. 1701091500-1701101500.	ATC (VL) notified. Cancelled NTM 01/297.	LP
10:00	Issued NTM 01/306 CLE APRON ALL FICON COMPACTED SN BA GOOD TO MEDIUM OBSERVED AT 1701091501. 1701091501-1701101501.	ATC (VL) notified. Cancelled NTM 01/298.	LP
10:22	Car 5 reports all vehicles are clear of RWY 24L. The RWY can be	ATC (VL) notified. NTM 01/301 cancelled.	RM/JL
10:23	Karl Onicila (Electrical Maint) will be departing early on 1/9/2017.	Report #1717 issued and Ed Warren notified.	BH
10:25	Car 5 conducting the outer perimeter inspection.		JL/RM
10:25	Continuum indicates the sanitary lift station #7 is in alarm.	Reuben reports they are working on it. They will call when done.	LP
10:36	Jane (AA) received a passenger report that the ladies restroom by A-5 is "not working". No further details were available.	Cheryl (Building) notified.	LP
10:38	Greg Ozant (Field Maintenance) will not be reporting for work on 1/9/2017.	Report #1718 issued and Field notified.	PLJ
10:52	Ed (Simplex) reports he will be working on the stairwell door at C-12.	He will call when done.	LP
11:00	Agent Polsley conducting a terminal patrol.		LP
11:15	Car 5 conducting the inner perimeter and wildlife inspection.		JL/RM
11:30	Continuum shows C12 Stairwell (near jetway) door ajar. (Re: 1052).	Video confirms door service.	WH
11:34	Javier Corchado (Information) will be departing early on 1/9/2017.	Report #1719 issued and M. Dynia notified.	PLJ

Time	Occurrence	Action	Agent
11:45	The Car Rental Counter (Rick) reports that someone has thrown up outside of door #4 on the baggage claim level, and is requesting a clean up.	Cust. Maint. (Diane) notified and will respond.	JAS
11:50	Car 5 conducting a secured area boundary and SIDA inspection.		JL/RM
11:52	ARFF 11 and 19 responding to gate B-10 for a medical emergency.		PJ
13:00	Car 7 conducting a runway and taxiway inspection.		LP
13:17	Informational page sent to the Winter Wx group No code. Expect GREEN overnight (Third shift) and code RED (dayshift) due to freezing rain. NWS: Tonight: Snw lkly, mnly afr 0300. Low 26. S wind 20 mph. POP 60%. New snow accum less than a half inch. Tuesday: Snw and FZRA bfr 1000, then RN / SN btwn 1000 / 1200, then RN afr 1200. High 44. S wind 29 mph, G 40 mph. POP 90%. Little or no ice accum exptcd. New snw accum less than a half inch.		PJ
13:30	Katrice Pittman (Custodial Maint) will not be reporting for work on 1/9/2017.	Report #1720 issued and Custodial Supervisor notified.	RM
13:30	United reports a sliding door malfunction in front of their ticketing counter.	Notified Building	RM
13:32	Simplex has completed work on C12. (Ref: 1052)		RM
13:48	Car 7 reports no significant changes in airfield conditions.		LP/pj
13:49	Car 7 reports updated field conditions for RWY 28. NTM Issued 01/310 CLE RWY 28 FICON 10 PRCT COMPACTED SN OBSERVED AT 1701091849. 1701091849-1701101849	Cancelled NOTAM 01/303. Notified (BC) ATCT.	LP/RM
13:51	Car 7 reports updated Conditions for RWY 24L. NTM Issued 01/311 CLE RWY 24L FICON 10 PRCT COMPACTED SN OBSERVED AT 1701091854. 1701091854-1701101854	Cancelled NOTAM 01/304. Notified (BC) ATCT.	LP/RM
13:55	Car 7 reports updated conditions for RWY 24R. NTM Issued 01/312 CLE RWY 24R FICON 10 PRCT COMPACTED SN OBSERVED AT 1701091904. 1701091904-1701101904	Cancelled NOTAM 01/302. Notified (BC) ATCT.	LP/RM
14:00	Car 7 conducting an inner perimeter inspection.		LP
13:59	Car 7 reports updated conditions for APRONS. NTM Issued 01/313 CLE APRON ALL FICON COMPACTED SN BA GOOD TO MEDIUM OBSERVED AT 1701091905. 1701091905-1701101905	Cancelled NOTAM 01/306. Notified (BC) ATCT.	LP/RM
14:07	Car 7 reports updated conditions for TWYS. NTM Issued 01/314 CLE TWY ALL FICON COMPACTED SN BA GOOD TO MEDIUM OBSERVED AT 1701091909. 1701091909-1701101909	Cancelled NOTAM 01/305. Notified (BC) ATCT.	LP/RM
14:15	George Hicks (Operations) will not be reporting for work on 1/9/2017.	Report #1721 issued and ops-2 notified.	JL
14:30	Car 7 reports that a company is removing dead light poles with a small crane. The crane will not be going higher than the light poles.		LP/rm
15:29	Efrain Martianez (Vehicle Maint) will not be reporting for work on 1/10/2017.	Report #1722 issued and Vehicle MX notified.	RM
15:30	D. Johnson, M. Rosa (P. Jira/M. Moro)	Log Open 1530-2330.	MR
15:32	Current Wx: 20009KT 10SM OVC075 M02/M12 A3039 RMK AO2 SLP305 T10171117.	METAR Observation.	MR
15:40	Car 5 performing the SIDA and secured area boundary inspection.		PJ
15:49	Mike Masch (ARFF) will be reporting late for work on 1/10/2017.	Report #1723 issued and Coleman notified.	MR
15:50	Ops contacted NWS for forecast.		DJ
15:49	TSA reports a dog pooped on the B checkpoint exit ramp.	Notified Custodial 9.	MR
16:00	Ops conducted CHIA Snow call.		DJ
16:00	Car 5 performing a wildlife inspection.		PJ
16:05	Car 5 performing the primary bravo shift runway check.		PJ
16:16	Car 5 reports no significant changes to runway surfaces. 10% compacted snow.	Notified ATCT (MD). NOTAMs 01/310-312 remain in effect.	PJ/mr
16:35	Car 5 performing a taxiway/ramp inspection.		PJ
16:40	Car 5 reports no significant changes for taxiways and aprons. Compacted snow, good to medium BA.	Notified ATCT (MD). NOTAMs 01/313 & 01/314.	PJ/mr
17:55	Car 5 inspecting the inner perimeter.		PJ

Time	Occurrence	Action	Agent
18:03	Swissport reports deice truck flipped on its side on south perimeter road. No injuries reported. ARFF, CPD and HydroChem responding.	OEG page sent. Car 5 responding.	DJ/PJ
18:05	Frank, Station-1 reports truck 18 is back on the field but enroute to VMB. Also, informed ARFF about over turned glycol truck.	ARFF responding. CPD notified.	MR/DJ
18:07	Car 5 reports HydroChem is responding to the over turned glycol truck.		PJ/mr
18:19	Frank, Station-1 reports ARFF-20 would like the environmental supervisor to respond to the accident scene.	Re 1803. Page sent.	DJ/MR
18:20	Ops reports glycol leaking from deice truck into storm drain. Truck has 1800 gal glycol on board and actively leaking. ARFF requests Environmental respond to accident scene.	OEG page sent. ARFF has blocked storm drain and HydroChem is attempting to collect the glycol.	DJ
18:29	Beau, Environmental reports he is responding to the airport.		DJ
18:33	Steve, AAL reports numerous amounts of sodium formate on the ground, walls and air vents in the bag belt make up area. Creating hazard for employees	Notified Building-II	MR
18:53	Joseph Williams (Custodial Maint) will not be reporting for work on 1/10/2017.	Report #1724 issued and Custodial-6 notified.	MR
18:57	Car 5 reports Environmental is on scene.		PJ/dj
18:58	Building 2 advised they will clean air intake grates tonight and do further cleaning of the bag make up area in the morning.	Re 1833.	DJ
19:15	Ops contacted NWS for update.		DJ
19:21	WINTER WX page sent: Snow Code GREEN at 2330; RED possible after 0500 due to freezing rain. Tonight: Snow, mainly after 4am. Cloudy, low 25. South wind 9-15 mph, gusts up to 26 mph. POP 60%. Total nighttime snow accumulation of less than a half inch possible. Tue: Rain, snow, freezing rain, and sleet, becoming all rain after 11am. High 43. South wind 21-28 mph, gusts up to 45 mph. POP 90%.		DJ
19:24	Car 5 reports Richs Towing is onsite.	REF 1803.	PJ/m
19:34	Gary Powell (Custodial Maint) will not be reporting for work on 1/9/2017.	Report #1725 issued and Cust notified.	DJ
19:50	K. McGreal requests page to M. Dynia. Media is on site at the IX Center filming the over turned truck.	Page sent.	DJ/mr
19:57	John Susko (Vehicle Maint) will not be reporting for work on 1/10/2017.	Report #1726 issued and R Roberts email notified.	DJ
20:16	Miller, CPD reports the S2 gate will not shut.	Notified Black, Building.	MR
20:23	Station-1 reports ARFF 19 responding to UAL baggage for hot work.		MR
20:27	Maurice Summons (Custodial Maint) will not be reporting for work on 1/10/2017.	Report #1727 issued and Custodial 11 notified.	MR
20:29	Received reset for S2 gate.	Re: 2016	MR
20:51	Station-1 reports ARFF 19 is back in service.	Re: 2023	MR
21:01	Car 5 reports the truck has been up righted.	Re: 1924.	MM/mr
21:22	Car 5 reports all vehicles involved in the clean up are gone with the exception to 3 tow trucks. CPD will provide escort.	Re: 1803, 2101.	MM/mr
21:25	Station-1 reports ARFF 11 is back in service.	Re:2051.	MR
21:30	Car 5 conducting secondary airfield inspection.		MM/dj
21:40	Car 5 is conducting an inner perimeter inspection.		MM
21:58	Car 5 reports airfield surface conditions remain the same.	Reissued NOTAMs 01/316-01/320. Notified ATCT (EW).	MM/M
22:01	Tow trucks and CPD have exited E24B. HydroChem is on site to continue clean up.	Re: 1803, 2122.	MR
22:20	Car 5 is on a wildlife patrol.		MM
22:57	Mobile 1 reports C Checkpoint is secure.		MR/dj
23:30	R. Pope, D. Schulz, M. Moro, J. Hutchison, S. Rogal	Log Open 2330 - 0730	JH
23:32	Current Wx: KCLE 100351Z 18011G18KT 10SM BKN110 OVC150 M01/M11 A3032 RMK AO2 SLP280 T10111111	METAR Observation	JH
23:40	PU-75 reports PA and sand was applied to the area of pavement were the truck flipped over earlier today.		RP
23:43	Ops 2 and PU-75 discussed the plans for snow removal and pretreatment of pavement based on weather forecasted for area.		RP

