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Airport NEWS is a quarterly newsletter of the FAA Central Region Airports Division; providing airport managers and consultants with timely and useful information to help them serve their aviation customers. Suggestions and articles are welcome and may be sent to mark.sedarous@faa.gov. If you require assistance with this document or request reasonable accommodation, please call (816) 329-2600.

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Manager's Message

On February 14, the President signed the FAA Modernization and Reform Act of 2012. This is a four-year reauthorization, retroactive to the beginning of this fiscal year (October 1, 2011). Passage of this bill provides stability and predictability for the AIP program for the next 4 years. With a four-year bill, airports can more confidently plan and implement their development programs.

The bill authorizes \$3.35 billion dollars for AIP. This is a little less than the previous years when AIP was \$3.5 billion. The overall reduction in AIP funding will result in less overall discretionary funds being available. States may also experience a small drop in the amount of State Apportionment. Entitlement funds remain unchanged.

The biggest impact of the new bill for many of our region's airports is the local match requirement. The reauthorization does not renew the 95% federal share for smaller airport that was in Vision 100 (the last long term authorization bill signed back in 2003). Under the new bill, the Federal share reverts back to 90%. Please continue to work closely with your FAA planner/engineer regarding any difficulties you may encounter in securing your local match and the impact on your planned project for 2012. Note: The 95% Federal share is retained by airports that receive essential air service and are located in an economically distressed area as define by law. FAA headquarters is currently working to establish the economically distressed criteria, but the universe of airports that meet these criteria will be small.

The reauthorization bill also recognizes the importance of incorporating environmental and sustainability initiatives into the way airports do business. The FAA is studying the requirements and impacts of these initiatives and will be coming out with guidance in the near future. You can expect to see increased eligibility for things like recycling planning, environmental management system planning, glycol recovery vehicles and power and air at terminal gates. Stay tuned.

Jim Johnson
Manager, Airports Division

OST Notice - Airport Tarmac Delay Contingency Plans

The FAA Modernization and Reform Act of 2012 requires covered U.S. carriers and airports to submit tarmac delay contingency plans to the Secretary of Transportation for approval by May 14, 2012. A follow-up notice will explain how carriers and airports can submit their plans.

Download: [Notice about Airport Tarmac Delay Contingency Plans](#) (pdf)

Addition information is available in the following article about ACRP Report #65.

ACRP Report 65 Guidebook for Airport Irregular Operations

TRB's Airport Cooperative Research Program (ACRP) [Report 65: Guidebook for Airport Irregular Operations \(IROPS\) Contingency Planning](#) is designed to help guide commercial passenger service airports of all sizes to develop, continually evaluate, and update their contingency plans for procedures pertaining to irregular operations (IROPS) that may cause significant disruptions to customers.

This guidebook is designed to assist aviation system partners in enhancing their response to customer care during a broad array of IROPS conditions and includes step-by-step templates for the preparation of contingency plans that include necessary communications, collaboration, and coordination to address customer needs.

Transportation Research Board

USDA Warns of Fraudulent Letters

WASHINGTON, March 16, 2012--USDA officials learned late Friday afternoon, March 16, 2012, that fraudulent letters are being sent by FAX to individuals and businesses in at least four states. The letters purportedly come from a USDA procurement officer and seek personal information.

These letters are false and in no case should a recipient respond with personal and financial information. The fraudulent letters bear USDA's logo and seal and are signed by an individual identified as "Frank Rutenberg" using a title of "Senior Procurement Officer". Letters have been received by FAX in Alabama, Nebraska, Pennsylvania and Wisconsin, but may have also been sent to other states. Recipients should not respond and should not supply the requested information. USDA is investigating this matter through the Office of the Inspector General.

If you suspect you have received such a letter or have questions please contact USDA at: procurement.policy@dm.usda.gov or call 202-720-9448.

USDA Office of Communications

Release No. 0097.12

(202) 720-4623

Updated Veterans Preference Clause

The recent establishment of the new AIP authorization (FAA Modernization and Reform Act of 2012) revised the veteran preference requirements for AIP funded projects. The FAA has revised [Grant Assurance](#) #15 to address this requirement. Sponsor must include the new Veterans Preference provision in all contracts for construction funded under the AIP. The following provision language is acceptable to meet this revised requirement.

"In the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates."

FAR 139.319 Initial and Refresher ARFF Training - 2012

The University of Missouri Fire and Rescue Training Institute (MU FRTI) will conduct two Initial Aircraft Rescue Fire Fighting Initial Training courses and two Aircraft Part 139 Refresher Training Fires courses in 2012. The courses will be offered for open enrollment.

The Aircraft Rescue Fire Fighting Initial Training course and Aircraft Part 139 Refresher Training Fires course will cover FAR Part 139 and A/C 150/5210-17B "Programs for Training of Aircraft Rescue and Firefighting Personnel".

