

Minister Albanese,

The next issue I would like to bring to your attention in the CASA ICC report on my complaint is this;

The ICC has concealed the details of what has been referred to as the "Frost Incident" (Incident 2 in his report) to limit the accountability of CASA Flying Operations Inspectors. In addition this concealment rationalises CASA's decision not to actively address the CAO82 Pilot Records as I have requested.

An aeroplane must not take off with frost on the airframe as it seriously degrades take off performance and could lead to a crash in the event of one engine failing or some other circumstance. This has been known since prior to the Second World War. Australian legislation has been in place throughout my career (began flying 1974) stating that frost must be removed prior to take off. (CAO 244).

To remove frost from an airframe the size of a SAAB 340 (34 seat turboprop-wings and tailplane well above head height- similar to Qantas Dash 8 if you are familiar with those) requires some equipment. Stands are required to lift an operator to sufficient height to apply a chemical mixture with a spray boom much like a garden sprayer only larger. The chemical in the mixture prevents water refreezing on the airframe for a short amount of time after application. When Ansett operated into Wynyard and Devonport in Tasmania this equipment was available. It was removed by Ansett when Kendell took over this service in the early nineties. The equipment was never available in any Kendell Airlines port until 1996 approx and not in Wynyard until 1998. I joined Kendell in 1987. The incident referred to occurred in August 1997 at Wynyard.

Prior to this equipment being available no Kendell aircraft was ever delayed due to frost until the delay I incurred in August 1997. Kendell aircraft were always parked in the open overnight. Kendell operations were not compliant with the law. This "frost" delay led to disciplinary action against me in August 1997. CASA took some action which I believe is recorded in its "Operational Files" in August 1997 to "advise" Kendell Airlines of its legal obligation. It was some four months later in December that I was dismissed. The Chief Pilot of Kendell Airlines used this incident in an attempt to demonstrate my supposed "lack of airmanship" in the AIRC some 8 months later.

CASA knew and continues to know that Kendell had no equipment. CASA knew then and knows now that frost cannot be removed from an airframe two or three times my standing height tall using a bucket and hot water (no chemical). CASA knew then and knows now that high speed runs to remove frost are not appropriate due to wheel brake cooling and tyre damage limitations.

Could the Minister independently confirm with CASA the following details:

1 The date on which equipment was finally provided at Wynyard for the removal of frost.

In this inquiry the following people will assist. Please ask to see the written statements these people have provided to the ICC. Please feel free to contact them.

Capt Daryn Steains (ex Manager Training and Checking Kendell Airlines)  
15 Lockhart St  
Camberwell. VIC. 3124

Daryn provided a written statement dated 27 Mar 2006 via me to the CASA ICC. I request you read this statement. Daryn now works at Virgin Blue in a senior position and is fully licenced and holds CASA Delegations. CASA has full and immediate access to contacting him. His statements contradict my pilot records.

Capt Rob McDonald  
14 Buckley St Essendon. Vic. Ph 9375 2685.

Rob provided a written statement to the CASA ICC via me. Rob was with me on the day. This statement completely and fully contradicts the material held on my pilot records. Rob still works at Rex with me and CASA has full access to contacting him.

Capt Ian Brown

PO Box 349 Greenwith SA 5125.

Ian's written statement provided to the ICC also confirms that no equipment was available.

Mr Noel Ling airline passenger agent of 191 Pine Rd Penguin TAS 7316 Ph 03 6437 2119 also can be contacted. He was a witness to both the "Frost" and "Unauthorised Flight Incidents". This information was provided to the ICC.

His statements will also contradict both the CASA and pilot records statements.

In short CASA allowed the airline to ignore its legal obligations to remove frost for many years and now the CASA ICC is continuing to try to cover this up. This fabricated "incident" is permanently recorded on my CAO 82 Pilot Records. It caused damage to my reputation in 2005. CASA refuses to ensure the accuracy and privacy of its own legislative requirements. I request you ensure the removal of this item from my CAO 82 Pilot Records.