Time	Occurrence	Action	Agent
Tuesday, January 10, 2017			
0:17	NWS (human) reports light snow should start falling at the airport within the hour. There maybe be an accumulation of 1 inch in a 3-4 hour window followed by freezing rain around 1000.	PU-75 notified.	RP
0:26	North Electric (Lee) reports electrical shut-down in the DAL baggage area is starting now.	Power will be back on by 0330LCL.	DS
0:43	Car 5 reports no significant change to TWY and APRON FICONS: All surfaces compact snow, braking action good to medium.	NOTAMS 01/318 and 319 remain in effect.	MM/S
0:43	Car 5 reports no significant change to RWY FICONS: All RWYS 10% compact snow.	NOTAMS 01/316,317 and 320 remain in effect.	MM/S
1:15	Agent conducting Main Terminal Inspection.		RP
1:54	Kevin Agee (Field Maintenance) will be reporting late for work on 1/10/2017.	Report #1728 issued and PU-75 notified.	JH
1:56	OPS observes precipitation (snow flurries) has begun.		DS
2:00	Current WX: KCLE 100651Z 20012G22KT 9SM -SN OVC046 M01/M09 A3029 RMK AO2 SNB44 SLP266 P0000 T10061094. Current airfield pavement surface temps range 27.0F-27.3F.	METARE observation and VAISALA observation, respectively.	DS
2:05	Current WX: SPECI KCLE 100701Z 20011G20KT 3/4SM -SN OVC032 M01/M08 A3028 RMK AO2 P0000 T10111078.	METAR observation.	DS
2:05	Alan Sweeney (Custodial Maint) will not be reporting for work on 1/10/2017.	Report #1729 issued and Custodial-8 notified.	DS
2:10	Current WX: SPECI KCLE 100706Z 20014G20KT 3/4SM -SN BKN012 OVC028 M02/M07 A3028 RMK AO2 P0000 T10171067.	METAR observation.	DS
2:20	PU-75 notified of flurries.	ref 0156 entry	RP/ds
2:25	Car 10 (MM/SR) inspecting for updated runway conditions.		RP/ds
2:30	Field 2 contacted Operations regarding weather forecast and snow removal operations.	Briefed.	RP
2:35	Current WX: SPECI KCLE 100731Z 18010KT 3/4SM -SN BR VV009 M02/M05 A3027 RMK AO2 P0002 T10221050.	METAR observation.	DS
2:37	Field and ATCT notified of "A" route to begin at 0300LCL.		RP/ds
2:42	Car 10 Reports FICONS RWY 24L NOTAM Issued: 01/324 CLE RWY 24L FICON 3/3/3 100 PRCT 3/4IN DRY SN OBSERVED AT 1701100746. 1701100746-1701110746	NOTAM 01/320 replaced. ATCT (CB) Notified.	MM/S
2:42	NOTAM Issued: 01/323 CLE AD AP ALL SFC WIP SN REMOVAL 1701100741-1701120800	ATCT (CB) Notified.	JH
2:45	Current WX: SPECI KCLE 100741Z 18011KT 3/4SM -SN BR VV010 M02/M04 A3027 RMK AO2 P0003 T10221044.	METAR observation.	DS
2:50	Current WX: SPECI KCLE 100747Z 17012KT 1SM -SN BR VV013 M02/M04 A3026 RMK AO2 P0003.	METAR observation.	DS
2:52	Car 10 Reports FICONS RWY 24R NOTAM Issued: 01/325 CLE RWY 24R FICON 3/3/3 100 PRCT 3/4IN DRY SN OBSERVED AT 1701100752. 1701100752-1701110752	NOTAM 01/317 replaced. ATCT (CB) Notified.	MM/S
2:53	Car 10 Reports FICONS RWY 28: 01/326 CLE RWY 28 FICON 3/3/3 100 PRCT 3/4IN DRY SN OBSERVED AT 1701100758. 1701100758-1701110758	NOTAM 01/316 replaced. ATCT (CB) Notified.	MM/S
2:59	Car 10 Reports FICONS for APRONS; NOTAM ISSUED: 01/327 CLE APRON ALL FICON 3/4IN DRY SN BA POOR OBSERVED AT 1701100800. 1701100801-1701110801	NOTAM 01/319 replaced. ATCT (CB) Notified.	MM/S
3:00	Current WX: METAR KCLE 100751Z 18013KT 1SM -SN BR VV013 M02/M04 A3026 RMK AO2 SLP257 P0004 T10171044.	METAR observation.	DS
3:01	OPS inquired if Field Maint has a designated ramp crew; briefed on POOR braking report. (ref 0259 entry)	Truck 75 reports he will assemble a ramp crew.	DS
3:02	North Electric (Lee) advises they are complete in DAL Baggage Make-up area.	REF 0226	JH
3:03	Car 10 Reports FICONS for TWYS; 01/328 CLE TWY ALL FICON 3/4IN DRY SN BA POOR OBSERVED AT 1701100805. 1701100806-1701110806	NOTAM 01/318 replaced. ATCT (CB) Notified.	MM/S

Time	Occurrence	Action	Agent
3:03	TSA (Jeromie) advises they will be checking the foot pedals on A and B Checkpoints.	All alarms received.	JH
3:05	FM-2 called OPS to confirm APRON condition report; briefed on POOR braking report. (ref 0259 entry)	FM-2 states quantity of sand still in place should allow for adequate braking.	DS
3:07	Snow Boss initiates Tier I Closures: NOTAM issued: 01/329 CLE TWY H, G1, L1, T, U, TWY B BTN TWY C AND TWY G, TWY C BTN TWY N AND TWY R, TWY K BTN RWY 06L/24R AND TWY L CLSD 1701100811-1701120800	ATCT (CB) Notified.	MM/S
3:10	Car 5 reports Field Maint still filling chemical trucks.		RP/ds
3:12	Orange Team and Blue Team report ready to start.	Snow Dog (MM/SR) notified.	DS
3:13	RWY 24R is now CLOSED. (ATCT-CB)	Snow Dog notified.	DS
3:15	Current WX: SPECI KCLE 100808Z 17013G21KT 1 3/4SM -SN BR OVC017 M02/M04 A3025 RMK AO2 P0000 T10171044.	METAR observation.	DS
3:16	Snow Dog reports Snow Removal underway on RWY 24R.		MM/ds
3:16	NOTAM Issued: 01/330 CLE RWY 06L/24R CLSD 1701100816-1701101015	ATCT (CJ) Notified.	JH
3:19	North Electric (Lee) advises that during the course of their work, there was minor damage (bent, not leaking) to a water line in the area.	Building Mx notified.	JH
3:20	Car 5 reports Mandatory Hold Sign at TWY S, S edge between TWL L and RWY 6R/24L not lighted.	NOTAM Issued. ATCT (MT) Notified.	RP/JH
3:22	Snow Dog reports snow removal equipment: 11 MP, 4 brooms, 2 blowers.		MM/ds
3:24	Car 5 reports FM-2 not relying on OPS assessment of APRON conditions and is sending FM foreman to inspect APRON conditions.	ref 0301 entry	DS
3:24	DAL advises there is no power to their ticket counter back offices.	North Electric notified and will follow-up.	JH
3:25	Current WX: SPECI KCLE 100821Z 17013G23KT 1SM -SN BR VV014 M02/M04 A3025 RMK AO2 P0001 T10171044.	METAR observation.	DS
3:26	Truck 75 inspecting APRON conditions.	ref 0324 entry	DS
3:27	DAL advises their power has been restored.	REF 0324; North Electric reset a breaker.	JH
3:28	Car 5 reports Snow Removal on the west side of RWY 24R was ineffective and both teams will re-start the "A" route.		RP/ds
3:30	Current WX: SPECI KCLE 100824Z 17013G23KT 3/4SM -SN BR VV013 M02/M04 A3024 RMK AO2 P0001. T10171044.	METAR observation.	DS
3:38	Car 5 recommends closure of RWY 10/28 and Tier-2 closures.	NOTAMs issued.	RP/ds
3:41	Snow Boss initiates Tier II Closures: NOTAM Issued: 01/332 CLE TWY D, TWY B BTN APCH END RWY 10 AND WEST SIDE CARGO RAMP, TWY S BTN APCH END RWY 24R AND TWY B, TWY J BTN APCH END RWY 28 AND TAXILANE Y1 CLSD 1701100841-1701120840	ATCT (MT) Notified.	JH
3:41	Snow Boss initiates RWY 10/28 Closure: NOTAM Issued: 01/333 CLE RWY 10/28 CLSD 1701100845-1701120830	ATCT (MT) Notified.	JH
3:50	Truck 75 and crew conducting snow removal operations on the APRONs, beginning with the "A" ramp.	ref 301, 305, 324, 326 entries	DS
3:53	Snow Dog Updates FICONS RWY 24L NOTAM Issued; 01/334 CLE RWY 24L FICON 3/3/3 100 PRCT 1IN DRY SN OBSERVED AT 1701100852. 1701100853-1701110853	NOTAM 01/324 Replaced. ATCT (MB) Notified.	JH
4:00	Current WX: METAR KCLE 100851Z 16015KT 3/4SM -SN BR VV010 M02/M04 A3023 RMK AO2 SLP247 P0004. 60008 T10171044 58022.	METAR observation.	DS
4:03	Snow Dog reports all vehicles and equipment clear RWY 24R, and the runway may re-OPEN.	ATCT (MT) notified.	MM/ds
4:04	RWY 24L is now CLOSED; RWY 24R is now OPEN.	Snow Dog notified. NOTAM 01/330 cancelled.	DS
4:05	Snow Dog updates RWY 24R FICONS: 01/338 CLE RWY 24R FICON 5/5/5 100 PRCT 1/8IN DRY SN OBSERVED AT 1701101008. 1701101009-1701101140	NOTAM 01/325 Replaced. ATCT (MT) Notified.	MM/S
4:06	Snow Dog reports snow removal operations commencing on RWY 24L.		MM/ds

Time	Occurrence	Action	Agent
4:09	NOTAM Issued: 01/335 CLE TWY S HLDG PSN SIGN SOUTH SIDE BTN TWY L AND RWY 06R/24L NOT LGTD DLY SS-SR 1701100908-1701122200	REF 0320	JH
4:09	NOTAM Issued: 01/336 CLE RWY 06R/24L CLSD 1701100929-1701101130	REF 0403	JH
4:10	Current WX: SPECI KCLE 100906Z 15014KT 1 1/2SM -SN BR SCT010 OVC015 M02/M04 A3020 RMK AO2 PRESFR P0002 T10171039.	METAR observation.	DS
4:12	Ops observes Mandatory Hold Sign S side of TWY S BTN TWY L AND RWY 06R/24L is now lit.	Advisory email sent to Electrical Mx. NOTAM 01/335 remains in effect.	JH
4:13	Snow Dog reports delay in progressing on RWY 24L while VMB makes adjustments to snow removal equipment.	ref 0406 entry	MM/ds
4:15	Current WX: SPECI KCLE 100911Z 16013KT 3SM -SN BR FEW010 OVC027 M01/M04 A3020 RMK AO2 P0002 T10111039.	METAR observation.	DS
4:16	Simplex displays SUPERVISORY Alarm: D Concourse Ramp Level Fire Pump.	Building Mx Notified; ARFF Notified.	JH
4:22	Snow removal operation has resumed on RWY 24L.	ref 0413 entry	DS
4:25	FFT1116 (A321) landing RWY 24R reports braking action GOOD.		DS
4:25	Current WX: SPECI KCLE 100918Z 16014KT 7SM -SN BKN032 OVC065 M01/M04 A3020 RMK AO2 P0002 T10111039.	METAR observation.	DS
4:33	Snow Dog reports updated Snow Removal equipment: one less MP and one less blower.	ref 0322 entry	MM/ds
4:34	Upon request, NWS (Doug) provided short-term forecast: freezing rain cell has passed Toledo and can be expected at CLE between 0500LCL and 0600LCL, expect one-tenth inch over three-to-four hour period, then changing to rain between 0900LCL and 1000LCL; sustained high winds.	All CLE City Depts notified.	DS
4:36	Car 5 reports FM-2 copied the updated weather broadcast (ref 0434 entry) and is planning pre-treatment strategy.		RP/ds
4:38	Car 5 Reports no significant change to TWY and APRON FICONS	NOTAM 01/327 and 328 remain in effect.	RP/jh
4:39	Building 9 advises D concourse ramp level fire pump system NORMAL	REF 0416	JH
4:44	Alan Schneider (Field Maintenance) will not be reporting for work on 1/10/2017.	Report #1730 issued and Truck 28 notified.	DS
4:50	Snow Dog reports all vehicles and equipment clear RWY 24L and the runway may re-OPEN.	ATCT (MT) notified. CLE City Depts notified. NOTAM 01/336 Cancelled.	MM/J
4:54	Snow Dog updates RWY 24L FICONS: 01/337 CLE RWY 24L FICON 3/3/3 100 PRCT 1/8IN DRY SN OVER COMPACTED SN OBSERVED AT 1701100956. 1701101000-1701111000	NOTAM 01/334 Replaced. ATCT (MT) Notified.	MM/S
5:00	Current WX: METAR KCLE 100951Z 15019KT 9SM -SN BKN065 OVC095 M01/M04 A3014 RMK AO2 PRESFR SLP215 P0003 T10061044.	METAR observation.	DS
5:18	FM-2 reports crews will not put down chemical at this time due to high winds.		DS
5:23	Car 10 reports a water hose is dragging under the vehicle; vehicle parked at FSS.	VMB notified.	MM/ds
5:27	Gregory Hayden (Building Maintenance) will not be reporting for work on 1/10/2017.	Report #1731 issued and Building Mx notified.	JH
5:28	Snow Dog reports snow removal crews ready and standing by for RWY 24R to re-start the "A" route.	ATCT (MT) requests delay for incoming FedEx and UPS landing RWY 24R.	DS
5:30	UAL Winter Ops Conference Call conducted; City OPS, UAL Ops, and AeroMag participating. UAL reports in official de-ice until 1000LCL.	All parties briefed. Next call at 1315LCL today.	DS
5:36	Car 3 (RP) is now secondary vehicle; Car 5 (MM/SR) is now Snow Dog.	ref 0523 entry	RP/ds
5:37	Continuum shows AED Alarm at gate A7; subsequently Returned to normal.	ARFF Notified.	JH
5:43	ATCT (MT) reports incoming UPS 1442 (MD80) cannot accept RWY 24L RCAM (3/3/3) and must land RWY 24R; expect additional eight-minute delay.	Snow Dog notified.	DS
5:45	FedEx1731 (B752) landing RWY 24R reports braking action as FAIR.		DS

