

Approved: 6-15-2011
Chg 1 (AdminChg): 6-22-2011
Chg 2 (LtdChg): 9-15-2020
Chg 3 (LtdChg): 3-21-2023

SUBJECT: AVIATION MANAGEMENT AND SAFETY

1. PURPOSE. To establish a policy framework that will ensure safety, efficiency, and effectiveness of government or contractor aviation operations.
2. CANCELS/SUPERSEDES. This Order cancels or supersedes the following:
 - a. DOE O 440.2C Chg 2 (LtdChg), *Aviation Management and Safety*, dated 9-15-20
 - b. Deputy Secretarial Memorandum, *Policy Statement for Unmanned Aircraft System Flight Operations*, dated 6-16-15

Cancellation of a directive does not, by itself, modify or otherwise affect any contractual or regulatory obligation to comply with the directive. Contractor Requirements Documents (CRDs) incorporated into contracts remain in effect throughout the term of the contract unless and until the contract or regulatory commitment is modified to either eliminate requirements no longer applicable or substitute a new set of requirements.

3. APPLICABILITY.
 - a. Departmental Applicability. This Order applies to (1) any DOE element that manages, operates, and/or maintains Federal aircraft, or oversees related services, and to (2) DOE elements that obtain commercial aviation services (CAS) including:
 - (1) Bonneville Power Administration except where Public Law (PL) No. 75-329, H.R. 7642, the Bonneville Project Act, or other Federal agencies provide exemptions or equivalent requirements.
 - (2) National Nuclear Security Administration except where contravened by PL 106-65, Title XXXII.
 - (3) Unless specified, all requirements in this document are applicable to both crewed and uncrewed flight operations.
 - b. DOE Contractors. The Contractor Requirements Document (CRD), Attachment 1, sets forth requirements that apply to contracts that include the CRD. The CRD must be included in all contracts for the management and operation (M&O) of DOE-owned or leased facilities and in site/facility management contracts (i.e., those contracts that include the clause at 48 CFR (DEAR) 970.5204-2, Laws, regulations, and DOE directives) that require contractor management, operation,

and/or maintenance of Federal aircraft or require Commercial Aviation Services (CAS) to support programmatic needs. This includes aviation activities that may take place outside the physical boundaries of a DOE facility. For all other contracts that require contractor management, operation, and/or maintenance of Federal aircraft or require CAS to support programmatic needs, the statement of work must include the applicable requirements set forth in the CRD.

- c. Equivalencies/Exemptions for DOE O 440.2C. Requests for equivalencies or exemptions to this Order must be sent in memorandum form from the affected Program Office to the Director, Office of Aviation Management (OAM). The memorandum must reference the offices, or localities, and requirements for which the equivalency/exemption is sought. The Director, OAM, must approve the requests in writing for those DOE Offices. Equivalency or exemption requests which involve NNSA organizations shall be made available to the Director, OAM, for review and comment prior to implementation. The Director, OAM, may make recommendations to the Administrator, NNSA, via the submitting organization. Decisions, on the part of NNSA aviation elements, to proceed contrary to the recommendations of the OAM, shall be made in writing to the Director, OAM by the submitting organization.

4. REQUIREMENTS.

- a. DOE Government Aircraft. DOE/NNSA Public-Aircraft missions are not subject to Federal Aviation Administration (FAA) oversight nor required to comply with FAA regulations, except for certain general operating rules (including those applicable to all aircraft in the National Airspace System (P.L. 85-726, Federal Aviation Act of 1958, Title 49 U.S.C., Subtitle VII). Therefore, DOE must self-regulate public missions, as defined in Public Law 106-181—April 5, 2000, Section 40125 (a) and (b). However, the FAA retains oversight of the airworthiness of any aircraft for which it has issued a Certificate of Airworthiness (C of A), which includes DOE/NNSA government aircraft. Therefore, whether performing public or civil missions, DOE/NNSA aircraft shall comply with applicable FAA airworthiness rules. The FAA oversees all civil aircraft operations; specifically, all flight operations not defined as public operations. When an organization determines these regulations or policies would adversely impact its public mission, it must document and develop controls to mitigate risk to an acceptable level as defined by its organization. When an organization determines that the above regulations would adversely impact its civil mission, it must seek relief from the appropriate authority, document and develop controls to mitigate risk to an acceptable level as required by the responsible authorities.
- b. Hiring Commercial Air Service Providers (CAS). Field Elements that plan to utilize DOE/NNSA funded CAS may not allow the selected CAS provider to begin flight operations until they successfully pass a safety audit as defined by OAM (or an audit protocol developed by the contracting entity that meets or exceeds the requirements set forth in the OAM protocols) and are placed on the departments “Accepted Operators List.” OAM, at its discretion, may accept audits from other

