

## ORDER

DOE O 440.2

Approved: 9-25-95

Sunset Review: 9-25-97

Expires: 9-25-99

SUBJECT: AVIATION

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1. OBJECTIVE. To establish the framework for an effective aviation program, and reduce or eliminate accidental losses and injuries in Departmental and contractor aviation operations.
2. CANCELLATION. The Order listed below is canceled. Cancellation of an Order does not, by itself, modify or otherwise affect any contractual obligation to comply with such an Order. Canceled Orders that are incorporated by reference in a contract shall remain in effect until the contract is modified to delete the reference to the requirements in the canceled Orders.

DOE 5480.13A, AVIATION SAFETY, of 2-23-93.

3. APPLICABILITY.
  - a. DOE Elements. Except for exclusions in 3c below, this Order applies to DOE Elements and organizations with responsibilities or cognizance over DOE aviation operations, procurement of commercial aviation services, or related activities.
  - b. Contractors. Except for exclusions in 3c below, the Contractor Requirements Document (CRD), Attachment 1, sets forth requirements that apply to the universe of contractors awarded contracts involving the lease, charter, or operation of aircraft. Contractor compliance is required for Orders canceled by this Order until the contracts are modified to delete the reference to the requirements of the canceled Orders.
  - c. Exclusions. The Bonneville Power Administration (BPA) is exempted from this Order based on the terms of the following memorandums of agreement. If either of the memorandums of agreement is terminated, this exemption is no longer valid.
    - (1) The memorandum of agreement between DOE and BPA documenting the status of the BPA aviation organization as independent of DOE regulations.
    - (2) The memorandum of agreement between BPA and the Federal Aviation Administration (FAA) regarding FAA oversight of BPA aviation operations.

#### 4. REQUIREMENTS.

- a. Aircraft in service to DOE shall be operated in accordance with the applicable parts of Title 14 Code of Federal Regulations and/or equivalent international or military standards appropriate to the operation and type of aircraft in service. DOE organizations shall ensure that requirements are established for the following:
  - (1) Training programs for personnel involved with aviation operations.
  - (2) Flight and duty time limitations.
  - (3) Personnel qualifications.
  - (4) Aircraft maintenance requirements.
  - (5) Flight-following procedures.
- b. All DOE organizations utilizing aviation operations shall submit an implementation plan for complying with this Order to the Senior Aviation Management Official within 180 days of the issuance of this Order.
  - (1) Amendments or changes to the implementation plan shall be submitted to the Senior Aviation Management Official for approval.
  - (2) Implementation plans and changes shall be considered approved if the Senior Aviation Management Official has not responded within 90 days of the receipt of the document.
  - (3) Implementation plans shall be reviewed annually by the Senior Aviation Management Official.
- c. DOE organizations conducting unmanned aircraft operations outside the scope of Title 14 Code of Federal Regulations shall establish policies and procedures to ensure the safety and effectiveness of their aviation operations.
- d. Aviation safety documentation shall be developed by each DOE organization for each mission that has risks not normally accepted by the public.

#### 5. RESPONSIBILITIES.

- a. The Secretary of Energy shall appoint an Aviation Board of Directors and a Senior Aviation Management Official.

- b. The DOE Aviation Board of Directors shall approve broad policy and procedures for the procurement, operations, safety, and disposal of DOE aircraft and aviation services.
  - c. The Assistant Secretary for Environment, Safety and Health shall develop DOE aviation policy and conduct aviation safety oversight.
  - d. The DOE Senior Aviation Management Official shall:
    - (1) provide technical assistance and guidance and be the focal point for the collection, retention, evaluation, and dissemination of aviation information;
    - (2) represent the Department to other government agencies concerning aviation operations and reporting; and
    - (3) approve aviation implementation plans.
  - e. Cognizant Secretarial Officers, Heads of Departmental Elements, Heads of Power Marketing Administrations, and Heads of Field Organizations that conduct aviation operations within their programs shall:
    - (1) develop and implement effective aviation operation, airworthiness, and safety programs; and
    - (2) ensure the effectiveness of contractor aviation operations, airworthiness, and safety programs.
6. CONTACT. DOE Headquarters Office of Field Support (EH-53) at 301-903-3477.

BY ORDER OF THE SECRETARY OF ENERGY:

ARCHER L. DURHAM  
Assistant Secretary for  
Human Resources and Administration

CONTRACTOR REQUIREMENTS DOCUMENT

1. DOE contractors shall conduct aviation operations in a safe and product manner.
2. Contractors that lease, charter, or operate aircraft for DOE shall do the following.
  - a. Ensure that aircraft in service to DOE are operated in accordance with the applicable parts of Title 14 Code of Federal Regulations and/or equivalent international or military standards appropriate to the operation and type of aircraft in service.
  - b. Establish, in consultation with DOE, requirements for the following.
    - (1) Training programs for personnel involved with aviation operations.
    - (2) Flight and duty time limitations.
    - (3) Aviation personnel qualifications.
    - (4) Aircraft maintenance requirements.
    - (5) Flight-following procedures.
  - c. Ensure evaluation of charter and leased aircraft operations by the appropriate DOE organization or designee prior to the initiation of flight operations.
  - d. Establish safe and effective policies and procedures for the conduct of aviation operations that have no directly applicable aviation standard (unmanned aircraft operations, research and development operations, etc.).
  - e. Ensure that aviation safety documentation is developed and approved for each mission that has risks not normally accepted by the public.