Time	Occurrence	Action	Agent
5:45	ATCT reports UPS1442 cannot accept RWY 24R with pilot braking report of FAIR; aircraft will hold while snow removal operation is conducted on RWY 24R.	RWY 24R to close for snow removal.	DS
5:46	Snow Dog reports snow removal has begun on RWY 24R.		MM/ds
5:46	RWY 24R is now CLOSED for snow removal.	ATCT (JJ) notified. Snow Dog notified.	DS
5:48	NOTAM Issued: 01/339 CLE RWY 06L/24R CLSD 1701101047-1701101245	REF 0546	JH
5:52	Snow Dog reports snow removal equipment: 10 MP, 4 blowers, 1 broom.	No chemical trucks.	MM/ds
5:57	FedEx 1987 (B752) landing RWY 24L reports braking action as GOOD.		JH
6:00	Current WX: METAR KCLE 101051Z 17013G23KT 9SM -SN SCT039 BKN048 OVC075 01/M06 A3013 RMK AO2 PK WND 15027/1018 SLP213 P0000 T00061061. Current airfield pavement surface temps range 27.7F-28.4F.	METAR observation and VAISALA observation, respectively.	DS
6:05	Car 5 reports snow/sleet mix has begun.	FM-2 notified; reports crews will begin chemical application.	DS
6:06	VMB (Kevin) reports en route to retrieve Car 10.	ref 0523 entry	DS
6:06	UPS 1442 (MD11) landing RWY 24L reports braking action as GOOD.		JH
6:12	Patti (Info Counter) reports on duty		JH
6:15	Car 3 reports chemical trucks now on RWY 24R.		RP/ds
6:22	TSA (Samad) advises they will be checking the foot pedals on C Checkpoint.		JH
6:30	Car 3 reports Car 10 is ready at VMB.	Car 3 will retrieve.	RP/ds
6:32	Snow Dog updates FICONS for RWY 24R: NOTAM Issued: 01/341 CLE RWY 24R FICON 3/3/3 30 PRCT 1/8IN DRY SN OVER COMPACTED SN DEICED LIQUID 100FT WID AND SANDED 120FT WID OBSERVED AT 1701101131. 1701101132-1701101140	01/338 Replaced. ATCT (JJ) Notified.	MM/S
6:33	Snow Dog reports all vehicles and equipment clear RWY 24R and the runway may re-OPEN.	ATCT (JJ) notified. NOTAM 01/339 Cancelled.	DS/JH
6:33	RWY 24R is OPEN; RWY 24L is CLOSED.	ATCT (JJ) notified. Snow Dog notified.	DS
6:37	NOTAM Issued: 01/342 CLE RWY 06R/24L CLSD 1701101135-1701101340	REF 0633	JH
6:42	HOP-2 called for airfield update.	Briefed.	DS
6:42	Carol Zimmerman (Properties) will not be reporting for work on 1/10/2017.	Report #1732 issued and Paul Harris Via email notified.	JH
6:43	Snow Dog reports snow removal operation has commenced on RWY 24L.	Car 10 (MM/SR) is Snow Dog once again; Car 5 (RP) is secondary	MM/ds
6:50	OPS (Jira) reports freezing rain has begun.	Snow Code RED in effect.	PJ/ds
6:55	WINTER WX: SNOW CODE RED due to FREEZING RAIN. DS	Page sent.	DS
7:01	Car 5 reports braking in the low 20's on Twy J.	Field II notified.	PJ
7:01	ATCT conducts daily LPL crash phone test.	ALL stations loud and clear.	JH
7:03	Car 5 reports braking POOR near gate E-4.	FM-2 notified; reports no sand truck available.	DS
7:06	Car 5 reports NIL braking on the APRON between A-11 and B-8.		RP/ds
7:07	NOTAM Issued: 01/345 CLE RWY 06L/24R CLSD 1701101206-1701101600		JH
7:08	ATC advised to stop all traffic due to nil braking.		PJ
7:12	Issue NOTAM 01/347 CLE AD AP CLSD 1701101212-1701101500.	ATCT (BH) notified.	DS
7:13	Informational page sent to the CRITICAL INCIDENT group: CLE not permitting arrivals or departures due to nil braking.		PJ
7:13	Car 5 reports braking on Twy J has greatly improved Mu values are now 65.		RP/pj
7:15	Current WX: SPECI KCLE 101208Z 17018G28KT 7SM -FZRASN OVC050 01/M04 A3009 RMK AO2 PK WND 17032/1157 FZRAB08 P0000 I1000 T00061044.	METAR observation.	DS
7:19	Rhonda Osborne (Finance) will not be reporting for work on 1/10/2017.	Report #1733 issued and S. Muia e-mail notified.	DS

Time	Occurrence	Action	Agent
7:22	AA advises they will need an escort to WSK 4333 on Twy S at Twy G.	Ops responding.	PJ

END OF REPORT

Cleveland Hopkins airport held off on de-icing due to high winds, leading to airfield shutdown



(Lynn Ischay, The Plain Dealer)



By **Leila Atassi**, cleveland.com

[Email the author](#) | [Follow on Twitter](#)

on January 10, 2017 at 7:49 PM, updated January 10, 2017 at 7:58 PM

CLEVELAND, Ohio - Freezing rain **shut down runways and taxiways at Cleveland Hopkins International Airport** for nearly two hours Tuesday morning because airport officials decided to hold off on pretreating the airfield with de-icing chemicals due to high winds.

Interim Airport Director Fred Szabo said in an interview Tuesday that a team of airfield maintenance foremen, airport operations supervisors and others experienced in snow and ice control made the collective decision not to pretreat the airfield because 20 to 30 mph winds would scatter the chemicals before they could be effective.

According to an operations report obtained by cleveland.com, airport officials noted at around midnight that a National Weather Service forecast had predicted snow for the region within the hour, followed by freezing rain.

As the snow began, crews got to work clearing the runways, noting some difficulty maintaining good braking conditions on taxiways.

At around 4:30 a.m., the report states that a freezing rain cell had passed Toledo and was expected to hit the airport between 5 and 6 a.m. Crews began planning a pretreatment strategy, according to the report.

But at 5:18 a.m., the report states that "crews will not put down chemical at this time due to high wind."

Just after 6 a.m., a snow/sleet mix had begun falling, and 10 minutes later, trucks began spreading chemicals. The freezing rain started at 6:50 a.m., triggering reports of poor braking conditions on the taxiways until all air traffic was halted at 7:13 a.m.

The closure lasted for an hour and 48 minutes, delaying flights throughout the day.

Szabo said he asked his team of advisors Tuesday if, in hindsight, they would have handled the situation differently. He said they told him, "most likely not."

"Had we put the chemicals down, and 90 minutes later they had blown away - that's just not best practices," Szabo said. "The consensus was that pretreating at that time would not have had a significant impact, considering the high winds and the persistent freezing rain. Sometimes Mother Nature has the upper hand."

Szabo also noted that throughout the storm, conditions on the runways remained fair, even though the taxiways and ramps became coated in ice. That's because runway snow and ice removal is handled by its own dedicated crew and typically is easier to manage than the miles and miles of taxiways, Szabo said.

Also, the taxiway crew ran out of deicing chemicals during the storm and had to reload, further hampering their efforts, he said.

According to a **U.S. Federal Aviation Administration advisory circular** on winter operations safety, preventing ice from bonding to the pavement is "always preferred over the mechanical removal or melting of the bonded ice."

The document recommends liquid anti-icing products over solids, because liquid is distributed more uniformly and achieves a better chemical adhesion to the pavement. Solid chemicals don't adhere properly to cold pavement and "can lead to their being windblown or scattered about."

Szabo said that in general, it's true that liquid deicers don't blow away as easily as solids.

"However, it does depend on the pavement temperatures and wind conditions," he added. "Each winter operation is different and takes into account a variety of factors, and it's difficult to generalize the effectiveness of any chemical without determining the entire picture."

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How Akron-Canton Airport stayed open during ice storm while Cleveland Hopkins closed



Akron-Canton Airport applied de-icing chemicals to its runway before freezing rain hit early Tuesday morning, allowing the airfield to remain open, while Cleveland Hopkins airport was forced to shut down. (*John Kuntz, cleveland.com*)



By **Leila Atassi, cleveland.com**

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on January 13, 2017 at 2:00 PM

CLEVELAND, Ohio - While decision-makers at Cleveland Hopkins International Airport determined that weather conditions Tuesday morning prevented them from applying de-icing chemicals -- forcing the airfield to close when freezing rain hit -- their colleagues at Akron-Canton Airport made a different decision that allowed runways to stay open.

Cleveland airport assistant director Fred Szabo said in an interview Tuesday that a team of airfield maintenance foremen and other experienced supervisors made the collective decision not to treat the airfield in advance of the storm, because high winds would scatter the chemicals before they could be effective.

In an interview Thursday, Akron-Canton airport President and CEO Rick McQueen said his airfield maintenance crews were able to "stay ahead" of the freezing rain with liquid de-icer - despite facing similar wind conditions as Cleveland -- and did not have to close the runway.

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McQueen acknowledged that every storm requires a different approach, that weather varies throughout Northeast Ohio, and that freezing rain is "the enemy of every airport."

But he said the airport has never faced a situation in which weather conditions precluded the application of de-icing chemicals before a storm.

"We haven't had that situation here, to date," McQueen said. "But also, our equipment -- the nozzles are only about two to three feet off the ground. The material doesn't have far to travel before it hits the runway. So you don't get a lot of wind drift."

Cleveland's decision to hold off on applying de-icing chemicals led to a nearly two-hour shutdown of the airfield, delaying and canceling flights throughout the day.

According to an operations report obtained by cleveland.com, airport officials noted at around midnight that a National Weather Service forecast had predicted snow for the region within the hour, followed by freezing rain.

As the snow began, crews got to work clearing the runways, noting some difficulty maintaining good braking conditions on taxiways.

At around 4:30 a.m., the report states that a freezing rain cell had passed Toledo and was expected to hit the airport between 5 and 6 a.m. Crews began planning a pretreatment strategy, according to the report.

But at 5:18 a.m., the report states that "crews will not put down chemical at this time due to high wind."

In the two hours before the storm hit, sustained winds of 21.9 mph and 15 mph were recorded at Hopkins, according to the National Weather Service and Weather Underground, a subsidiary of the Weather Channel Companies.

In that same timeframe, winds of 17.3 mph and 23 mph were recorded at Akron-Canton airport.

Just after 6 a.m., a snow/sleet mix had begun falling in Cleveland, and 10 minutes later, trucks began spreading chemicals - even though sustained winds had reached their peak for the morning at 26.5 mph.

The freezing rain started at 6:50 a.m., triggering reports of poor braking conditions on the taxiways until all air traffic was halted at 7:13 a.m.