Executive Agencies, DoD, or advanced SMS certifications from internationally recognized aviation specific SMS programs. Should a selected provider fail a safety audit their contract may be voided by that field elements contracting office in favor of an alternative provider that does successfully pass the required safety audit.

- c. Flight Program Standards/Aviation Implementation Documents (AID). Federal Management Regulations Title 41 CFR Section 102-33.140 through Title 41 CFR Section 102-33.195 requires agencies to write, publish (as appropriate), implement, and comply with detailed, agency-specific standards that meet or exceed applicable civil or military rules. Each DOE/NNSA program or field element with management responsibility for assigned Federal aircraft and/or uses CAS, must develop and publish an AID detailing the standards and/or procedures implemented to manage, operate, conduct airworthiness and maintenance programs, training and minimum experience standards for aircrew members, reporting requirements and safety systems of its planned or on-going aviation operations. As a minimum, the AID will address all applicable requirements of this Order and other related requirements established by DOE/NNSA policy, Department of Transportation (DOT), National Transportation Safety Board (NTSB), Federal Aviation Regulations, and Federal Management Regulations, applicable to the scope and size of aircraft operations.
- (1) Each DOE program must submit its initial AID to the Director, OAM. The OAM Director will approve the AID submitted by DOE elements that use Government aircraft not part of NNSA. For other than NNSA organizations, AIDs will be effective when approved by the Director, OAM. For AIDs submitted by NNSA elements, the Director, OAM, will be provided with an opportunity to review, comment and make recommendations to the Administrator, NNSA, via the submitting office prior to implementation. For NNSA elements, the NNSA Administrator retains final authority.
 - (2) Each DOE/NNSA program must review its AID biennially to determine if significant changes in management, operations, or maintenance standards require revision and subsequent approval. NNSA biennial AID reviews will be conducted by each Aviation Program Office. If significant changes are required, the Director, OAM, will be provided with an opportunity to review, comment, and make recommendations to the Administrator, NNSA. For NNSA elements, the NNSA Administrator retains final authority. Significant changes exist when one or more of the following criteria exist: (1) The general configuration/intent of the document is not retained; (2) the original principles on which the document was based are not retained; and (3) the assumptions used in writing the original document are no longer valid (in part or in whole).
- d. Management/Administration of DOE/NNSA Aviation Programs. Any field element that manages and oversees DOE/NNSA government aircraft, to include

CAS, must develop a management structure, appropriate in size and scope, which is responsible for the administration, operation, safety, training, maintenance, security and financial needs of DOE/NNSA aircraft operations. The management structure must meet the standards of 41 CFR 102-33 and the applicable parts of Title 14 CFR. Minimum requirements are:

