

5/22/2025

FOR YOUR INFORMATION

2025-117/8-12

To: Airport Manager, Newark Liberty Int'l Airport (EWR), NJ, FAA (ATM EWR 2227827
ATCT, ATM N90 TRACON)

Info: FAA (AVP-1, AVP-200, AAS-1, AAS-300, AEA-600, AJV-A, AFS-260, AFS-200,
Director of Air Traffic Operations ESA North, Runway Safety Team), AAAE, A4A,
ALPA, AOPA, APA, ASAP, ATSAP, ATSG, CAPA, IATA, ICAO, ICASS, IFALPA, IPA,
NATCA, NBAA NTSB, RAA, SWAPA, Jeppesen Sanderson Inc.

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

Re: EWR Newark5 Departure Issues

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 2227827**DATE / TIME**

Date of Occurrence	202503
Local Time Of Day	1201 to 1800

PLACE

Locale	EWR.Airport
State	NJ

AIRCRAFT / EQUIPMENT X

ATC / Advisory - TRACON	N90
Make Model Name	Commercial Fixed Wing
Operating Under FAR Part	121

AIRCRAFT / EQUIPMENT Y

ATC / Advisory - TRACON	N90
Make Model Name	Any Unknown or Unlisted Aircraft Manufacturer

PERSON 1

Function - Flight Crew	First Officer
Function - Flight Crew	Pilot Not Flying
ASRS Report Number	2227827

PERSON 2

Function - Flight Crew	Captain
Function - Flight Crew	Pilot Flying
ASRS Report Number	2226866

EVENTS

Anomaly	Aircraft Equipment Problem - Less Severe
Anomaly	ATC Issue - All Types
Anomaly	Conflict - Airborne Conflict
Anomaly	Deviation - Altitude - Crossing Restriction Not Met
Anomaly	Deviation - Altitude - Undershoot
Anomaly	Deviation / Discrepancy - Procedural - MEL / CDL
Anomaly	Deviation / Discrepancy - Procedural - Published
	Material / Policy
Detector - Person	Air Traffic Control
Result - Flight Crew	Returned To Clearance
Result - Air Traffic Control	Issued Advisory / Alert

NARRATIVE 1

Departing EWR, we were cleared via the Newark 5 Departure. The aircraft had MEL 32-XX which required that we keep our landing gear down for 7 minutes after departure. After pushback, the Captain notified Clearance that we were going to need to keep the gear down for 7 minutes after takeoff. Just prior to takeoff I asked Tower if they got the message about the situation and the Tower Controller said he received the information and would pass the information on to departure.

After takeoff we used NAV... VNAV to fly the SID. Autopilot was engaged approximately 3 DME from IEZA. After 4 DME the aircraft turned to a 290 heading to follow the SID. The Departure Controller asked why we were turning, and we reported that we were following the SID, she then issued a traffic alert. We were IMC at

the time but did not receive any TA or RA but were able to see the traffic on the Multi-Function Flight Display (MFD) and there was no further conflict with that traffic.

We asked the controller for clarification, and she mentioned that we couldn't start the turn to 290 degrees till we were above 3000 feet prior to crossing the TEB 214 radial, which isn't what the SID plate displays. There was no further conversation with the Departure Controller regarding what happened and she eventually handed us off to NY Center.

Cause: Possible incorrect communication between Tower and Departure and not fully understanding the issue with the aircraft and how it affects us compared to being a clean airplane.

Suggestions: The Departure Controller could have given us a heading earlier to follow rather than follow the SID if traffic was going to be an issue. Also the controller shouldn't be giving incorrect altitudes like saying it's 3000 feet when it contradicts what the plate says.

NARRATIVE 2

[Report narrative contained no additional information.]

SYNOPSIS

Air carrier flight crew reported during departure they flew the SID as charted, but the Air Traffic Controller informed them they had to be above 3000 feet before initiating the turn. Flight crew noted this was not charted on the SID.