In an interview Friday, Szabo cautioned against comparing airports and snow removal operations, especially of such different scales. He noted that the amount of pavement crews responsible for at Hopkins is dramatically greater than at Akron-Canton.

"I would say it's very difficult to consider that apples to apples," Szabo said. "I've talked to field maintenance and operations folks who have been here for decades, and they all felt, in retrospect, that even if we had pre-treated the runways, it would not have made a difference. Sometimes weather just gets the better of you."

Cleveland Hopkins airport held off on de-icing due to high winds, leading to airfield shutdown



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UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

SETTLEMENT AGREEMENT AND ORDER

In the Matter of the Cleveland Hopkins International Airport, FAA Case Nos. 2014GL800031, 2014GL800034, 2014GL800041, 2015GL800037.

I. Authority and Scope

1. This Settlement Agreement and Order (“Agreement and Order”) is issued under the authority provided to the Federal Aviation Administration (FAA) under 49 U.S.C. §§ 40113, 46102(a), and 46301.
2. Subject to the terms set forth in Section III herein, the duration of this Agreement and Order shall be five years from the date the last party duly executed the Agreement and delivered the same to the other party.
3. This Agreement and Order concerns the actions of the Cleveland Hopkins International Airport (“CLE”) under a grant of authority by the FAA to operate an airport under part 139 of the Federal Aviation Regulations, 14 CFR part 139 (“part 139”). The City of Cleveland is now, and at all times mentioned in this document was, the holder of Airport Operating Certificates issued under part 139 for Cleveland Hopkins International Airport.
4. In its investigations related to Case Nos. 2014GL800031, 2014GL800034, 2014GL800041, and 2015GL800037, the FAA found noncompliance by the City of Cleveland with part 139 snow and ice control requirements at CLE. Specifically, there have been failures by the City of Cleveland to properly comply with its Snow and Ice Control Plan (SICP) consistent with the City of Cleveland’s airport certification manual (“ACM”) and instances when the City of Cleveland failed to provide sufficient staff specifically qualified in implementing CLE’s SICP. As a result:
 - On December 13, 2013, United Airlines Flight 6135 and Delta Airlines Airbus Flight 8847 were stranded on taxiways with no maintenance personnel on duty at the airport;
 - On January 1, 2014, a CLE Aircraft Rescue Firefighting (ARFF) vehicle slid on ice past a taxiway hold-short line onto Runway 24L while United Express 2738 was departing from Runway 24L, causing the Airport Movement Area Safety System (AMASS) to generate an alert;
 - On February 24, 2014, United Airlines Flight No. 112 diverted to Detroit Metropolitan Wayne County airport due to “Poor” and “NIL” braking conditions at CLE;
 - On March 1, 2015, icy conditions at Taxiway Papa delayed AWI Flight 3897 from exiting that runway causing the local Air Traffic Controller to cancel the takeoff

clearance for ASQ Flight 5889 and issue a go-around instruction for an inbound Delta Airlines Flight 1474, which was on a 3-mile final to Runway 24L.

5. On December 30, 2013, January 21, 2014, March 17, 2014, and March 6, 2015, the FAA issued letters of investigation concerning noncompliance with CLE's SICP. The City of Cleveland has completed certain corrective measures outlined in Appendix A, including the following:
 - a. Achieving and maintaining full CLE Snow Team staffing during the 2015-2016 winter season;
 - b. Purchasing snow removal vehicles in 2015 with local funds;
 - c. Committing to construct and implement a snow removal equipment storage building;
6. The FAA and the City of Cleveland agree that it is in the best interest of safety and the public interest for the City of Cleveland to implement additional corrective measures set forth in Appendix B to address issues related to CLE's SICP and staffing levels for dedicated snow and ice removal, and to do so by the dates specified therein ("Milestones"). In this regard, the City of Cleveland has also committed to a multi-year improvement plan.
7. In consideration of the City of Cleveland's agreement to fully and timely implement the corrective measures set forth in Appendix B, the FAA and the City of Cleveland have reached an amicable resolution of the regulatory noncompliance matters identified in paragraph 4 above, and enter into this Agreement and Order.
8. In defining the scope and duration of this Agreement and Order, the FAA considered the City of Cleveland's commitment to take future remedial efforts to correct the underlying deficiencies that led to the noncompliance as well as the associated costs of implementing such corrective measures.
9. The FAA and the City of Cleveland agree that the civil penalty and the terms for its suspension and waiver set forth in Sections II and III of this Agreement and Order are fair and reasonable.

II. Civil Penalty

10. Pursuant to 49 U.S.C. § 46301(a), with modifications set forth at 14 CFR part 13, subpart H, the City of Cleveland is subject to a civil penalty not to exceed \$27,500 for each violation in connection with the above-captioned cases. The FAA has issued a civil penalty letter and three Notices of Proposed Civil Penalties in the amount of \$735,000 referenced in Section I, paragraph 4. After considering all the facts and circumstances in the cases, the FAA has determined that a civil penalty in the amount of **\$735,000** is appropriate to resolve all matters arising from or related to the cases.

11. After considering all of the facts and circumstances, the FAA and the City of Cleveland have determined to resolve all matters related to these cases with a civil penalty in the amount of \$200,000 in accordance with the following terms. Subject to completion of the terms set forth in Section II, paragraph 12, the City of Cleveland agrees to pay a civil penalty in the amount of **\$200,000**, no later than 30 days from the date of the signing of this Agreement and Order in full and final settlement of the regulatory violations identified in Case Nos. 2014GL800031, 2014GL800034, 2014GL800041, and 2015GL800037, that might otherwise be adjudicated by a United States District Court or the Department of Transportation Office of Administrative Law Judges.
12. Subject to the terms set forth in Sections III and IV, and conditioned on the City of Cleveland completing to the sole satisfaction of the FAA all corrective actions set forth in Appendix B pursuant to the schedules established therein, the FAA agrees to suspend and waive payment of an additional **\$535,000** civil penalty.

III. Notice of Breach, Opportunity of Cure and Extension of the Term of the Agreement

13. When the City of Cleveland believes it has fully complied with its obligations pursuant to this Agreement and Order, whether at the end of the five-year term of this Agreement or sooner, it shall provide written notice of the same to the FAA's Associate Administrator of Airports ("Associate Administrator"). If the FAA's Associate Administrator determines that the City of Cleveland has fully complied with its obligations pursuant to this Agreement and Order, he or she shall so advise the City of Cleveland in writing. Only after the FAA's Associate Administrator provides such written notice to the City of Cleveland shall the City of Cleveland no longer be subject to the civil penalties specified in Section IV herein.
14. Any time prior to the expiration of the term of this Agreement and Order and after due consideration of the recommendation of the FAA's Office of Airport Safety and Standards and Great Lakes Region Office of Airports, the FAA's Associate Administrator, in his or her sole discretion, reasonably and in good faith may determine and provide written notice to the City of Cleveland as to whether it failed to fully implement, to the sole satisfaction of the FAA, its obligations set forth in Appendix B by the dates specified therein. The Associate Administrator's determination shall specify what the FAA believes the City of Cleveland must do and by when to fully comply with its obligations pursuant to this Agreement and Order.
15. The FAA will provide a copy of the Associate Administrator's written determination to the City of Cleveland, which will have thirty (30) calendar days from receipt to either (i) formally adopt and submit a plan satisfactory to the Associate Administrator to immediately and fully implement its obligations pursuant to this Agreement or Order or (ii) submit in writing to the Associate Administrator the specific reasons, facts and circumstances that dispute such determination. If the City of Cleveland chooses to formally adopt and submit a plan satisfactory to the Associate Administrator to immediately and fully implement its obligations pursuant to this

Agreement and Order, the plan shall specifically propose the extension of the five-year term of the this Agreement and Order, if any, necessary for the City of Cleveland to fully comply with its outstanding obligations. The Associate Administrator, at his or her sole discretion may reject or agree to that extension.

16. If the City of Cleveland submits a written disputation of the Associate Administrator's determination, within thirty (30) calendar days of his or her receiving the disputation the Associate Administrator in his or her sole discretion shall make the final determination as to: (i) what the City of Cleveland must do and by when to fully comply with its obligations pursuant to this Agreement and Order; and (ii) the extension of the term of this Agreement and Order, if any, necessary for the City of Cleveland to fully comply with its outstanding obligation(s).
17. The Associate Administrator's determinations pursuant to Paragraph 14, 15, and 16 as to extending the Term of this Agreement and Order shall be reasonable, based on the facts and merits of the parties' respective positions and shall not exceed the shortest period necessary and proper for the City of Cleveland to fully comply with its outstanding obligation(s).
18. If the City of Cleveland has not materially complied with its outstanding obligation(s) at the end of extension of the five-year term of this Agreement provided by the Associate Administrator to secure the City of Cleveland's full implementation of its outstanding obligation(s), then the civil penalties set forth in Sections II and III of this Agreement and Order shall be triggered and be due and payable within ten (10) business days, without further notice, recourse, or appeal.

IV. Enforcement of the City of Cleveland's Obligations Pursuant to this Agreement and Order

19. The City of Cleveland agrees to promptly and fully respond to the FAA's reasonable and good faith requests for any and all information arising from or related to the City of Cleveland's obligations under this Agreement and Order.
20. If the City of Cleveland fails to materially comply with any provision of this Agreement and Order, and after exhaustion of the Notice of Breach and Opportunity to Cure Process set forth in Section III, the City of Cleveland will pay:
 - a. A an additional civil penalty in the amount of **\$535,000** and;
 - b. A civil penalty of \$27,500 for each day for each instance that it fails materially to comply with any provision of this Agreement and Order.
21. The City of Cleveland agrees that if any payment is due under this Agreement and Order, the payment instrument will be made payable to the Federal Aviation Administration and shall be addressed to FAA Mike Monroney Aeronautical Center ATTN: Kathy Gore, General Accounting, AMZ-350, 6500 South MacArthur Blvd.,

Oklahoma City, 73169 with a copy to the Assistant Chief Counsel for Enforcement in FAA Headquarters Office of the Chief Counsel. Case No. 2014EA800075 must be indicated on the front of each payment instrument. To pay the civil penalty by electronic funds transfer, provide all of the following information with the electronic funds transfer:

Receiver Bank Name: TREAS NYC

The bank routing and account numbers have been redacted as this information does not fall within the definition of "record" as stated by ORC 149.011(G) because it does not serve to document the organization, functions, policies, decisions, procedures, operations or other activities of the City of Cleveland.

Receiver ABA
(U.S. bank routing number):

Receiving Institution: U.S. Treasury
c/o Federal Reserve Bank of New York
33 Liberty Street
New York, New York 10045

Account Number:

Beneficiary: Federal Aviation Administration

Reference: Case Nos. 2014GL800031, 2014GL800034,
2014GL800041 & 2015GL800037.
Attn: Kathy Gore, AML-322

22. The City of Cleveland agrees that any debt that arises pursuant to this Agreement and Order is justly due and owing by the City of Cleveland having arisen hereunder because of violations under 49 U.S.C. § 46301 and the Federal Aviation Regulations.
23. The City of Cleveland agrees that in the event of default or failure to fully carry out its monetary obligations pursuant to this Agreement and Order, the FAA may take appropriate action to enforce collection of such monetary obligations.

V. Reservations and Waivers of Rights

24. The City of Cleveland waives any and all rights to further notice of the allegations set forth in the above-captioned cases.
25. The City of Cleveland waives any right to appeal or otherwise seek judicial or administrative review of this Agreement and Order.
26. The FAA reserves the right to judicially enforce the terms and provisions of this Agreement and Order pursuant to 49 U.S.C. § 46106.
27. The City of Cleveland's full and timely implementation of its obligations pursuant to this Agreement and Order shall constitute a full settlement and release of any and all

additional civil penalties that could have been sought from the City of Cleveland as a result of the alleged violations in the above-captioned cases.