- (1) Crewed Flight Operations. Federal Aviation Managers (AvMs) and Aviation Safety Officers (ASOs) that meet the qualifications established in the Federal Technical Capability Program within 18 months of assignment (see DOE O 426.1, *Department of Energy Federal Technical Capabilities*, current version, for specific requirements. FTCP-PSQS-1165-2020, *Aviation Safety Program Specific Qualification Standard*, or latest revision, provides other acceptable methods).
 - (2) Uncrewed flight operations, dependent upon the programs size and complexity, will have an assigned AvM and/or ASO as determined by the program office in coordination with OAM.
 - (3) Clearly defined roles, responsibilities, and authorities of assigned managers, pilots, maintenance personnel, flight crewmembers, flight safety personnel, and dispatchers, as applicable.
 - (4) Procedures to track and record flight crewmember duty time, flight time, and training.
 - (5) Procedures to track and record applicable personnel duty time and training; and cost accounting systems that record the costs of operations, utilization, and maintenance [see General Services Administration (GSA) Cost Accounting Guide; OMB Circulars A-11, Exhibit 300; A-76; Federal Management Regulation or successor regulation promulgated by GSA.
- e. Pilot in Command. For both civil and public aircraft operations, the Pilot-in-Command (PIC) or Remote-Pilot-in-Command (RPIC) is directly responsible for and is the final authority as to the operation of that aircraft.
- f. Operation Standards for DOE/NNSA Aviation Programs. DOE/NNSA Government aircraft, including CAS and uncrewed aircraft systems (UAS), in service to DOE/NNSA must be operated and maintained in accordance with the applicable parts of Title 14 CFR appropriate for the mission, size and scope of the operation, type of aircraft in service, and will comply with Title 41 CFR Part 102-33 and applicable laws. At a minimum, field elements must establish:
- (1) Basic qualifications and currency requirements for pilots, crewmembers, maintenance personnel, and other mission-related personnel, meeting FAA regulations and documented in that element's approved AID.
 - (2) A risk-based fatigue-management system, which includes education on fatigue awareness, and mitigation, for all aviation personnel.

- (3) Methods or processes for proving compliance with manufacturer safety-of-flight notices and operational bulletins.
 - (4) A comprehensive and documented mandatory mission briefing and debriefing policy that ensures all crewmembers are fully aware of mission objectives and parameters.
 - (5) A comprehensive and documented mandatory mission de-briefing policy that ensures all crewmembers have the opportunity, at mission completion, to provide feedback on a non-retribution basis.
 - (6) Validated procedures, that include the core responsibilities of the Federal AvM and/or ASO or contractor personnel assigned to those positions; timely notification of applicable management personnel; and immediate initiation of search and rescue operations in case of a lost or downed aircraft.
 - (7) For crewed flight, a process to provide passenger or qualified non-crewmember safety briefings equivalent to those required by FAA civil regulations and a process to inform personnel of their rights established in the National Transportation Safety Board (NTSB) document, "Federal Plan for Aviation Accidents Involving Aircraft Operated by or Chartered by Federal Agencies," Appendix F (NTSB/SPC-99-04).
 - (8) Appropriate and validated emergency procedures and emergency equipment training. In addition, documented evacuation procedures for crewed flight operations.
 - (9) For crewed flight operations, a program that ensures proper inspection of aviation life support equipment, if required for a specific mission.
 - (10) Written policies and procedures for the type of aircraft operations conducted.
 - (11) An overall management tracking system appropriate to the size, scope of the operations and type of aircraft operated.
 - (12) Policies to operate and maintain Federal aircraft in accordance with the applicable parts of Title 14 CFR Chapter I, 49 CFR Chapter XII, 49 CFR Subchapter C or DOE/NNSA and/or DOT Special Permit(s) and exemptions, and/or equivalent international standards appropriate for the size and scope of the operations and type of aircraft in service.
- g. Uncrewed Flight Operations. Uncrewed Aircraft Systems (UAS) are defined as aircraft by the Federal Aviation Administration and are subject to all applicable FAA requirements for certification, air-worthiness, RPIC certification, and operations in the National Airspace System and as well as all applicable parts of this Order.

