

12/18/2023

FOR YOUR INFORMATION

2023-210/8-12

2043732

To: Airport Manager, Van Nuys Airport (VNY), CA, FAA (AAS-1, ATM VNY Tower)

Info: FAA (AVP-1, AVP-200, ANG-1, AWP-600, AFS-260, AFS-200, Director of Air Traffic Operations WSA), AOPA, ASAP, ATSAP, ATSG, ICAO, ICASS, NAFI, NATCA, NBAA, NTSB

From: Becky L. Hooey, Director
NASA Aviation Safety Reporting System

Re: VNY ATC Clearance Procedures

We recently received ASRS reports describing a safety concern that may involve your area of operational responsibility. We do not have sufficient details to assess either the factual accuracy or possible gravity of the report. It is our policy to relay the reported information to the appropriate authority for evaluation and any necessary follow-up. We feel you should be aware of the enclosed deidentified report.

To properly assess the usefulness of our alert message service, we would appreciate it if you would take the time to give us your feedback on the value of the information that we have provided. Please contact Dr. Becky Hooey at (408) 541-2854 or email at becky.l.hooey@nasa.gov.



Aviation Safety Reporting System
P.O. Box 189 | Moffett Field, CA | 94035-0189



ACN 2043732

DATE / TIME

Date of Occurrence	202310
Local Time Of Day	1201 to 1800

PLACE

Locale	VNY.Airport
State	CA

ENVIRONMENT

Flight Conditions	VMC
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AIRCRAFT / EQUIPMENT X

ATC / Advisory - Tower	VNY
Make Model Name	Medium Transport, Low Wing, 2 Turbojet Eng
Operating Under FAR Part	91

PERSON 1

Function - Flight Crew	Captain
Function - Flight Crew	Pilot Flying
ASRS Report Number	2043732

EVENTS

Anomaly	ATC Issue - All Types
Anomaly	Deviation / Discrepancy - Procedural - Clearance
Anomaly	Deviation / Discrepancy - Procedural - Published Material / Policy
Detector - Person	Flight Crew
Result - Flight Crew	Requested ATC Assistance / Clarification

NARRATIVE 1

This is intended as a hazard report regarding a possible future safety problem due to non-standard phraseology included in a CPDLC DCL (Departure Clearance) at VNY. Premise: There is an important fundamental difference in an IFR clearance to either "climb via SID except maintain 4000 ft." and/or "climb and maintain 4000 ft." That day our clearance was WLKCR4 RNAV SID and maintain 4000 ft., which to me means an unrestricted climb to 4000 ft. But the SID includes a crossing restriction at or below 1750 ft. at 1.5 DME, which our Aircraft X could easily exceed that day. I used voice to contact Clearance Delivery for clarification and express my concern. He said that the 1750 ft. at or below restriction still applies. I was surprised and politely said that other airports may have issued "climb via SID except maintain 4000." He understood my concern and question, but said that that is the way they have been issuing the clearance at VNY for the last few years. So therefore, obviously we complied with the at/below 1750 ft. restriction during the initial climb.

In my opinion, this is non-standard phraseology for ATC's expectation. As a supporting example, I have departed OAK with similar SID at or below restrictions during a very low traffic period and was cleared to climb and maintain XXXX ft. When I asked for confirmation of my unrestricted climb clearance, I was told yes the clearance was for an unrestricted climb.

SYNOPSIS

Corporate jet Captain reported VNY Clearance Delivery issued a departure clearance that was confusing to follow with the verbiage of the SID due to a crossing restriction.