

June 18, 2024

The Honorable Michael G. Whitaker
Administrator
Federal Aviation Administration
Washington, DC 20591

The attached letter from the NTSB Chair provides information about the *Runway Incursion and Overflight, Southwest Airlines Flight 708, Boeing 737-700, N7827A, and Federal Express Flight 1432, Boeing 767-300, N297FE, Austin, Texas, February 4, 2023, NTSB/AIR-24-02*. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendations by number (for example, new Safety Recommendations A-24-10 through -16 and reiterated Safety Recommendations A-18-30, A-24-4 through -6, and A-24-9). We encourage you to submit your response to ExecutiveSecretariat@nts.gov. If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.



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National Transportation Safety Board

Office of the Chair

Washington, DC 20594



June 6, 2024

The Honorable Michael G. Whitaker
Administrator
Federal Aviation Administration
Washington, DC 20591

Dear Administrator Whitaker:

This letter provides information about the National Transportation Safety Board's (NTSB) June 6, 2024, report *Runway Incursion and Overflight, Southwest Airlines Flight 708, Boeing 737-700, N7827A, and Federal Express Flight 1432, Boeing 767-300, N297FE, Austin, Texas, February 4, 2023*, NTSB/AIR-24-02. The details of this incident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- The lack of air traffic control tower and flight deck technology to detect potential conflicts on a taxiway or runway surface
- The need to ensure, especially during low-visibility conditions, that controllers are aware when pilots, after receiving takeoff clearance, might need extra time on the runway
- The lack of training on the AUS airport's Surface Movement Guidance and Control System plan and low-visibility operations
- The need for low-visibility operations training at all airports
- The need for CVRs with a 25-hour recording capability

Accordingly, the NTSB issues seven new safety recommendations to the FAA. Additional information regarding these recommendations can be found in the noted sections of the report.

- For airports that are certificated under Title 14 *Code of Federal Regulations* Part 139 and are currently not equipped with airport surface detection equipment, model X or airport surface surveillance capability, implement surface detection equipment that
 - tracks the movement of arriving and departing aircraft,

- determines the proximity between those aircraft, and
 - provides air traffic controllers with visual and aural cues of surface movements to aid in their decision-making processes. (A-24-10) (See section 2.3.1.)
- Require air traffic controllers to
 - advise pilots, through direct communication and automatic terminal information system broadcasts, when visual contact with aircraft operating on taxiways and runways cannot be established or maintained and
 - instruct pilots to provide accurate position reports to aid the controller in determining an aircraft's location in such conditions. (A-24-11) (See section 2.4.)
- Brief all air traffic controllers about the circumstances of this incident, emphasizing the effect that certain conditions might have on a pilot's ability to begin a takeoff in a timely manner, including
 - low-visibility weather conditions, such as fog;
 - ambient conditions, such as temperature; and
 - surface conditions, such as ice, snow, and other precipitation, as noted in Order 7110.65, Air Traffic Control, paragraph 5-8-4, Departure and Arrival. (A 24-12) (See section 2.4.)
- Amend the *Aeronautical Information Manual* so that it instructs pilots to inform controllers, before entering an active runway with the intent to depart, when they need time on the runway for any reason before beginning the takeoff roll. (A-24-13) (See section 2.4.)
- Require all airports with a Surface Movement Guidance and Control System plan to ensure that their plans and the associated letters of agreement correspond with each other and the stakeholder duties and responsibilities described in Advisory Circular 120-57, Surface Movement Guidance and Control System. (A-24-14) (See section 2.5.)
- Direct training administrators at airports with a Surface Movement Guidance and Control System plan to require initial and annual refresher training for all stakeholders, including air traffic controllers

and airport operations personnel, on the information in the airport's plan. (A-24-15) (See section 2.5.)

- Require training administrators at all operating air traffic control towers to conduct annual refresher training on low-visibility operations. (A-24-16) (See section 2.5.)

In addition, the NTSB reiterates the following recommendations to the FAA:

- Collaborate with aircraft and avionics manufacturers and software designers to develop the technology for a flight deck system that would provide visual and aural alerts to flight crews of traffic on a runway or taxiway and traffic on approach to land. (A-24-4) (See section 2.3.2.)
- Require that the technology developed in response to Safety Recommendation A-24-4 be installed in all newly certificated transport-category airplanes. (A-24-5) (See section 2.3.2.)
- Require that existing transport-category airplanes be retrofitted with the technology developed in response to Safety Recommendation A-24-4 (A-24-6) (See section 2.3.2.)
- Require all newly manufactured airplanes that must have a cockpit voice recorder (CVR) be fitted with a CVR capable of recording the last 25 hours of audio. (A-18-30) (See section 2.6.)
- Require retrofit of all cockpit voice recorders (CVR) on all airplanes required to carry both a CVR and a flight data recorder with a CVR capable of recording the last 25 hours of audio. (A-24-9) (See section 2.6.)

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendations by number (new Safety Recommendations A-24-10 through -16 and reiterated Safety Recommendations A-18-30, A-24-4 through -6, and A-24-9). We encourage you to submit your response to ExecutiveSecretariat@ntsb.gov. If your reply, including attachments, exceeds 20 megabytes, please e-mail us at the same

address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

Sincerely,

Jennifer L. Homendy
Chair