Docket No. SA-538

Exhibit No. 2-S

NATIONAL TRANSPORTATION SAFETY BOARD

Washington, D.C.

Attachment 18 – Dispatcher Statement and Interviews
(12 Pages)

NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

February 1, 2014

Attachment 18 – Dispatcher Statement and Interviews

OPERATIONAL FACTORS

DCA13MA133

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1.0 Dispatcher Statement

Dispatch Statement - Vincent Nunziata - After Event

AT APPROX 1000Z I HAD BEEN ADVISED OF AIRCRAFT ACCIDENT

1010Z MADE CTC WITH BHM TWR

- REPORTED AIRCRAFT WAS ½ MI NORTH OF AIRPORT ON APPROACH WHEN AIRCRAFT MADE CTC WITH GND
- REPORTED CLOUD LAYERS AT TIME OF IMPACT AS SCT LOW CLDS
- ASKED IF ANY WX PHENOMENON IN AREA IE, DOWNDRAFTS, SUGGESTING MICROBURSTS - NONE REPORTED
- TWR ADVISED AIRCRAFT WAS SET UP ON FINAL APPROACH AT 8 MILES OUT FROM RWY18
- ADVISED RESCUE ALREADY ON LOCATION
- TWR ADVISED CAN SEE AREA OF IMPACT FROM LOCATION AND ADVISED/CONFIRMED RESCUE WAS ON SCENE AT TIME OF CALL

PLANNING NOTES

OFP WAS PLANNED ACCORDING TO PROPER PROCEDURE / FAA PROTOCOL. PAYLOAD ESTIMATES WERE DETERMINED FROM THE "FLT OPS IE" DESKTOP APPLICATION. I HAD COMPLIED WITH TANKER NOTES FUELING TO 58.5. AIRCRAFT WAS WITHIN LIMITATIONS.

TANKERING BULLETIN
OPERATIONAL TANKER ON WEEKEND
FOR SDF-ABY-PNS-ABY-SDF ROTATION (OR SDF-BHM-PNS-ABY-SDF OVER THE WEEKEND), TANKER ALL THE WAY FROM SDF BACK TO SDF WHEN POSSIBLE. PLAN FLIGHT IN PAYLOAD MODE. DUE TO HIGH FUEL PRICES IN ABY AND PNS. PAYLOAD HISTORY SHOWS AN INITIAL FUEL LOAD OF 58.5 OUT OF SDF SHOULD USUALLY BE ENOUGH FUEL TO MAKE IT BACK TO SDF CARRYING THE HISTORICALLY HIGHEST PAYLOAD ALL THE WAY THROUGH AND BACK TO SDF.
PER LARRY DUNN
ENTERED BY FPS/BDH

Dispatch Statement - Vincent Nunziata - After Event

AFTER PLANNING AND FILING THE ORIGINAL FLIGHT PLAN (OFP 2) I WAS ADVISED OF NEW PAYLOAD OF 103000KGS BY UPS LOAD PLANNING.

OFP WAS ORIGINALLY PLANNED FOR 80000 LBS AND FUELED FOR TANKER OPERATIONS TO 58.5 PER REMARKS IN LIDO. DUE TO THE PAYLOAD INCREASE I HAD DETERMINED THE AIRCRAFT HAD TO BE DEFUELED AND MADE ARRANGEMENTS WITH THE UPS FUELING DEPARTMENT TO ACCOMODATE

AIRCRAFT HAD TO BE DEFUELED TO ACCOMMODATE PAYLOAD PRIOR TO DEPARTURE.

ACTUAL PAYLOAD PRIOR TO BLOCK OUT WAS 89235 AND FINAL FUEL WAS RECORDED AT 34.6 AS REQUIRED ON OFP 7 FOR UPS 1354

2.0 First Dispatcher Interview

Interviewee: Vincent Nunziata, Flight Dispatcher, UPS
Date: August 27, 2013
Location: UPS Flight Training Center; Louisville, KY
Time: 1113 EDT
Present: David Lawrence, Katherine Wilson - NTSB; Lawrence Ashby - UPS; William Middleton –IPA; Normand Bissonnette – FAA

Mr. Nunziata was represented by Mr. Jack Dauby, UPS flight control standards and training supervisor.

During the interview, Mr. Nunziata stated the following:

His name was Vincent Jay Nunziata, III, and he was 53 years old. His title was Flight Controller/Flight Dispatcher. He was hired at UPS about a year and two months ago, and had been a dispatcher the entire time for UPS. He had been a dispatcher for 15 years, and he was licensed. He received his training as a dispatcher from Phoenix East Aviation in Daytona Beach, Florida in 1996. He was a licensed pilot, and held a commercial instrument multi and single engine land ratings, but he had not flown in over 20 years.

