



## **Chapter 736 Newsletter for April 2010**

### **Standing up For Fliers' Rights**

#### **EAA states issues with new FAA Airport Compliance Manual**

With a keen focus on defending its members' rights and affordable access to public airports, EAA submitted official comments to the FAA's massive new Airport Compliance Manual (FAA Order 5190.6B) this week. EAA authored a [45-page response](#) to the FAA's 691-page Airport Compliance Manual.

EAA's review uncovered seven specific areas of concern that, if left unchanged, will directly and negatively affect an individual's ability to participate in recreational and general aviation activities. These seven areas are:

1. Ethanol-free premium autofuel availability on public-use airports – With well over 100,000 aircraft flying today that use autofuel as their primary aviation fuel, less than 150 of the 5,300 public-use airports in the U.S. (2.8 percent) sell autofuel. EAA asks the FAA to clarify language in the manual that imposes an implied barrier to sell this fuel, to review FBO-fuel distributor contracts that prevent an FBO from selling autofuel, and to review individual airport minimum standards documents that impose unreasonable fuel usage requirements on FBO's or single service providers.
2. Self-maintenance restrictions on public-use airports - Many airports across the U.S. impose "aircraft owners may only perform preventative maintenance in hangars" restrictions. While the FAA's Airport Sponsor Grant Assurance standards set no such limitation, EAA asks the FAA to clarify the language in the manual that created this barrier to maintenance safety.
3. Access to public-use airports by recreational aviation pilots - Recreational aviation activities have evolved over the years and that evolution was accelerated with the introduction of light-sport aircraft (LSA) in 2004. Several LSA models (and ultralight vehicles) are specifically designed to be stored and maintained at the pilot's home, like all other forms of recreational vehicles. EAA asks the FAA to clarify language that clearly shows this type of aeronautical activity is authorized to drive through a public-use airport access gate to go flying.
4. Authorized aeronautical activities in airport hangars - The question of what may or may not be in a public-use airport hangar has been an issue for several years. EAA asks the FAA to clarify these lingering questions: Can experimental light-sport, amateur-built, and kit-built aircraft be constructed in a hangar? Can an

- individual restore their personal aircraft in a hangar? And what non-aeronautical support items can be stored in a hangar?
5. Reduced Fair-Market-Value (FMV) rent for EAA chapters - During AirVenture 2007, EAA hosted a meeting with the FAA Associate Administrator for Airports and several EAA chapter leaders asking that this issue be clarified. In October 2007 the FAA Director of Airport Compliance issued a determination that EAA Chapters could be eligible for reduced FMV rents upon showing the tangible and intangible benefits they provide to their airport. That determination was not included in this new manual. EAA is now asking the FAA to change the manual to include that determination.
  6. Support for recreational aviation activities on public-use airports - In the new manual the FAA combined ultralight vehicles and LSA aircraft into the same airport high-risk category, meaning that if an airport found that ultralight vehicle activity was not compatible with other airport activities, that same finding would also automatically fall on LSA aircraft. In 2004 the FAA introduced the LSA Repairman certificate as a means for owners to maintain their own aircraft in a safe condition for flight. The manual does not yet recognize this certificate. EAA asks the FAA to end the unintended discrimination against sport pilot and LSA regulatory authorizations.
  7. Adjacent Airport Residential Through-The-Fence (TTF) operations - The new manual abruptly changes the FAA policy regarding residential TTF operations – they are not authorized at all, no exceptions. EAA firmly believes that residential TTF operations have a place at public-use airports and can operate safely and in complete compatibility with other activities at the airport. Two weeks ago, EAA hosted a residential TTF Working Group meeting to develop a residential TTF access agreement checklist that the FAA, airport managers, and residential TTF operators could use to make the safe and compatible determination. EAA asks the FAA to adopt this document.

EAA also asks the FAA to accept *Independent Operators* (mechanics and repairmen) as fully authorized to come through public-use airport access gates to assist aircraft owners to perform aircraft maintenance. This authorization, which currently exists in FAA Advisory Circular (AC) 150/5190-7, was not carried over into the new manual. EAA is asking the FAA to add this to the new manual.

### **EPA to comment on 100LL**

The Environmental Protection Agency (EPA) is expected to publish an advance notice of proposed rulemaking this month about the environmental impact of leaded avgas.

The notice will address a 2006 request by Friends of the Earth (FOE) that the agency propose emissions standards for lead from general aviation aircraft. The EPA will publish information about the use of leaded avgas and its effect on air quality, and will request comments on that information. The GA industry has been actively involved in developing a plan to transition to a new, unleaded avgas for piston-engine airplanes and will continue to work with the EPA on plans that are practical for GA.

The FOE petition requested that the EPA find that lead emissions from GA aircraft may reasonably be anticipated to endanger public health and welfare—conditions that make those emissions fall under the Clean Air Act and give the EPA the authority to regulate them—and propose emissions standards under the Clean Air Act.

In 2007, the EPA issued a Federal Register notice seeking comment on the FOE's petition. The agency said that it has concerns regarding lead exposure, particularly during childhood, and that leaded avgas is used at almost 20,000 airport facilities in the United States

### **NTSB report on glass cockpits leaves unanswered questions**

An NTSB study released March 9 that concluded glass cockpit aircraft were no safer than conventional instrument aircraft and recommended the FAA implement numerous training requirements falls short, according to AOPA.

stated that of the 8,000 aircraft analyzed, glass cockpit aircraft had a higher fatal accident rate than conventional aircraft. However, that study did not take into account the type of mission the aircraft were being used for, making it difficult for such a generalization to stand.

The recommendations call for the FAA to enhance pilot knowledge and training requirements, require training on PFDs, support equipment-specific training, require manufacturers to provide pilots with information to better manage system failures, and remind pilots to report equipment malfunctions through the service difficulty reporting system.

Aviation associations, manufacturers, and flight schools already are following practices that fulfill the NTSB's recommendations. Many manufacturers offer training and checkouts in glass cockpit aircraft, flight schools require ground and flight training before a checkout, and many training organizations have created equipment-specific training materials.

Similarly, the FAA moved forward with training information in the agency's Instrument Flying Handbook and supporting practical test standards in 2007 that address the use of electronic flight information systems (EFIS), PFDs, and other modern avionics. The FAA also added focus on softer skills, such as single-pilot resource management and automation management in consideration of the change in flight mission that the enhanced avionics would allow pilots to undertake.

### **A Day at the Harper's**

Bruce Patten flew out to Owlshead on Saturday, March 21 where Wilkes picked him up and brought him to the Harpers' "Skunkworks" workshop to teach Wilkes & Jayne a few shop techniques that will prove helpful to the construction of their Challenger project. Bruce showed them how to adjust and use their brake machine, how to create angle bars and channel braces on it, and how to work with rivnuts, Bruce also helped them design a mounting system for their instrument panel and provided assistance to them in creating

custom mounting tabs. Scott Settlemire dropped by to join in on the experience. In return, Bruce was fed Dutch-Oven cooked BBQ and was tossed into the hot tub. It was a fun visit and an extremely helpful day all around. Thank you Bruce for your time and effort on behalf of the Harpers and "Fointwinder."



### **Next Meeting**

Our next meeting will be held on Tuesday, April 20 at the Weathervane Restaurant in Waterville. If you plan to have dinner, please arrive around 6:00 so that the meeting can begin at its usual 7:30 start time.