- (1) UAS flight operations may not begin until an OAM approved program/AID is in place.
 - (2) All UAS RPIC's will hold a current FAA Part 107 license as a baseline certification, regardless of aircraft weight and/or operational status (Civil/PAO).
- h. Part-time and Supplemental Pilots (Crewed and Uncrewed flight operations). From time to time a flight program may find it necessary or beneficial to secure the services of a part time or supplemental pilot. Whether contractor or Fed, these pilots must meet the same experience requirements, flight standards, and flight related training requirements as full-time pilots. The AID or equivalent will specify who is authorized to fly, such as the Director of Operations, Aviation Manager, ASO or a part-time/supplemental pilot. Additionally, a supplemental pilot may provide a cost-effective alternative to meet specific unfulfilled flight crewmember requirements. The field element's AID, and the contractor's aviation procedures or operations manual, if applicable, must clearly define the qualifications, processes, and currency/proficiency requirements for using either part time or supplemental pilots. In addition, part-time and supplemental pilots of crewed aircraft must meet the following minimum criteria:
- (1) Hold a current FAA Class I or Class II medical certificate.
 - (2) Hold a FAA Commercial or ATP license. For aircraft requiring a type rating, the pilot-in-command will hold a type rating for all civil and public aircraft operations. Individual field elements are authorized to make type rating determinations for first officer positions.
 - (3) Have a minimum of 1500 hours total time, and meet all other minimum eligibility requirements for the type of aircraft flown and pilot functions as defined in the Office of Personnel Management (OPM) Aircraft Operations Series 2181.
 - (4) If a part time or supplemental pilot does not meet normal program office requirements for assignment as an aircraft commander their services will be limited to first officer duties.
- i. Maintenance Standards for DOE/NNSA Aviation Programs. All DOE/NNSA aircraft operated in civil status will be maintained to FAA and manufacturer standards. In addition, for public aircraft operations the field-element must establish aircraft maintenance and inspection programs that meets or exceeds civil standards and complies with the requirements listed in Title 41 CFR 102-33 and Title 14 CFR appropriate for the operation and type of aircraft in service. At a minimum, field elements must establish, as applicable to size and scope of operations and type of aircraft operated:
- (1) Aircraft maintenance and inspection programs to ensure the safety of flights in accordance with either the applicable manufacturer's programs,

FAA-approved inspection programs, or continuous maintenance programs (see Title 14 CFR applicable regulations).

- (2) Tool control programs to mitigate potential foreign object damage.
- (3) Incoming parts and receiving programs to mitigate risk associated with unapproved parts entering into the supply system.
- (4) Quality processes for the purchase and acquisition of replacement parts and ensuring parts purchased or acquired have the necessary documentation to determine airworthiness.
- (5) Procedures or processes to ensure the integrity and quality control of maintenance actions by ensuring that maintenance performed by one qualified individual on critical areas of an aircraft are checked and documented by another qualified individual who did not perform the work. Procedures for the inspection of critical areas, dependent upon their applicability to the aircraft being inspected, must include as a minimum the following:
 - (a) Removal, rigging, or installation of a component or part of a flight control.
 - (b) Removal or installation of any component or part of a main drive or tail rotor drive system.
 - (c) Removal or installation of a component or part of a main or tail rotor hub assembly.
 - (d) Removal, disassembly, reassembly, or installation of a power turbine, compressor, gearbox, or combustion section, or a removal and installation of a complete power-plant assembly.
 - (e) Removal or installation of a fuel control or governor of a power-plant.
 - (f) Removal or installation of a propeller governor or reduction gearbox.
 - (g) Removal or installation of a component or part of a fuel system.
 - (h) Removal or installation of a propeller assembly or blade.
 - (i) Removal, rigging, or installation of any component or part associated with the landing gear of a fixed-wing aircraft.
 - (j) Removal or installation of internal or external mission equipment by individuals properly trained to perform such tasks or under the

supervision of a trained individual. In addition, a process for ensuring cockpit crewmembers are aware of all equipment changes prior to flight to ensure aircraft performance data and weight and balance calculations are correct.

