



December 15, 2016

Mr. Keith Major
Director (Acting)
Bahamas Civil Aviation Authority
JL Center, Blake Road
Nassau, Bahamas

Sir:

Ref: **Safety concern SI-00177**

On October 5th 2016 the Flight Standards Inspectorate was notified of recommendations that should be taken in respect of the accident involving N376SA in which pilots landed the aircraft without the aid of the aircraft landing gear.

To date, no response to those recommendations has been received by this department on actions taken to either accept or reject those recommendations. Bearing in mind the official changeover from the Bahamas Civil Aviation Department to the Bahamas Civil Aviation Authority effective October 3, I now write to you as the Director (Acting) of this agency to inquire as to the status of those recommendations issued to the previous Flight Standards Inspectorate.

It was recommended that:

1. Airmen Mr. Quinton Pinder and Mr. Tevin Lundy be re-examined for their fitness to hold Bahamas Airmen License 02470-ATPL and 00747-CPL respectively.
2. The Check Airman Authorization issued to Airman Mr. Quinton Pinder be reviewed with the possibility of being revoked due to his involvement in the aircraft landing gear-up.

Despite the incident occurring in a United States Registered aircraft, the actions were not registration specific, but rather concerning the qualifications of the crew irrespective of the registration of the aircraft. The Flight Standards Inspectorate was also advised to coordinate with the FAA to determine whether the FAA or BCAA will be the ones to conduct the re-examination in order to avoid duplication of efforts. To date (more than 70 days later) no response has been made to this office from either the FSI or the FAA as to whether the recommendations were considered or will be acted upon.

Be advised that when the BAAID issues a safety recommendation¹, the person, organization or agency is required to provide a written response **without delay**. The response shall indicate whether the person,

¹ Civil Aviation Act, Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2015. Regulations **14. Safety recommendations**

(1) The Chief Investigator shall cause the reports referred to in regulation 13, including those not required to be published and the safety recommendations contained therein, to be communicated to the undertakings or aviation authorities concerned.

(2) A safety recommendation shall in no case create a presumption of blame or liability for an accident or incident.

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organization or agency accepts the recommendation, any reasons for not accepting part or all of the recommendation(s), and details of any proposed safety action(s) resulting from the recommendation(s) issued.

The matters addressed in correspondence of October 5th, 2016 were very serious and can have a serious impact on safety, if not addressed. Correspondence was addressed again to the FSI as recent as yesterday for a response. Bearing in mind the new structure of the BCAA, that correspondence may have been sent in error to the wrong department and hereby being sent to your attention until such time as the fully functioning structure is in place.

I seek your guidance on where and to whom this matter should be sent, until such time, I will address all matters relative to the previous Civil Aviation Department / FSI to your attention, unless otherwise instructed.

You are kindly asked to address this matter as soon as is reasonable possible and advise this office of actions taken in respect of pilots involved. It has been brought to the attention of this department through its confidential reporting system that both pilots are preparing to engage in a recurrence training to be reinstated to line active duty without having undergone a re-examination by the BCAA or its designee. It was also reported that the Check airman who was recommended to have his Check Airman Authority revoked, is the same person conducting the retraining. This is contrary to BASR 14.177 and 14.205.

I seek your involvement in remedying this situation. As this matter is still an open safety issue in my database, it will remain so until corrective actions are taken to address this safety concern and this department duly notified.

Regards



Delvin R. Major
Inspector of Accidents

(3) At any stage of an investigation of an accident or incident, the Chief Investigator may recommend in a communication to the appropriate authorities, including those in other States and where appropriate ICAO, any preventative action that he considers necessary to be taken promptly to enhance aviation safety.

- (4) An undertaking or authority to which a safety recommendation is communicated pursuant to paragraph (1) shall, without delay —
- (a) take the safety recommendation into consideration and, where appropriate, act upon it;
 - (b) send to the Chief Investigator one of the following —
 - (i) full details of the measures, if any, it has taken or proposes to take to implement the recommendation without delay and, where it proposes to implement measures, the timetable for securing that implementation;
 - (ii) a full explanation as to why the recommendation is not to be the subject of measures to be taken to implement it; and
 - (c) give written notice to the Chief Investigator where at any time information provided to him pursuant to sub-paragraph (b)(i), concerning the measures it proposes to take or the timetable for securing their implementation, is rendered inaccurate by any change of circumstances.