28. The City of Cleveland waives its right to seek administrative or judicial review of civil penalties imposed under Section IV of this Agreement and Order for a failure materially to comply with the terms of this Agreement and Order.
29. The FAA reserves its right to take civil penalty action or any other enforcement action for any violations of the Federal Aviation Regulations or 49 U.S.C. Subpart VII committed by the City of Cleveland that are not part of Case Nos. 2014GL800031, 2014GL800034, 2014GL800041, or 2015GL800037. The City of Cleveland may appeal such action or defend such action in accordance with applicable law.

This Agreement and Order constitutes an order assessing civil penalty for FAA Case Nos. 2014GL800034, 2014GL800041, and 2014GL800031. Accordingly, the violations alleged in the Notices of Proposed Civil Penalty (Attachment C) are now findings of violations. This Agreement and Order also serves as the Compromise under 49 U.S.C. 46301(f) of Case No. 2015GL800037. The City of Cleveland agrees that the violations alleged in the civil penalty letter in FAA Case No. 2015GL800037 (Attachment D) may be treated as violations for the purpose of establishing a violation history that may be considered in determining the sanction in any future cases of statutory or regulatory violations by the City of Cleveland.

VI. Capacity to Execute Agreement

30. The representative of each party signing this Agreement and Order warrants that he or she is duly authorized to do so.

VII. Photocopy/Facsimile/PDF

31. A photocopy, facsimile, or PDF copy of this Settlement Agreement and Order shall have the same force and effect as an original of this Settlement Agreement and Order.

VIII. No Individual Liability

32. No Commissioner, officer, agent or employee of the City of Cleveland shall be charged personally by the FAA with any liability or held liable to the FAA under any term or condition of this Agreement and Order, or because of its execution or attempted execution or because of any breach or attempted or alleged breach thereof.

IX. Modification of Agreement

33. The City of Cleveland and the FAA agree that this Agreement and Order may be modified for good cause, provided both parties consent to such modification in writing signed by the signatories of this Agreement and Order or an individual currently authorized to act in their stead.

SO AGREED:

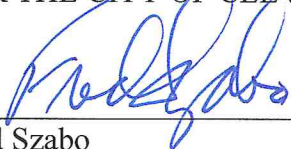
FOR THE FEDERAL AVIATION ADMINISTRATION



Pat A. McNall
Deputy Chief Counsel

Dated this 17th day of May, 2016.

FOR THE CITY OF CLEVELAND



Fred Szabo
Interim Director of Port Control
City of Cleveland

Dated this 20th day of May, 2016.

ATTACHMENT A

Corrective Measures Completed by the City of Cleveland for the 2015-2016 Winter Season

1. The City of Cleveland changed the Snow Season start date from December 1st to November 1st in CLE's Snow and Ice Control Plan.
2. The City of Cleveland achieved full staffing and implemented a three-shift operation with minimum scheduled staffing of 30 snow team employees on 1st shift; 30 on 2nd shift; and five on 3rd shift as represented in the letter from the City of Cleveland to the FAA dated December 23, 2015.
3. The City of Cleveland increased Field Maintenance foreman positions from six to ten as represented in the letter from the City of Cleveland to the FAA dated December 23, 2015.
4. The City of Cleveland updated the minimum staffing requirements specified in the CLE's Snow and Ice Control Plan. The minimum staffing levels relate to a color-coded snow deployment based on forecast weather. The following are the assigned codes:
 - Green: 4 - Airport Operations Employees; 18 - Field Maintenance Employees
 - Yellow: 4 - Airport Operations Employees; 22 - Field Maintenance Employees
 - Red: (Snow events) 5 - Airport Operations Employees; 29 - Field Maintenance Employees; (Freezing Rain events) 5 - Airports Operations Employees; 8 - Field Maintenance Employees
5. The City of Cleveland added a management oversight section to CLE's Snow and Ice Control Plan. This new management oversight section places a manager or supervisor in the Airport Traffic Control Tower and the Airport Operations Tower during a "Yellow or "Red" coded snow event.
6. The City of Cleveland implemented a coordinated Snow Desk that is now operational in the FAA Tower and Airport Operations Tower *as specified during snow codes Yellow and Red*, in accordance with the CLE SICP.
 - a. The City of Cleveland added Operations Supervision in the FAA Air Traffic Control Cab to coordinate snow removal activities.
 - b. The City of Cleveland added Field Maintenance Supervision representation in the Operations Tower to coordinate snow removal activities.
7. The City of Cleveland contracted with Professional Drivers of Georgia, Inc. d/b/a ProDrivers, an external contractor, to provide additional trained Drivers on-call, who will be required to respond within two hours of a call. These contracted services will ensure there are no shortfalls in staffing levels due to retirements, promotions, transfers, or

terminations while the hiring process is taking place. As indicated in the letter from the City of Cleveland to the FAA dated December 23, 2015, the services will also ensure full staffing in instances when staff cannot be reached during a snow event.

ATTACHMENT B

Corrective Measures to Remediate SICP Noncompliance Obligations and Milestones for Completion

1. Effective immediately, the City of Cleveland will maintain appropriate staffing numbers for airfield maintenance and vehicle maintenance at the CLE to ensure the airport maintains sufficient and qualified employees in accordance with 14 C.F.R. Part 139. In order to demonstrate compliance to the FAA, the City of Cleveland will submit to the assigned Airport Certification Safety Inspector the staffing status twice a year by August 1st and November 1st.
 - a. The August 1st submittal will identify the budgeted number of positions, including any vacancies and estimated hire dates for the positions.
 - b. The November 1st submittal will update the staffing status at the commencement of the November 1st snow season at the airport.
 - c. The City of Cleveland must submit an amendment to the Airports Certification Manual (ACM) in the Snow and Ice Control Plan (SICP) stating that the airport will document the staffing allocated per shift, for each winter meteorological event. A record of this information must be maintained and made available to the FAA for a minimum of 12 consecutive months.
2. The City of Cleveland will procure Snow Removal Equipment (SRE) in accordance with an FAA-accepted multi-year snow removal equipment acquisition plan. Unless amended by the FAA, this equipment procurement shall move forward each subsequent year. This plan will be reviewed annually at least once every 12 consecutive calendar months between the FAA Airport Certification Safety Inspector and the City of Cleveland to ensure that the plan is on target.
3. On or before December 31, 2017, the City of Cleveland will construct a snow removal equipment storage building at CLE subject to FAA concurrence and coordination. This building will be operational no later than the end of CY 2017 unless a later date is agreed to by the FAA.
4. The City of Cleveland has committed to deployment of a "One Pass" runway snow removal operation by the 2016-2017 snow season. No later than October 1, 2016, the City of Cleveland must update the Airport Certification Manual (Snow and Ice Control Plan) outlining procedures to specify when and how the "one pass" operation will be implemented.
5. On or before October 1, 2016, the City of Cleveland must submit an amendment to the Airport Certification Manual in the Snow and Ice Control Plan to outline the executive management oversight at the CLE during winter snow events.

ATTACHMENT C



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

Enforcement Division, AGC-300
800 Independence Ave., S.W.
Washington, D.C. 20591

U.S. CERTIFIED MAIL, RETURN-RECEIPT REQUESTED
and FIRST-CLASS MAIL

September 14, 2015

Fred Szabo
Acting Director of Airports
Cleveland Airports System
5300 Riverside Drive
P.O. Box 81009
Cleveland, Ohio 44181

RE: City of Cleveland, Department of Port Control, Case No. 2014GL800031

NOTICE OF PROPOSED CIVIL PENALTY

Based on the following facts and circumstances, it appears that City of Cleveland, Department of Port Control (City of Cleveland) violated the regulations of the Federal Aviation Administration:

1. At all times relevant to this Notice, the City of Cleveland was the holder of an Airport Operating Certificate, issued under 14 CFR part 139, applicable to the operation of Cleveland Hopkins International Airport (CLE).
2. On May 13, 2013, the Federal Aviation Administration issued a warning letter to the City of Cleveland for failure to close Runways 6R/24L and 6L/24R on February 22, 2013 after several aircraft reported NIL braking conditions on those runways.
3. On December 29, 2013 at 3:38 p.m. Eastern Standard Time (EST), the National Weather Service (NWS) issued a forecasts for the CLE area predicting that there was a chance of snow showers in the evening with snow accumulations around an inch possible, much cooler with lows around 18° Fahrenheit.
4. On December 29, 2013 at 5:51 p.m. EST and at 6:50 p.m. EST, the NWS forecasted for the CLE area light freezing rain and some snow showers through 6:00 a.m. EST December 30, 2013.
5. On December 29, 2013, the CLE Meteorological Terminal Aviation Routine Weather Report (METAR) reported at 8:48 p.m. EST that there was drizzle changing over to light snow.
6. On December 29, 2013, the CLE METAR reported at 10:08 p.m. EST that the drizzle changed to active freezing drizzle precipitation. METAR observed that freezing

drizzle continued until 1:48 a.m. EST on December 30, 2013.

7. On December 29, 2013 at 11:10 p.m. EST, the NWS issued a "Winter Weather Advisory," which remained in effect until 8:00 a.m. EST on December 30, 2013.

8. The NWS forecasts for the CLE area issued on December 29, 2013 at 11:20 p.m. EST and 11:47 p.m. EST forecasted snow converting to freezing drizzle with freezing drizzle lingering for a couple of hours.

9. On December 29, 2013, the CLE METAR reported that the drizzle changed to light snow. METAR observed that the light snow lasted until 11:51 a.m. EST on December 30, 2013.

10. On December 30, 2013, at 12:01 a.m., CLE operations personnel (Car 7) updated conditions for taxiways from prior reports of "wet" to "thin ice."

11. On December 30, 2013, at 12:15 a.m. EST, the CLE METAR weather observations continued to report light freezing drizzle as previously reported.

12. On December 29, 2013 at 8:18 p.m. EST, the CLE operations supervisor discussed overnight forecast and staffing levels with the CLE Deputy Commissioner.

13. In accordance with the requirements of 14 CFR § 139.313, the City of Cleveland is required to operate under an FAA-approved Snow and Ice Control Plan (SICP).

14. Chapter 4, Paragraph 3.4 of the City of Cleveland's SICP specifies the following prioritization plan for snow and ice removal:

(a) Priority-1

- The active instrument runway(s)
- Associated turnoffs
- Entrance and exit taxiways
- Terminal ramps
- ARFF station access
- ARFF mutual aid access point
- ARFF mutual aid gate operability check

(b) Priority-2

- Secondary runway
- Crosswind runway
- Associated turnoffs and taxiways
- Cargo ramps

(c) Priority-3

- Remaining aircraft movement areas

15. At all times relevant to this Notice, Runway 6L was a Priority-1 runway as it was the active instrument runway in use at the time.
16. At all times relevant to the Notice, Taxiways Juliet, Kilo, and Hotel were among the Priority-1 taxiways as they were entrance and exit taxiways to the active instrument runway that was in use at the time.
17. Chapter 3, Paragraph 3.1 of the City of Cleveland's SICP states: "The personnel will be assigned to two shifts, with overtime staffing to provide 24/7 coverage. When necessary, personnel will be held over to supplement the core shift staffing to maintain adequate staffing levels."
18. The City of Cleveland failed to hold over any maintenance staff from 11:00 p.m. EST on December 29, 2013 to 3:00 a.m. EST on December 30, 2013.
19. On December 29, 2013, the City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of its SICP in that it failed to hold over personnel to supplement the core shift staffing to maintain adequate staffing levels.
20. The City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of its SICP in that between 11:00 p.m. EST on December 29, 2013 and 3:00 a.m. EST on December 30, 2013 the City of Cleveland had no maintenance personnel to operate any equipment at CLE, which is below minimum staffing requirements provided for in its SICP.
21. Chapter 3, Paragraph 3.1 of the City of Cleveland's SICP states: "Airport Operations staffed 24/7 with three shifts per day. Staffing includes a minimum of a supervisor and two agents, with additional personnel added as conditions warrant."
22. The City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of its SICP in that it allowed an operations employee to depart early at 1:00 a.m. EST on December 30, 2013, without a replacement.
23. The City of Cleveland's decision described in paragraph 22 above left the airport with one operations supervisor and one operations agent, below the required minimum staffing levels of one supervisor and two agents provided for in its SICP.
24. At 9:45 p.m. EST on December 29, 2013, the City of Cleveland decided to partially pretreat Runways 6L/24R and 6R/24L and a limited number of associated taxiways to and from the terminal with sand and anti-icing chemicals beginning at 10:30 p.m. EST.
25. The treatment described in Paragraph 24 above began at 10:30 p.m. EST on December 29, 2013.
26. On December 30, 2013 by 1:57 a.m. EST, the City of Cleveland's CLE Operations staff knew that United Airlines (UA) Flight 6135 was disabled on Taxiway Juliet between Taxiway Romeo and Alpha due to NIL braking conditions.
27. At the time UA Flight 6135 was disabled on Taxiway Juliet as described in Paragraph 26 above, no airport maintenance staff were on duty at CLE as required under the City of Cleveland's SICP.
28. On December 30, 2013, at 1:57 a.m. EST, the City of Cleveland's Operations

staff reported NIL braking conditions on Taxiways Sierra, Bravo, Kilo, November, Tango, and Charlie.