- (k) Procedures for the maintenance of any of the identified critical systems when an aircraft is away from home base.
 - (6) The field element must comply with FAA airworthiness directives, and mandatory manufacturers' bulletins applicable to the types of aircraft, engine(s), propeller(s), and appliances in their aircraft operations.
 - (7) The field element must implement a maintenance management tracking system, that along with other maintenance requirements, can submit required maintenance data into the Federal Aviation Interactive Reporting System (FAIRS) that is applicable and appropriate to the size and scope of operations and type of aircraft operated.
 - (8) The field element must report to the FAA, within 72 hours, after discovering any serious defect in, or other recurring non-airworthy condition of, an aircraft, power-plant, or propeller, or any component of any of them. The field element must file the report using the Web-based, Internet-accessible FAA Service Difficulty Reporting System or the FAA accepted Helicopter Association International's Maintenance Malfunction Information Report System for helicopters. The report must describe the defect or malfunction completely without withholding any relevant information. If the defect or malfunction could result in an imminent hazard to flight, the field element must use the most expeditious method it can to inform the FAA and flight operations will immediately cease. OAM will be informed as soon as possible to ensure other units, who may be operating the same, or similar aircraft, are informed.
- j. Training Standards for DOE/NNSA Aviation Programs. Flight crewmembers and maintenance personnel will comply with the training requirements as stated in Title 41 CFR 102-33, applicable parts of Title 14 CFR, and manufacturers' recommendations. At a minimum, field elements must establish standards and procedures in their AID or FAA approved manuals for:
- (1) Initial and recurrent training appropriate for their responsibilities and relevant to the type aircraft, operations, and missions conducted by the field element in accordance with Title 14 CFR where applicable.
 - (2) Mandatory Crew Resource Management (CRM) training is for all flight crew personnel, and such training will be recorded and evaluated by the organization on an annual basis.
 - (3) Processes to correct identified deficiencies.

- (4) Processes to document compliance with field element's AID in order to satisfy DOE/NNSA departmental oversight.
 - (5) Demonstration of proficiency for applicable tasks relevant to the types of aircraft and operations/missions conducted not covered by Title 14 CFR.
 - (6) A record keeping process in accordance with Title 14 CFR.
 - (7) Flight followers and cabin safety personnel, if required, must complete initial/recurrent training appropriate to the type of aircraft and operations/missions conducted by the field element.
- k. Aviation Safety Management Systems for DOE/NNSA Aviation Programs. Field element managers responsible for the management, oversight, operation, safety and/or maintenance of federally-owned aircraft and related services, or who hire CAS aircraft must establish comprehensive, integrated aviation safety management systems based on the five Core Functions of DOE P 450.4, *Safety Management System Policy*, current version. If the organization has an approved FAA Safety Management System (SMS), industry recognized safety management system, or ISO-9001 Aviation Safety Program, a gap analysis will be accomplished to ensure all aspects of the DOE Integrated Safety Management System have been addressed.
- l. Aviation Safety Documentation. Field elements will identify an individual (Fed and/or contractor) responsible for reviewing approved flight operations, and assign appropriate risk levels for each mission. For those missions identified as having risks not normally accepted by the public, a flight readiness review board (FRRB) will be convened which will conduct an Aviation Safety Review (ASR) using the safety management program elements in DOE P 450.4, current version (risks not normally accepted by the public are defined as aircraft operations not regulated or not in compliance with the applicable parts of 14 CFR Chapter I, FAA Federal Aviation Regulations or 49 CFR Subchapter C, Hazardous Material Regulations). Countermeasures to mitigate risks will be identified, applied, and reviewed for effectiveness on a regular basis but not less than annually. The documents produced in the ASR make up the Aviation Safety Documentation (ASD) required for these missions. The AvM/ASO or qualified designee, may elect to conduct an ASR and record an ASD for any aircraft operation they deem necessary as part of the field element's Safety Management System (SMS). The Aviation Manager or Director of flight operations (Fed/Contractor) must brief the field element's appropriate administrator, who has the overall responsibility of the organization's aviation program, regarding the contents of the ASD. That official must accept or reject the risks associated with the mission. The Aviation Manager and/or ASO will review all ASDs on a periodic basis, not less than annually, to determine their relevancy to current operational conditions. Additional ASD information is available from OAM.