He recently went through recurrent training about 6 months ago. At that time, they covered all the required training topics. The new areas consisted of a discussion about new technologies.

Prior to UPS, he was a flight dispatcher for Atlas Air World Wide, starting in 1998 to June 2011. He was promoted to standards manager, and manager of dispatch, and then director of flight dispatch.

He did not know the accident crew.

He was scheduled to work the domestic desk on the night of the accident, and it was a midnight shift that went from 11pm to 8 am, which included 1 hour for turnover and briefing. This flight was assigned to him at desk M7. He was a relief dispatcher and had a standard schedule. He filled in for vacations and sick calls. He never worked the same shift or same time period.

Domestic and international dispatchers worked one desk at a time, not a combination of domestic and international. Typically he worked 20 flights to plan on the domestic side, 10 flights that he was flight watching. He said the for international it was the same, but not as many flights, about 10-15, because of the difficulty involved. On the night of the accident, he worked the flight and all of his watch flights had already landed. At the time of accident, he was working 20 flight plans, and flight watched 10-15 flights.

He knew he was working the flight based on assignments that came from another venue. The shift itself was normal. They used the LIDO program to flight plan, and flights were assigned per desk. Initially, he would log into the system and get a brief time to look at the flights he was assigned. Weather and performance were looked at. The flight watch program could be used to look at each flight specifically. He also looked at position reports, NOTAMs for each flight, along with the domestic weather, and would note any areas of convective activities affecting a flight. He would do a really good review of everything and then he was ready to be briefed by the outgoing dispatcher.

When asked if there was anything special about this particular flight, he said that the crew had requested to tanker fuel to BHM for the turn. He planned about 58,000 pounds of fuel onboard. Prior to the flight, the loadmaster called him and told him the cargo load would be heavier than expected, and the cargo weight went from 80,000 to 103,000 pounds, and they discussed defueling. They did defuel the airplane to a fuel load of 34,600 pounds, and all that had been accomplished. The flight had an extra 7,000 pounds of fuel on board.

He did not have any conversations with the accident crew. He said he generally did not talk to the pilots, and usually the reasons he would talk to them was during the initial boarding after the crew discovered an MEL not on the flight plan, something new on the airplane, or they would talk about significant weather enroute or at the destination.

When asked if he had ever dispatched a flight to BHM before, he said "yes" but could not remember if it was a A300. He added that the one thing that was good about working at UPS was that he did not work international one night and domestic the following; he worked those flight assignments in blocks. He had worked a flight into BHM before. He also dispatched multiple fleet types.

For the accident flight, he said there were no unusual weather issues for the flight, and he remembered the forecast was for "basic VFR for arrival."

The weather source they used at UPS was LIDO, and they also had an in-house meteorology department, fog forecasting and WSI graphics. He said "our own weather department also looks at the weather" and provided projected forecasts and fog forecasts He said weather from LIDO was the "winner" because it was the approved source. There were no MELs for the accident flight.

He said he had no weather concerns of the accident flight. The crew of flight 1354 never requested additional weather en route, and they never made contact with him via phone or ACARS. He said that was not unusual.

He had the Jepp charts for the BHM airport as part of the preflight planning. He would always bring up the airport diagram to review it, and did that to get a "feel" for the airport and what approach was being used. The only approach available on the night of the accident in BHM was the RNAV GPS 18 approach since runway 6/24 would be closed until 1000Z. The flight was scheduled to land at BHM at 0949Z. He said LIDO also selected the arrival runway. When asked if he had any concerns regarding the fact that there was only one runway available at BHM for this flight, he said no. He said the LOC to 18 was not an option. When shown a copy of the approach plate, he said the LOC18 was not an option since it showed NA for night operations. He could not miss that. He said company NOTAMs were a part of the paperwork sent to the crew. He could contact the flight enroute via ACARS.

When asked how often have he had dispatched a flight to BHM where the 6/24 runway was not available, he could not recall. When asked if there was anywhere that said the LOC18 approach was not available to the crew, he said nowhere in the computed paperwork was there a NOTAM. It was only from the approach plate. He did not think the there was anything else in the package that said the RNAV was the only approach until 1000Z.

When asked if chart NOTAMS were a part of the paperwork, he was not aware of any. They usually came right out of the Jeppesen. He did not know of a chart NOTAM for the BHM chart.