29. Despite the unsafe braking conditions on Taxiways Sierra, Bravo, Kilo, November, Tango, and Charlie on December 30, 2013, at 1:57 a.m. EST, the City of Cleveland failed to take any action to mitigate the unsafe conditions or limit the use of these taxiways at CLE.

30. On December 30, 2013, at approximately 2:23 a.m. EST, Delta Airlines Flight 8847 landed on Runway 6L and became disabled on Taxiway Kilo due to NIL braking conditions on ice.

31. On December 30, 2013, the crew of Delta Flight 8847 made several attempts to maneuver the aircraft off of Taxiway Kilo and finally successfully maneuvered it onto Taxiway Hotel where the aircraft again became disabled due to NIL braking conditions on the surface of the Taxiway.

32. At the time Delta Flight 8847 landed on Runway 6L, no airport maintenance staff was on duty or present at the airport.

33. Delta Flight 8847 remained disabled until CLE Maintenance staff arrived for a pre-scheduled 3:00 a.m. EST shift and they hand-shoveled sand around the wheels of the aircraft enabling the aircraft to taxi to the ramp.

34. At 2:30 a.m. EST, the City of Cleveland closed the airport via NOTAM.

35. Between the hours of 1:57 a.m. EST and 2:30 a.m. EST, the City of Cleveland failed to limit air carrier operations at CLE when unsafe conditions existed on Runway 10/28 and numerous taxiways, including but not limited to Taxiways Juliet, Kilo and Hotel.

36. The City of Cleveland failed to provide sufficient and qualified personnel to comply with Chapter 3, Paragraph 3.1 of its SICP in that on December 30, 2013 no airport maintenance personnel were on duty at CLE and CLE fell below the minimum required staffing levels.

37. On December 30, 2013, The City of Cleveland failed to promptly remove or effectively control snow and ice on airport movement area surface and conduct appropriate actions to prevent the degradation of pavement conditions.

38. Chapter 5, Paragraph 5.1(b) of the City of Cleveland's SICP states: "Runway conditions are updated anytime a change to the runway condition occurs, including whenever the field condition inspection reveals a change in surface conditions.

39. The City of Cleveland failed to comply with Chapter 5, Paragraph 5.1(b) of its SICP in that it failed to promptly notify air carriers of movement area surfaces that were not cleared adequately of snow and ice for safe operations by not providing updated Field Condition Reports between 12:01 a.m. EST and 3:44 a.m. EST on December 30, 2013.

40. The City of Cleveland failed to respond in a timely manner to mitigate icing conditions when NWS temperature and precipitation forecasts for December 29, 2013 through December 30, 2013 were for icing conditions.

41. The City of Cleveland failed to carry out a snow and ice control plan in a manner authorized by the Administrator in that it failed to prioritize for snow and ice removal in a manner outlined in Chapter 3, Paragraph 3.4 of its SICP.

By reason of the foregoing, it appears that the City of Cleveland failed to comply with the following Federal Aviation Regulations:

- (a) 14 C.F.R. § 139.303(a), which requires that each certificate holder provide sufficient, qualified personnel so as to comply with the requirements of the Airport Certification Manual and Part 139 of the FAR.
- (b) 14 C.F.R. § 139.313(a) which requires that each certificate holder whose airport is located where snow and icing conditions occur must prepare, maintain, and carry out a snow and ice control plan in a manner authorized by the Administrator.
- (c) 14 C.F.R. § 139.313(b) (1), which requires prompt removal or control, as completely as practicable, of snow, ice and slush on each movement area.
- (d) 14 C.F.R. § 139.313(b)(5), which requires prompt notification, in accordance with 14 C.F.R. §139.339 to all air carriers using the airport when any portion of the movement area normally available for use is less than satisfactorily cleared for safe operation of aircraft.
- (e) 14 C.F.R. § 139.339(c)(3), which requires each certificate holder to provide information on airport conditions that may affect the safe operation to air carriers regarding snow, ice, slush, or water on the movement areas or loading ramps and parking areas.
- (f) 14 C.F.R. § 139.343, which requires that when the requirements of 14 C.F.R. Part 139 cannot be met the certificate holder must limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

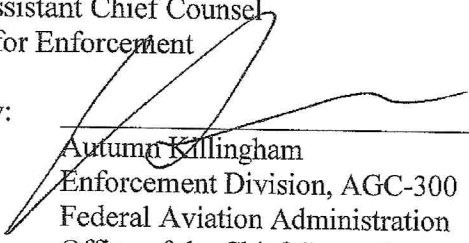
Pursuant to 49 U.S.C. § 46301(a)(1), the City of Cleveland is subject to a civil penalty not to exceed \$27,500 for each violation of the Federal Aviation Regulations. After reviewing all of the information contained in our investigative file, we propose to assess a civil penalty in the amount of \$100,000.

Enclosed is information on the City of Cleveland's options in responding to this Notice. The options include participating in an informal conference with an FAA attorney and submitting information to the FAA for consideration. The City of Cleveland must submit, in writing, its choice of the alternatives explained on the enclosed information form within 30 days of receiving this Notice. If the City of Cleveland fails to submit its choice within 30 days of its receipt of this Notice, it will have no further right to participate in the informal procedures.

Please direct all communications to Autumn Killingham. See contact information below.

Peter J. Lynch
Assistant Chief Counsel
for Enforcement

By:



Autumn Killingham
Enforcement Division, AGC-300
Federal Aviation Administration
Office of the Chief Counsel
800 Independence Ave., S.W.
Washington, D.C. 20591
email: Autumn.Killingham@faa.gov
Telephone: (202) 267-7158 (main)
(202) 267-7718 (direct)
(202) 267-5107 (fax)

Enclosures: Information Sheet and Reply Form
FAA Regulations 14 C.F.R. § 13.16 and 14 C.F.R. part 13, subpart G



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

Enforcement Division, AGC-300
800 Independence Ave., S.W.
Washington, D.C. 20591

**U.S. CERTIFIED MAIL, RETURN-RECEIPT REQUESTED
and FIRST-CLASS MAIL**

September 14, 2015

Fred Szabo
Acting Director of Airports
Cleveland Airport System
5300 Riverside Drive
P.O. Box 81009
Cleveland, Ohio 44181

RE: City of Cleveland, Department of Port Control, Case No. 2014GL800034

NOTICE OF PROPOSED CIVIL PENALTY

Based on the following facts and circumstances, it appears that City of Cleveland, Department of Port Control violated the regulations of the Federal Aviation Administration:

1. At all times relevant to this Notice, the city of Cleveland, Department of Port Control (City of Cleveland) was the holder of an Airport Operating Certificate, issued under 14 CFR part 139, applicable to the operation of Cleveland Hopkins International Airport (CLE).
2. On January 18, 2014, the CLE Field Condition Reporting System (FCRS) reported field conditions as follows:
 - (a) At 6:25 a.m. Eastern Standard Time (EST), ¼ inch patchy snow over ice for runways and taxiways
 - (b) At 9:18 a.m. EST, and 4:45 p.m. EST, patchy thin snow and ice.
3. CLE FCRS failed to provide any additional field condition updates until 9:42 p.m. EST on January 18, 2014.
4. On January 18, 2014, at 8:33 p.m. EST, a CLE Aircraft Rescue and Firefighting vehicle (ARFF-15) conducted training exercises with three other ARFF vehicles.
5. In order to conduct the training exercises, at 8:28:09 p.m. EST, the Air Traffic Control Tower (ATCT) at CLE instructed ARFF-15 to "drive via [taxiways] Golf Romeo and hold short of all runways advise off runway 24L."

6. At 8:28:47 EST, ATCT at CLE instructed ASH (United Express) Flight 2738 to "turn left heading two one zero runway two four left cleared for takeoff."
7. At 8:29:47 EST, ARFF-15 slid from Taxiway Romeo on ice past the hold short line onto Runway 24L during ASH 2738's takeoff roll, causing the Airport Movement Area Safety System to generate an alert.
8. In accordance with the requirements of 14 CFR § 139.313, the City of Cleveland is required to operate under an FAA-approved Snow and Ice Control Plan (SICP).
9. Chapter 3, Paragraph 3.4 of the City of Cleveland's SICP states: "In addition to the snow removal circuit routes, CLE has established a priority for the clearing of airfield pavement . . ."
10. Chapter 3, Paragraph 3.4 of the City of Cleveland's SICP specifies the following prioritization plan for snow and ice removal:
 - (a) Priority-1
 - The active instrument runway(s)
 - Associated turnoffs
 - Entrance and exit taxiways
 - Terminal ramps
 - ARFF station access
 - ARFF mutual aid access point
 - ARFF mutual aid gate operability check
 - (b) Priority-2
 - Secondary runway
 - Crosswind runway
 - Associated turnoffs and taxiways
 - Cargo ramps
 - (c) Priority-3
 - Remaining aircraft movement areas
11. At all times relevant to this Notice, Runway 24L was the Priority-1 runway as it was the active instrument runway in use at the time.
12. At all times relevant to this Notice, Taxiway Romeo was a Priority-1 taxiway as it was an entrance and exit taxiway to the Priority-1 runway in use at the time.
13. On January 18, 2014, the City of Cleveland failed to carry out a snow and ice control plan as specified in its FAA-approved SICP, Chapter 3, Paragraph 3.4, in that it failed to prioritize for snow and ice removal on active instrument Runway 24L and the entrance and exit Taxiway Romeo.

14. Chapter 4, Paragraph 4.4 of the City of Cleveland's SICP states: "chemical application is a key component to easy and effective snow removal operations. The selection and application of approved materials for snow and ice control is based upon an evaluation of the existing field conditions."
15. Chapter 4, Paragraph 4.5 of the City of Cleveland's SICP states: "Sand is applied to improve friction when snow removal and/or chemical treatments do not produce the desired friction measurement readings."
16. According to the CLE Operations Log for January 18, 2014, the airport applied sand to various taxiways prior to the above runway incursion; however, the City of Cleveland failed to treat Taxiway Romeo either by deicing chemical or sand application.
17. On January 18, 2014, the City of Cleveland failed to promptly remove or effectively control snow and ice as completely as practicable on airport movement area surfaces and conduct appropriate actions to prevent the degradation of pavement conditions.
18. Weather conditions and the City of Cleveland's failure to comply with Paragraphs 3.4, 4.4 and 4.5 of its FAA-approved SICP rendered Runway 24L and entrance and exit Taxiway Romeo unsafe.
19. The City of Cleveland failed to limit air carrier operations to those portions of the airport not rendered unsafe.

By reason of the foregoing, it appears that the City of Cleveland failed to comply with the following Federal Aviation Regulations:

- (a) 14 C.F.R. § Section 139.313(a), which requires that each certificate holder whose airport is located where snow and icing conditions occur must prepare, maintain, and carry out a snow and ice control plan in a manner authorized by the Administrator.
- (b) 14 C.F.R. § 139.313(b) (1), which requires prompt removal or control, as completely as practicable, of snow, ice and slush on each movement area.
- (c) 14 C.F.R. § 139.343, which requires that when the requirements of Part 139 cannot be met the certificate holder must limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

Pursuant to 49 U.S.C. § 46301(a)(1), the City of Cleveland is subject to a civil penalty not to exceed \$27,500 for each violation of the Federal Aviation Regulations. After reviewing all of the information contained in our investigative file, we propose to assess a civil penalty in the amount of \$40,000.