- m. Reporting Requirements. Each field element operating, using, or sponsoring the use of Government (Federal or CAS) aircraft must comply with the reporting requirements of: Title 41 CFR Section 102-33.190, and Title 41 CFR Section 102-33.380 through Title 41 CFR Section 102-33.440 or its successor; GSA Federal Travel Regulations Title 41 CFR Chapter 300 and Title 41 CFR Chapter 301 or its successor; Senior Federal Officials and non-Federal travelers who travel on Government aircraft as stated in GSA Federal Travel Regulations Title 41 CFR Section 301-70.905 through Title 41 CFR Section 301-70.908 or its successor; and establish the continuing need for government-owned aircraft as stated in OMB Circular A-11, Part 7, for Capital Asset Plan Reports. Additional information on the Capital Asset Plan is available from OAM.
- n. Special Procedures That Apply to Official Travel. All travel by Senior Federal travelers or non-Federal travelers, as defined in Title 41 CFR Part 300-3 FTR, aboard Government aircraft must be approved by the appropriate travel approving official (OMB Circular 126-A, 11, a.) and by the DOE General Counsel (GC) or his/her principal deputy or primary designee. Requests must clearly identify the SES and/or Non-Federal travelers by name and title, agency, itinerary, cost, and all personnel to be manifested. DOE employees planning foreign travel must comply with the processes and requirements found in DOE O 550.1, *Official Travel*, current version.

5. RESPONSIBILITIES.

- a. Director, Office of Aviation Management. Designated as the Senior Aviation Management Official (SAMO) for the Department of Energy in accordance with the requirements of Title 41 CFR Part 102-33.
 - (1) For DOE elements, the Director, OAM:
 - (a) Provides oversight of all Public Aircraft Operations and ensures compliance with applicable Federal Aviation Regulations for civil operations.
 - (b) Represents the DOE Secretary in a broad spectrum of aviation activities including management and policy functions involving the acquisition, use, and disposal of aircraft and aviation services by the department and its contractors.
 - (c) Implements a program that provides aviation support to the Department of Energy with the highest standards of safety, efficiency, and effectiveness. Additionally, the Director will provide expertise, recommendations, and support to field office Senior Managers in the approval process for fleet aircraft acquisitions and disposals, and the planning of timely replacement of aging aircraft. Additionally, the Director will provide assistance, when requested, with aviation budget preparation; program charter

and contract aircraft activities; the conduct of appropriate studies and reviews; and the assurance of timely and accurate reporting.

- (d) Approves any deviations from, or waivers to, the requirements of this Order for DOE Field elements.
 - (e) May issue a grounding order based on safety or regulatory concerns. Field elements that choose to continue flight operations after a grounding order is issued will do so in writing to the Director, OAM.
- (2) For NNSA elements:
- (a) The NNSA Aviation Program Manager will conduct the above actions for their particular Aviation Operations. However, the Director, OAM, will be provided the opportunity to review and comment on issues that affect DOE/NNSA via the submitting NNSA organization. Decisions, on the part of NNSA aviation elements, to proceed contrary to the recommendations of OAM, shall be made in writing to the Director, OAM.
 - (b) The Director, OAM, is the approving authority for any deviations from, or waivers to, the requirements of this Order for non-NNSA elements of DOE. For all NNSA elements, final authority rests with the Administrator, NNSA. However, the Director, OAM, will be provided the opportunity to review and make recommendations via the submitting NNSA organization. Decisions, on the part of NNSA aviation elements, to proceed contrary to the recommendations of OAM, shall be made in writing to the Director, OAM.
- b. DOE/NNSA Aviation Board of Directors. Convened on an ‘as-needed’ basis and comprised of representatives from each field element, specifically aviation managers, aviation safety officers, directors of flight operations, and other personnel who recommend broad policy and procedures for the operations and safety of Federal aircraft and aviation services to the Director, Office of Aviation Management. The Board of Directors’ major function is to review, deliberate, and process policy change recommendations before they are submitted for implementation. Any of the personnel listed above may request that the Aviation Board of Directors be convened.
- c. Heads of DOE/NNSA Elements that oversee, manage, operate, or maintain DOE/NNSA-owned aircraft or acquire CAS aircraft within their programs must:
- (1) Develop and implement effective aviation operations, airworthiness, and security and safety programs that meet the requirements of this Order.