He said the release had an alternate since it had only one approach to the airport. No other pilots had ever expressed concern flying into BHM to him.

He said his workload on the night of the accident was normal.

When he came in to work at 1100 pm, he usually started planning the flight 4 hours prior to the departure. When he computed the flight plan and filed it, the weather was printed on it and the entire package was established. Once it was filed it was up to him to update the crew prior to departure, such as weather updates. He did not recall if he needed to update the weather or anything on this particular flight.

He followed the flight enroute. LIDO was helpful in this, it give a list of all the alternates. He said it would alert you to something that would affect the flight. He was using LIDO to check the

weather and was watching flight explorer for movements of convective activity related to the accident flight. He looked for weather issues and checked the position report against the flight plan, and said he did not notice any problems for the accident flight. If he needed to, he could contact the crew via ACARS with possible solutions for weather issues . They could also discuss it verbally. There were no calls or ACARS messages from this crew.

He said it did it seem unusual that runway 18 was the only approach into BHM, and it did not concern him. When asked if he had any thoughts to suggest the flight enter holding and wait the 11 minutes for the longer runway, he said "runway 18 was a good runway, I checked the approach and it was legal."

He left Atlas because his position was eliminated due to a new vice president with the company. It was his first dispatching job and he enjoyed it.

He had dispatched to special airports, the last one was last night. He did not know BHM used to be a special airport.

LIDO would select a runway. He would run through the NOTAMs, and if he see if a runway was closed he would change it. LIDO was not the end-all selection; he made the final choice. He said it was up to the crewmember to use the correct chart. LIDO would select an approach to plan performance on. LIDO could have selected the LOC 18 but it was his research that said LOC 18 was not applicable. No reason to think anything else was wrong with BHM runway 18, and he did not see any problems using it.

When asked if flight crews could see all the available weather and NOTAMS for a particular flight, he said "they see all that I see."

He said runway 6/24 performance was also in the package sent to the crew, even though it was closed. This was automatic.

He reviewed the approach for 18 and determined the only approach available at the airport was the RNAV. He had seen this before. It was up to the crew to recognize that that was the only approach. He did not consider advising the crew of this.

When asked if BHM METAR was reported using an ASOS system, he said he did not recall. He had never been to BHM, and did not know who provided the weather to ATC at BHM.

Dispatchers were authorized to jumpseat on company aircraft. He said he had jumpseated before on the UPS airplanes. The last time was a few weeks ago. He said they had to do the jumpseat observations once a year, and he last did one in July. It was a SJC trip on the A300. When asked if he had learned anything on the roundtrip, he said the crew showed him the fuel flow on the computer on the CDC, discussed the difference between payload mode and range modes and how the ECAM showed the fuel was restricted under payload mode. There was a weight and balance and it showed where the airplane was falling into CG. He said he got a lot out of the jumpseat experience. He said they also flew over weather. Dispatchers were required to do it once each year per FARs.

When asked if there was anything he would have done differently following the accident, he said that there was "nothing I would have done differently."

The interview concluded at 1210.

3.0 Second Dispatcher Interview

Interviewee: Vincent Nunziata, UPS, Flight Dispatcher
Date: December 5, 2013
Location: UPS Training Center; Louisville, KY
Time: 0952 EST
Present: David Lawrence, Katherine Wilson – NTSB; Larry Ashby – UPS; Drew Middleton – IPA; Normand Bissonnette – FAA

Mr. Nunziata was represented by Matt Amesbury, UPS Dispatch Trainer.

During the interview, Mr. Nunziata stated the following:

When asked if he had looked at the approach chart for the LOC18 at BHM as part of his preflight planning of flight 1354, he said he looked at "what the system selected." They had an electronic program called Jeppesen E-link that stored all the approach plates for the airport. LIDO planned the flight arrival to 18, and he pulled up the LOC18 approach chart through E-link to review it. A lot of times dispatchers were regulars to those shifts and familiar with those airports. He was anticipating that the crew was going to have to arrive on runway 18 at BHM. The LOC18 chart was the approach they could not use. He said he reviewed the chart and there were no NOTAMs, and they were "good to go to runway 18, as planned by the system."

He said the LOC18 was not legal since it was not authorized at night. He did not recall if there was another approach available for the crew to use for the airport. If there were other approaches available to the airport, he may or may not have checked them, but he just checked the arrival selected by the system. He did not check each approach individually, "given the pace of the work we do." He wanted to ensure that everything that went out was correct and "the best possible scenario for the flight." He noticed the NOTAM for the main runway, he checked the approach the system selected, and "I saw that it was ok to use." When asked if LIDO selected the LOC18 approach for him to review, he said "yes."