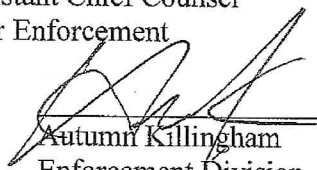
Enclosed is information on the City of Cleveland's options in responding to this Notice. The options include participating in an informal conference with an FAA attorney and submitting information to the FAA for consideration. The City of Cleveland must submit, in writing, its

choice of the alternatives explained on the enclosed information form within 30 days of receiving this Notice. If the City of Cleveland fails to submit its choice within 30 days of its receipt of this Notice, it will have no further right to participate in the informal procedures.

Please direct all communications to Autumn Killingham. See contact information below.
Washington, D.C. 20591.

Peter J. Lynch
Assistant Chief Counsel
for Enforcement

By:


Autumn Killingham
Enforcement Division, AGC-300
Federal Aviation Administration
Office of the Chief Counsel
800 Independence Ave., S.W.
Washington, D.C. 20591
email: Autumn.Killingham@faa.gov
Telephone: (202) 267-7158 (main)
(202) 267-7728 (direct)
(202) 267-5106 (fax)

Enclosures: Information Sheet and Reply Form
FAA Regulations 14 C.F.R. § 13.16 and 14 C.F.R. part 13, subpart G



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

Enforcement Division, AGC-300
800 Independence Ave., S.W.
Washington, D.C. 20591

**U.S. CERTIFIED MAIL, RETURN-RECEIPT REQUESTED
and FIRST-CLASS MAIL**

September 14, 2015

Fred Szabo
Acting Director of Airports
Cleveland Airport System
5300 Riverside Drive
P.O. Box 81009
Cleveland, Ohio 44181

RE: City of Cleveland, Department of Port Control, Case No. 2014GL800041

NOTICE OF PROPOSED CIVIL PENALTY

Based on the following facts and circumstances, it appears that City of Cleveland, Department of Port Control (City of Cleveland) violated the regulations of the Federal Aviation Administration:

1. At all times relevant to this Notice, the City of Cleveland was the holder of an Airport Operating Certificate, issued under 14 C.F.R. part 139, applicable to the operation of Cleveland Hopkins International Airport (CLE).
2. On February 24, 2014, snow began to fall at 11:51 p.m. EST and continued to fall overnight until after 6:00 a.m. EST on February 25, 2014.
3. CLE's Field Condition Reporting System (FCRS) reported airfield pavement surface temperatures below freezing from February 24, 2014 at 5:45 p.m. EST until past 6:00 a.m. EST on February 25, 2014.
4. On February 25, 2014 at 4:25 a.m. EST, the airport surface sensing system issued an "Ice Watch" warning with each surface temperature report the system generated through 6:00 a.m. EST.
5. On February 24, 2014, from 11:51 p.m. EST until after 6:00 a.m. EST on February 25, 2014, the City of Cleveland did not initiate any snow removal activities on Runway 6R-24L.
6. In accordance with the requirements of 14 CFR § 139.313, the City of Cleveland is required to operate under an FAA-approved Snow and Ice Control Plan (SICP).
7. Chapter 3, Paragraph 3.4 of the City of Cleveland's SICP states: "In addition to the snow removal circuit routes, CLE has established a priority for the clearing of airfield

pavement . . .”

8. Chapter 3, Paragraph 3.4 of the City of Cleveland’s SICP specifies the following prioritization plan for snow and ice removal:
 - (a) Priority-1
 - The active instrument runway(s)
 - Associated turnoffs
 - Entrance and exit taxiways
 - Terminal ramps
 - ARFF station access
 - ARFF mutual aid access point
 - ARFF mutual aid gate operability check
 - (b) Priority-2
 - Secondary runway
 - Crosswind runway
 - Associated turnoffs and taxiways
 - Cargo ramps
 - (c) Priority-3
 - Remaining aircraft movement areas
9. At all times relevant to this Notice, Runway 24L was the Priority-1 runway as it was the active instrument runway in use at the time.
10. On February 25, 2014 at 5:41 a.m. EST, United Parcel Service (UPS) Flight 1442 landed on Runway 24L and reported braking conditions as “Poor” and NIL at the end of the runway.
11. On February 25, 2014, at 5:46 a.m. EST, Air Traffic Control advised inbound United Airlines (UA) Flight 1112 that Runway 24L was closed as a result of the NIL report and that “two eight is the only runway we have open right now but there haven’t been any plows on it we don’t have any runway uh conditions on that.”
12. As a result of the closure of Runway 24L after UPS Flight 1442 reported “Poor” and NIL braking conditions on Runway 24L, and the unplowed and unsafe conditions on other CLE runways, air traffic control diverted UA Flight 1112 at 5:55 a.m. EST to Detroit Metropolitan Wayne County Airport.
13. At 5:23 a.m. EST, 18 minutes prior to the to the time UPS Flight 1442 reported the NIL braking conditions on Runway 24L, the CLE FCRS reported the conditions on the airfield as a thin cover of snow on all runways, and a 1/8 inch cover of snow on the taxiways and aprons.
14. The City of Cleveland allowed conditions to degrade to NIL braking on Runway 24L,

which was a Priority-1 runway, while maintenance crews removed snow and ice on the parallel runway, Runway 24R, which was a Priority-2 runway.

15. On February 25, 2014, the City of Cleveland failed to carry out a snow and ice control plan as specified in its FAA-approved SICP, Chapter 3, Paragraph 3.4, in that it failed to prioritize for snow and ice removal on active instrument Runway 24L.

16. Chapter 5, Paragraph 5.4 of the City of Cleveland's SICP states:

Continuous runway monitoring procedures at CLE involve a combination of obtaining regular Pilot Reports (PIREP) braking action reports from CLE ATCT and conducting regular physical inspections of the pavement surface, inclusive of friction measuring. CLE Airport Operations will commence continuous runway monitoring procedures at the onset of winter precipitation. Inspections will continue during changing weather conditions and whenever braking action reports via PIREP or by vehicle inspections indicate a variance in the quality of the braking action.

17. Contrary to the requirements in Chapter 5, Paragraph 5.4 of the City of Cleveland's SICP, the City of Cleveland failed on February 25, 2014 to effectively monitor and manage the conditions on Runway 24L.

18. On February 25, 2014, the City of Cleveland failed to limit air carrier operations to those portions of the airport that were not rendered unsafe by uncorrected and unsafe conditions.

By reason of the foregoing, it appears that the City of Cleveland failed to comply with the following Federal Aviation Regulations:

- (a) 14 C.F.R. § 139.313(a), which requires that each certificate holder whose airport is located where snow and icing conditions occur must prepare, maintain, and carry out a snow and ice control plan in a manner authorized by the Administrator.
- (b) 14 C.F.R. § 139.313(b)(1), which requires prompt removal or control, as completely as practicable, of snow, ice and slush on each movement area.
- (c) 14 C.F.R. § 139.343, which requires that when the requirements of Part 139 cannot be met the certificate holder must limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

Pursuant to 49 U.S.C. § 46301(a)(1), the City of Cleveland is subject to a civil penalty not to exceed \$27,500 for each violation of the Federal Aviation Regulations. After reviewing all of the information contained in our investigative file, we propose to assess a civil penalty in the amount of \$40,000.

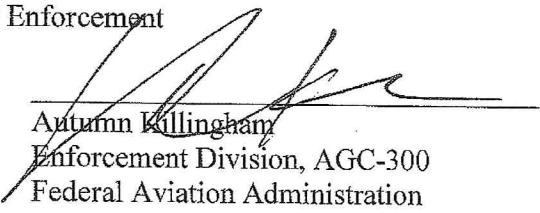
Enclosed is information on The City of Cleveland's options in responding to this Notice. The options include participating in an informal conference with an FAA attorney and submitting information to the FAA for consideration. The City of Cleveland must submit, in writing, its choice of the alternatives explained on the enclosed information form within 30 days of receiving

this Notice. If the City of Cleveland fails to submit its choice within 30 days of its receipt of this Notice, it will have no further right to participate in the informal procedures.

Please direct all communications to Autumn Killingham. See contact information below. 20591.

Peter J. Lynch
Assistant Chief Counsel
for Enforcement

By:



Autumn Killingham
Enforcement Division, AGC-300
Federal Aviation Administration
Office of the Chief Counsel
800 Independence Ave., S.W.
Washington, D.C. 20591
email: Autumn.Killingham@faa.gov
Telephone: (202) 267-7158 (main)
(202) 267-7718 (direct)
(202) 267-5106 (fax)

Enclosures: Information Sheet and Reply Form
FAA Regulations 14 C.F.R. § 13.16 and 14 C.F.R. part 13, subpart G

ATTACHMENT D



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

Enforcement Division, AGC-300
800 Independence Ave., S.W.
Washington, D.C. 20591

U.S. CERTIFIED MAIL, RETURN-RECEIPT REQUESTED
and FIRST-CLASS MAIL

September 14, 2015

Fred Szabo
Acting Director of Airports
Cleveland Airport System
5300 Riverside Drive
P.O. Box 81009
Cleveland, Ohio 44181

RE: City of Cleveland, Department of Port Control, Case No. 2015GL800037

Dear Mr. Szabo:

Based on the following facts and circumstances, it appears that the City of Cleveland, Department of Port Control (City of Cleveland) violated the regulations of the Federal Aviation Administration:

1. At all times material herein, the City of Cleveland was the holder of an Airport Operating Certificate, issued under 14 C.F.R. part 139, applicable to the operation of Cleveland Hopkins International Airport (CLE).
2. On Sunday, March 1, 2015, according to the local CLE Meteorological Terminal Aviation Routine Weather Report (METAR), snowfall began in the area of CLE at approximately 12:01 a.m. Eastern Standard Time (EST).
3. The National Weather Service forecast for the CLE airport area on March 1, 2015 estimated that there would be additional snowfall accumulations of 2-4 inches during the day with an additional inch during the evening hours subsiding by 11:00 p.m. EST.
4. The CLE METAR data for March 1, 2015 recorded that light snow fell throughout the day with periods of freezing fog observed beginning at 7:11 a.m. EST.
5. In addition, the airport surface sensor system on March 1, 2015 reported an "Ice Watch" warning from 8:44 a.m. EST through 11:15 p.m. EST, in the vicinity of Taxiway Papa at CLE.

6. On March 1, 2015, CLE's Field Condition Reporting System (FCRS) reported pavement areas in the vicinity of Taxiway Papa as "wet" and the temperatures hovering around freezing at 32.4 degrees Fahrenheit.
7. On March 1, 2015, CLE's FCRS reported field conditions for Runway 24L as one-half inch of snow on the runway for most of the morning, changing over to a report of "thin snow" at 9:55 a.m. EST.
8. On March 1, 2015, at 11:19 a.m., CLE's FCRS again reported field conditions as "thin snow" on Runway 24L.
9. 14 C.F.R. § 139.313 requires the City of Cleveland to operate under an FAA-approved Snow and Ice Control Plan (SICP).
10. Chapter 3 of the City of Cleveland's SICP sets forth the requisite number of operations employees and maintenance employees for snow removal operations.
11. Chapter 3, Paragraph 3.1, of the City of Cleveland's SICP requires the City of Cleveland to use the following snow coding system to ensure that there is sufficient staffing at CLE to carry out the requirements of its SICP:
 - a. A "Green" Snow Code is required when the weather forecast indicates up to one inch of dry or wet snow.
 - b. A "Green" Snow Code requires that the City of Cleveland have a staff of 4 airport operations employees and 20 field maintenance employees consisting of 18 operators and 2 unit leaders;
 - c. A "Yellow" Snow Code is required when the weather forecast indicates one to four inches of dry or wet snow.
 - d. A "Yellow" Snow Code requires that the City of Cleveland have a staff of 4 airport operations employees and 26 field maintenance employees consisting of 23 operators and 3 unit leaders; and
 - e. A "Red" Snow Code is required when the weather forecast indicates greater than four inches of dry or wet snow or freezing rain.
 - f. A "Red" Snow Code requires that the City of Cleveland have a staff of 5 airport operations employees and 34 field maintenance employees consisting of 30 operators and 4 unit leaders.
12. As a result of the weather forecasts, the City of Cleveland initiated a "Green" level Snow Code alert for CLE effective as of Saturday, February 28, 2015, at midnight.
13. As a result of the weather forecasts and deteriorating weather conditions, the City of

Cleveland upgraded the Snow Code to a “Yellow,” which went into effect at 7:00 a.m. EST on March 1, 2015.