- (2) Identify the contracts to which the CRD applies and notifies the contracting officers to incorporate the CRD into the affected contracts via the laws, regulations, and DOE/NNSA directives clauses included in those contracts. In the case of contracts requiring contractor performance of activities set forth in the CRD, but which do not contain the laws, regulations, and DOE/NNSA directives clause, notify the contracting officers of these requirements.
- (3) Appoint a Federal Aviation Manager or Federal ASO or both, depending upon the size and scope of operations, number of aviation operations conducted, or aircraft assigned. Document the designation with an appointment letter and submit a copy to OAM.
- (4) Participate in, and submit candidates for, the annual DOE Aviation Safety Awards Program to ensure that organizations and personnel are recognized for their contributions toward providing the Department with a safe aviation program.

d. Aviation Manager (AvM).

- (1) Establishes goals for the field aviation program based on the anticipated requirements as applicable to DOE/NNSA, the field element, and other DOE/NNSA organizations that may require aviation services.
- (2) Implements DOE/NNSA aviation management and safety policy and establishes the field element's standards for the aviation program that will ensure an effective, safe, secure and cost-efficient operation in accordance with this Order.
- (3) Develops the organization's Aviation Implementation Documents (AID) and annually reviews the AID to ensure that it is current.
- (4) Provides direction to DOE/NNSA contractors performing aviation-related services, via the appropriate designated representative in accordance with the contract statement of work and/or the CRD included in the contract. This includes the types of missions that are required and the regulations, policies, and standards that contractors are to follow. Provides revised AID to contracting officer or designated representative as necessary to ensure revisions to contractor written aviation programs as required by the statement of work and/or CRD.
- (5) Reviews, evaluates, and monitors cost, performance, and technical competency of aviation contractors as authorized by the contracting officer or his designated representative.
- (6) May be appointed, or has collateral duties, as an ASO for the field element aviation program or provides direction to the ASO based on the needs of the program.

- (7) Provides required reports and information as applicable to the DOE/NNSA regarding field element aviation activities, including reports required by OMB Circulars A-11 Section 300, *Preparation, Submission and Execution of the Budget*; A-76, *Performance of Commercial Activities* (if necessary); OMB Circular A-126, *Improving the Management and Use of Government Aircraft*; and reports required by paragraph 4.m. of this Order.
- (8) Complies with all applicable Laws, Regulations and Policy requirements concerning aviation activities.
- (9) Submits candidates for the annual DOE Aviation Safety Awards Program to ensure that organizations and personnel are recognized for their contributions toward providing the Department with a safe aviation program.
- (10) Develops and implements an integrated safety management system as provided by DOE P 450.4, *Safety Management System Policy*, current version, and as required by paragraph 4.i. of this Order, appropriate to the scope of operations.
- (11) As needed, will appoint and coordinate, or assign a designee who will appoint and coordinate, a *Flight Readiness Review Board* of subject matter experts and ensure that all Board deliverables come through the field element's ASO. As a minimum the Board will consist of a Board Chair and two members.
- (12) Has authority to perform assessments of CAS providers and/or aviation support services to ensure the safety of aircraft operations. Assessment reports of CAS operators will be forwarded to OAM for inclusion to, or removal from, the Accepted Operator List.

e. Aviation Safety Officer (ASO).

- (1) Gathers, trends, and analyzes aviation safety performance data to ensure the safety of the field aviation program.
- (2) Conducts periodic assessments of aviation activities to ensure that requirements, policies, and procedures are implemented and followed and prepares reports documenting assessment findings, concerns, and recommendations and tracks corrective actions to help prevent similar occurrences.
- (3) Participates as directed in aviation accident or incident investigations and provides assistance to accident investigation boards during their investigations.