When he dispatched a flight, he reviewed all the weather, checked the MELs, and whatever information he had available to him. He had a process that was available to him to follow. LIDO guided him through the process, and helped him with the procedure. Initially, he looked at the weights, the weather, MELs, NOTAMs, and they did an initial computation based on the weights. After he selected the alternate, LIDO would take him to another screen for a stored route or optimized route. He filed an alternate since there was only one runway available in BHM.

He said he looked at the RNAV approach, and the airplane was legal to use the RNAV. When asked if he knew that the crew was aware that the LOC18 approach to BHM was not legal, he said "personally, no." He knew the information was on the chart, and he knew they checked on all those things. He was in the CASS program and rode the jumpseat before, and knew the crews were very detailed in how they went through the approaches, and discussed the departures, arrivals and runways. Unless he would put something in the remarks section, he personally would not know if the crew was aware of the LOC18 approach status. For flight 1354, he did not advise them, and he had no contact with them.

He was not aware of any FDC NOTAM regarding the LOC18 approach, and said "I just knew from looking at it that it wasn't authorized." The source of NOTAM information used by LIDO was the US NOTAM office, FDC NOTAMs, and they were all generated through the LIDO system. He used whatever LIDO gave him. It was all explained in the OpSpecs A10 or A11, the forecast weather you could use and other information. He could check other sources for NOTAMs, but he could not legally use them. There were ways of getting NOTAMs through the internet, but he could not legally use them unless it was in the OpSpecs.

When a pilot requested weather while in flight via the ACARS system, he got copied on it as well, but the system automatically sent the weather, and he would only see that the crew requested the weather. He said remarks in a METAR were included in the weather that was sent to the pilots, and also included in the weather in the pilot briefing package.

He was shown a copy of the ACARS weather request sent to the crew of 1354, and asked if the remarks were included in the METAR provided, and he said "it doesn't look like it." He could not recall if he had seen the ACARS weather printed in that format before. He would see that the pilots requested the weather, and whether or not they received it. If he saw that the crew did not receive the weather, he would send the METAR information to them manually, even though that was not a procedure. When he would send the crew the weather manually, he would include the remarks section. He was not aware that the remarks section of a METAR was not included in the ACARS weather the pilots would receive.

He was shown the full METAR and remarks for the weather the 1354 crew had requested that showed the remarks as 600 foot ceiling variable to 1300, and he said that information was not sent to the 1354 crew according to the ACARS print out he reviewed. He did not know how the pilots would get the remarks section of the METAR from ACARS other than if they asked him directly if there were any remarks on the METAR.

He was not aware of any FDC NOTAM that made the LOC18 chart legal, and he did not advise the crew that the chart was not legal. When asked if he would normally advise a crew of an illegal approach for the only runway available to an airport he was dispatching to, he said "it's hard to say," and if the system was selecting the approach, and he agreed with the approach, and there were no NOTAMS for the approach, he did not know if he would tell the crew that approach was not authorized at night because "professional to professional they would probably be insulted for me saying that." He assumed the crew knew about the chart since they used the charts every day.

He said the paperwork did not specify which approach to use for the runway. He said the RNAV approach was available to the crew, and that was the legal basis for him dispatching the flight to BHM, but there was nothing in the paperwork advising the crew that there was only one approach available to them.

He said the training for LIDO was very thorough. He started in June 2012 as a dispatcher. He did not remember having any redundant METAR request issues. He did not recall if he was advised that the remarks of the METARs were not included in the LIDO weather section.

He said there was nowhere on the dispatch release that said what specific approach he was planning on the crew using.

The interview concluded at 1025.

4.0 Dispatcher Email Response

From: [redacted]
Sent: Friday, January 31, 2014 8:22 AM
To: Lawrence David
Cc: [redacted]
Subject: NTSB Request - Time Sensitive

David,

Below is the response to your inquiry:

- "Did the Planning Parameter screen you viewed while planning the accident flight indicate any "unsuitable" messages for KBHM? Were there any "unsuitable" messages for a low ceiling on the LOC18 to KBHM?" (This response is time critical)

-
- "I had never been asked any questions regarding the Planning Parameter screen in LIDO. In response to your question however, I honestly do not recall. Yet, it is a function I utilize diligently on every shift, domestic and international. When I receive an "unsuitable" message, I do follow up and action to ensure the required item(s) is addressed."
-
- Sincerely,
-
- Vincent J Nunziata

Regards,

Duane Pifer
UPS System Safety Manager
[redacted]
Make a safe day....