14. During the 3rd shift (for operations personnel from 11:30 p.m. – 7:30 a.m. EST, and for maintenance personnel from 10:00 p.m. – 6:30 a.m. EST), which began on February 28, 2015, when a “Green” Snow Code was in effect, the City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of the SICP in that it had insufficient personnel on duty with only 4 out of the required 18 maintenance operators, 1 out of the required 2 unit leaders, and 3 out of the required 4 operations personnel on duty.
15. During the 1st shift (for operations personnel from 7:30 a.m. – 3:30 p.m. EST, and for maintenance personnel from 6:00 a.m. – 2:30 p.m. EST) on March 1, 2015, when a “Yellow” Snow Code was in effect, the City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of the SICP in that it only had 17 out of the required 23 maintenance operators, and 3 out of the required 4 operations personnel on duty.
16. During the 2nd shift (for operations personnel from 3:30 p.m. EST – 11:30 p.m. EST, and for maintenance personnel from 2:00 p.m. – 10:30 p.m. EST) on March 1, 2015, when a “Green” Snow Code was in effect, the City of Cleveland failed to comply with Chapter 3, Paragraph 3.1 of its SICP in that it had insufficient personnel on duty with only 3 out of the required 4 operations personnel on duty.
17. On March 1, 2015, the City of Cleveland failed to sufficiently staff CLE in accordance with its SICP as described in paragraphs 9-16 above.
18. The City of Cleveland failed to provide sufficient and qualified personnel to comply with the requirements of its SICP on the following dates:
 - a. January 5, 2015
 - b. January 6, 2015
 - c. January 7, 2015
 - d. January 9, 2015
 - e. January 11, 2015
 - f. January 22, 2015
 - g. January 25, 2015
 - h. January 26, 2015
 - i. February 1, 2015
 - j. February 2, 2015
 - k. February 4, 2015
 - l. February 5, 2015
 - m. February 14, 2015

- n. February 15, 2015
 - o. February 18, 2015
 - p. February 19, 2015
 - q. February 21, 2015
 - r. February 28, 2015
 - s. March 1, 2015
19. On March 1, 2015, at 8:43 a.m. EST, an Airbus 319 aircraft reported to air traffic control that Taxiway Papa had NIL braking action conditions.
20. On March 1, 2015, at approximately 11:59 a.m., Air Wisconsin (AWI) Flight 3897 landed on Runway 24L.
21. As AWI Flight 3897 exited Runway 24L at Taxiway Papa on March 1, 2015, the Local Air Traffic Controller cleared Express Jet (ASQ) Flight 5889 at 11:59 a.m. EST for takeoff on Runway 24L.
22. The NIL braking surface conditions on Taxiway Papa on March 1, 2015 at or around 11:59 a.m. EST resulted in AWI Flight 3897 delaying its exit from Runway 24L at the intersection with Taxiway Papa.
23. As a result of AWI Flight 3897's delay in exiting Runway 24L, the Local Air Traffic Controller canceled the takeoff clearance for ASQ Flight 5889 and issued a go-around instruction for inbound Delta Airlines Flight 1474, which was on a 3-mile final to Runway 24L.
24. During the timeframe of the incidents referenced in paragraphs 19-23 above, CLE FCRS reported field conditions for all taxiways as "1 inch snow over rough, compacted snow and ice," with vehicle braking action reported as "poor to fair."
25. Following the incidents referenced in paragraphs 19-23 above, the CLE FCRS report changed at 1:15 p.m. EST to "patchy snow and ice" on Runway 24L. It had previously been reported as "thin snow" at 11:19 a.m. EST.
26. Chapter 3, Paragraph 3.4 of the City of Cleveland's SICP states: "In addition to the snow removal circuit routes, CLE has established a priority for the clearing of airfield pavement . . ."
27. Chapter 3, Paragraph 3.4 of the City of Cleveland's SICP specifies the following prioritization plan for snow and ice removal:

(a) Priority-1

- The active instrument runway(s)
- Associated turnoffs
- Entrance and exit taxiways
- Terminal ramps
- ARFF station access
- ARFF mutual aid access point
- ARFF mutual aid gate operability check

(b) Priority-2

- Secondary runway
- Crosswind runway
- Associated turnoffs and taxiways
- Cargo ramps

(c) Priority-3

- Remaining aircraft movement areas

28. At all times relevant to this Letter, Runway 24L was the Priority-1 runway as it was the active instrument runway in use at the time.
29. At all times relevant to this Letter, Taxiway Papa was a Priority-1 taxiway as it was an entrance and exit taxiway to the Priority-1 runway in use at the time.
30. On March 1, 2015, the City of Cleveland failed to carry out a snow and ice control plan as specified in its FAA-approved SICP, Chapter 3, Paragraph 3.4, in that it failed to prioritize for snow and ice removal on active instrument Runway 24L and the entrance and exit Taxiway Papa.
31. Chapter 4, Paragraph 4.4 of the City of Cleveland's SICP states: "chemical application is a key component to easy and effective snow removal operations. The selection and application of approved materials for snow and ice control is based upon an evaluation of the existing field conditions."
32. The City of Cleveland failed to treat Taxiway Papa with anti-icing chemicals until 12:23 p.m. EST on March 1, 2015, 22 minutes after Air Wisconsin (AWI) Flight 3897 landed on Runway 24L.
33. On March 1, 2015, the City of Cleveland failed to promptly remove or effectively control snow and ice on airport movement area surfaces and conduct appropriate actions to prevent the degradation of pavement conditions.
34. On March 1, 2015, the City of Cleveland failed to respond in a timely manner to mitigate icing conditions when freezing temperature and precipitation conditions were forecast from February 28, 2015, through March 1, 2015.

35. On March 1, 2015, the City of Cleveland failed to promptly notify air carriers of movement areas surfaces that were not cleared adequately for safe operations and did not provide NOTAMS or updated Field Condition Reports between 12:25 a.m. and 4:00 p.m. EST.
36. On March 1, 2015, the City of Cleveland failed to limit air carrier operations to those portions of the airport that were not rendered unsafe by uncorrected and unsafe conditions.

By reason of the foregoing, it appears that the City of Cleveland failed to comply with the following Federal Aviation Regulations:

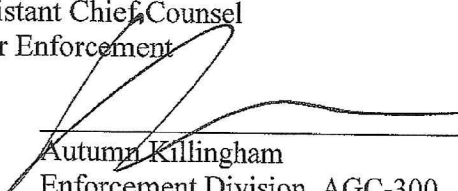
- (a) 14 C.F.R. § 139.303(a), which requires that each certificate holder provide sufficient, qualified personnel so as to comply with the requirements of the ACM and Part 139 of the FAR.
- (b) 14 C.F.R. § 139.313(a), which requires that each certificate holder whose airport is located where snow and icing conditions occur must prepare, maintain, and carry out a snow and ice control plan in a manner authorized by the Administrator.
- (c) 14 C.F.R. § 139.313(b)(1), which requires prompt removal or control, as completely as practicable, of snow, ice, and slush on each movement area.
- (d) 14 C.F.R. § 139.313(b)(5), which requires prompt notification, in accordance with 14 C.F.R. § 139.339, of all air carriers, using the airport when any portion of the movement area normally available to them is less than satisfactorily cleared for safe operation by their aircraft.
- (e) 14 C.F.R. § 139.339(c)(3), which requires each certificate holder to provide information on airport conditions that may affect the safe operation to air carriers regarding snow, ice, slush, or water on the movement areas or loading ramps and parking areas.
- (f) 14 C.F.R. § 139.343, which requires that when the requirements of Part 139 cannot be met the certificate holder must limit air carrier operations to those portions of the airport not rendered unsafe by those conditions.

Pursuant to 49 U.S.C. § 46301(a)(1), the City of Cleveland is subject to a civil penalty not to exceed \$27,500 for each violation of the Federal Aviation Regulations. After careful consideration of all available information, we are willing to accept \$555,000 in settlement of this matter.

We will take no further action for a period of 30 days after your receipt of this letter to afford the City of Cleveland an opportunity to submit the suggested amount in settlement or furnish additional information pursuant to the procedures described in the enclosure. Please direct all communications to Autumn Killingham. See contact information below.

Peter J. Lynch
Assistant Chief Counsel
for Enforcement

By:



Autumn Killingham
Enforcement Division, AGC-300
Federal Aviation Administration
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Enclosures: Information Sheet and Reply Form
Instructions for Electronic Payment

Cleveland Hopkins International Airport proclaims it's ready for snow season



By **Robert Higgs**, [cleveland.com](#)

[Email the author](#) | [Follow on Twitter](#)

on November 18, 2016 at 4:02 PM, updated November 18, 2016 at 4:28 PM

CLEVELAND, Ohio - Cleveland Hopkins International Airport has upgraded its staff and equipment since the FAA issued sanctions over snow removal. The airport is ready to go for this snow season, said interim Director Fred Szabo.

An expanded staff has been training since May. The airport has bought 19 new snow removal vehicles in the last two years. And a new maintenance and storage facility should be ready to go, Szabo said Friday, with snow predicted for the weekend.

"We're working very closely with the FAA," Szabo said. "They've met with us. We have a combined snow and ice control plan which the FAA has certified. They've given us federal money to purchase equipment and build the buildings."

FAA scrutiny

Cleveland came under scrutiny from the Federal Aviation Administration in 2015 for lax snow removal. In May, [the city agreed to pay a record fine](#) as part of a settlement with the FAA over its complaints.

The FAA issued a \$735,000 fine after finding [the airport at times failed to adequately staff snow removal teams and de-ice runways](#) - a failure that caused unsafe conditions and forced planes to divert to other airports.

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The settlement included Cleveland's pledge that it will change how it operates. Since some changes already had been made and the airport cooperated, the federal government dropped the fine to \$200,000.

Increased staffing

Szabo said the snow removal team has been increased to 117 employees. That staff began training for winter snow removal in May. All seasonal workers were brought on early enough to get full training, Szabo said.

"We've learned from our experiences," Szabo said. "We've completely revamped the training. Anybody who operates on the airfield goes through a training program. We learned from the instances we had in the past."

When the FAA issued its fine in late 2015, the airport had 25 part-time snowplow drivers from the previous season ready to be deployed. But a spokesman for the city acknowledged then that airport needed 46 to meet minimum staffing requirements established by an agreement with the FAA.

One of the most egregious infractions cited by the FAA stemmed from March 1, 2015, when the airport's field maintenance crew was understaffed on all shifts - with only four out of the required 18 maintenance operators working third shift - despite a forecast calling for several inches of snow.

New equipment

Large snow removal equipment allows runways to be cleared more quickly, Szabo said.

"We can clear an 11,000-foot runway in about 20 minutes now. It used to take 45 minute," Szabo said.

That speed is important because there is a lot of area to clear. Hopkins' paved areas cover as much surface as 175 miles of two-lane highway.

Trucks spread chemical mixtures sodium formate, which breaks up the snow, and potassium acetate, which reacts with the pavement, causing it to warm and slow the return of ice.

Salt cannot be used because it is corrosive, said Jeff Gordon, the airport's deputy commissioner for operations, public safety and security.

Specially designed trucks can drive over runway lights and signs , clearing snow away without causing damage.

Larger vehicles, including trucks with plow-blades that could span the widest of Cleveland's city streets, are part of a one-pass snow removal circuit route implemented this year.

One type of vehicle has a large plow on the front, followed by a large brush that scours the pavement and a blower to clear any leftover snow.

"It's the biggest piece of snow removal equipment in the city," Gordon said.

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