- (4) Identifies and reports safety concerns to the AvM when he/she believes that the field element manager's intervention is required and works to eliminate potential hazards.
 - (5) Develops ASR and/or ASD as required by this Order, or in the case of a contractor operated aviation element, reviews and concurs on ASRs and ASDs. ASDs will address potential hazards associated with the activity and methods to mitigate these hazards.
 - (6) Ensures that aviation personnel report mishaps, hazards, and concerns to the Occurrence Reporting and Processing System (ORPS) or the Aircraft Accident Incident Reporting System (AAIRS).
 - (7) Participates in the Aviation Safety Awards Programs to ensure that organizations and personnel are recognized for their contributions toward providing the Department with a safe aviation program.
6. INVOKED STANDARDS. This Order does not invoke any DOE technical standards or industry standards as required methods. Any technical standard or industry standard that is mentioned in or referenced by this Order is not invoked by this Order. Note: DOE O 251.1, current version, provides a definition for "invoked technical standard."
7. DEFINITIONS. Definitions that pertain to Federal Management Regulation, Part 102-33 Management of Government Aircraft are available in Title 41 CFR Section 102-33.20. Definitions that pertain to Federal Travel Regulations, Use of Government Aircraft are available in Title 41 CFR Section 300-3.1. Definitions in both regulations are available on the OAM website at <https://www.energy.gov/management/office-management/operational-management/aviation-management>.
8. REFERENCES.
 - a. DOE P 450.4, *Safety Management System Policy*, current version.
 - b. DOE O 251.1, *Departmental Directives Program*, current version.
 - c. DOE O 550.1, *Official Travel*, current version.
 - d. FTCP-PSQS-1165-2020, *Aviation Safety Program Specific Qualification Standard*, dated June 23, 2020.
9. CONTACT. Questions concerning this Order should be addressed to the Director, Office of Aviation Management at 202-586-5532.

BY ORDER OF THE SECRETARY OF ENERGY:



DAVID M. TURK
Deputy Secretary

ATTACHMENT 1
CONTRACTOR REQUIREMENTS DOCUMENT
DOE O 440.2C CHG 2, *AVIATION MANAGEMENT AND SAFETY*

1. This Contractor Requirements Document (CRD) must be incorporated into any Department of Energy (DOE) contract for management, operation, or maintenance of DOE Government aircraft. Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this CRD. The contractor is responsible for flowing down the requirements of this CRD to subcontractors at any tier to the extent necessary to ensure the contractor's compliance with the requirements.
2. Contractor personnel occupying, or acting in, the position of Aviation Manager (AvM) or Aviation Safety Officer (ASO) are required to enroll in DOE's Technical Qualification Program (TQS) for their respective position. In lieu of enrolling in the TQS program, OAM may, at its discretion, accept an alternative qualification program developed by the contractor.
3. Contractors that hire, manage, oversee, or use Commercial Aviation Services (CAS) in support of programmatic needs must develop and follow a written program that includes and implements the requirements set forth in the associated field element's Aviation Implementation Documents (AID), and has been reviewed and accepted by the local Federal Aviation Manager or Aviation Safety Officer (ASO). Contractors must ensure that any changes to the field element's AID that impacts the contractor's written program are reflected in a revised program. When necessary, contractors shall submit a revised written aviation program to the DOE field element's AM or ASO for acceptance within 60 days of receipt of a revised DOE AID.

In addition to the above, the contractor's program must establish contracts or other acceptable procurement documents that require the CAS provider or subcontractors that provide CAS to comply with the civil standards of Federal Aviation Administration (FAA) Title 14 CFR, Chapter I, Department of Transportation (DOT) 49 CFR Chapter I, Subchapter C, and Department of Homeland Security 49 CFR Chapter XII, conducted while in service to DOE/NNSA or its contractor, and any other laws and regulations that pertain to the type of operation conducted.