Training Dates

Training Session	Date	Location
Aircraft Rescue Fire Fighting Initial Training	6/5-9/2012	Jefferson City, MO
Aircraft Part 139 Refresher Training Fires	6/8/ 2012	Jefferson City, MO
Aircraft Rescue Fire Fighting Initial Training	11/5-9/2012	Columbia, MO
Aircraft Part 139 Refresher Training Fires	11/8/2012	Columbia, MO

Course Fees

Per person fee will be \$700 for the Aircraft Rescue Fire Fighting Initial Training and \$400 for the Aircraft Part 139 Refresher Training Fires.

These courses will be offered the first full work week after Memorial Day in June and the first full week in November annually.

Personnel can register by faxing a course registration form, which may be downloaded at <http://www.mufrti.org/download/student.shtml>, to 573-882-0678. The form may also be scanned and sent to frti@missouri.edu.

Attendees must bring NFPA approved Personal Protective Gear (PPE). This includes SCBA, spare air bottle, helmet with eye/ear protection, hood, coat, gloves, pants, coat, boots, gloves, suspenders.

For additional information contact Mark Lee or MU FRTI staff at:

Contact: frti@missouri.edu
Phone: 1-800-869-3476
Web site: www.mufrti.org

Procurement Requirements under the AIP

(This is the first of a series of articles that address Sponsor procurement requirements under the Airport Improvement Program. This article addresses roles and procurement standards.)

To remain eligible under the Airport Improvement Program (AIP), a grant recipient's (Sponsor's) procurement action must conform to the provisions established under Federal Regulation 49 CFR part 18.36. The Sponsor agrees to comply with these requirements when they accept the FAA's offer of a grant. The provisions and procedures contained in 49 CFR Part 18.36 represent requirements the Sponsor must apply in their procurement actions for construction development, equipment purchases, and the selection for professional services (engineering consultants etc.).

Sponsor's Role:

The Sponsor serves as the contractual authority for establishing and administering procurement actions and the associated contract agreements. Sponsors shall use their own procurement system and procedures provided it does not conflict with Federal statutes and regulations. The Sponsor remains responsible for all contractual matters.

FAA Role:

The FAA is not a party to the contract a Sponsor executes in support of the AIP. The FAA's role is essentially limited to determining the AIP eligibility of a Sponsor's procurement action. The FAA project manager carries out this role through a combination of cursory review and sponsor certification.

The FAA may not act on the behalf of the Sponsor in matters concerning procurement and contracting. Sponsors should not construe reviews conducted by the FAA as quality control checks or guarantees that their procurement action is compliant. Reviews conducted by the FAA project manager are primarily for determining AIP eligibility and conformance to FAA safety requirements.

Contract Administration System

Sponsors must maintain a contract administration system that assures the contractor performs in accordance with the terms and conditions of the contract. A Sponsors failure to properly administer their procurement action can result in the FAA determining the associated costs ineligible for AIP participation. If the FAA determination occurs after the Sponsor receives AIP reimbursement, the deficiency becomes an improper payment. This may require the Sponsor to immediately reimburse the AIP the federal share of the questionable costs.

Procurement Standards

In addition to a proper contract administration system, some key standards a Sponsor procurement system must address include:

- Maintaining a written code of conduct that governs the performance of their employees engaged in the award and administration of their contract.
 - No employee or agent of the Sponsor may participate in an AIP funded procurement action if a real or perceived conflict of interest exists.
- Reviewing proposed procurement actions to avoid unnecessary or duplicative items.
- Making award of contract only to responsible contractors that possess the ability to successfully perform the contract in accordance with the terms and conditions of the agreement.
- Maintaining sufficient records that detail the significant history of the procurement action including:
 - Rational for the method of procurement
 - Selection of contract type
 - Contractor selection
 - Basis for the contract price
- Exercising good administrative practice and sound business judgment for the settlement of all contractual and administrative procurement issues including:
 - Evaluations
 - Protests
 - Disputes
 - Claims
- Establishing and maintaining protest procedures that address and resolve any dispute arising from their procurement action.
 - A protestor must exhaust all administrative remedies with the Sponsor before pursuing a protest with the FAA.
 - FAA review of a Sponsor's procurement dispute is limited to violation of Federal requirements and deviations of Sponsor's established protest procedures.

Mike Rottinghaus, P.E.
Central Region FAA

Integrated Noise Model (INM) Version 7.0c

FAA's Office of Environment and Energy (AEE) has issued a new release of [INM \(Integrated Noise Model\) Version 7.0c](#). This release includes database updates and correction of minor software issues. It does not offer new capabilities.

The [Integrated Noise Model \(INM\)](#) webpage provides additional information about this release. The release notes will also guide you on the process to download the new version.

Glenn Helm
Environmental Specialist
Central Region FAA

FAA Launches FAA Mobile 1.0

FAA Mobile is an easy-to-use mobile website that provides quick access to popular FAA.gov tasks for the aviation enthusiast on-the-go. You can look up N-numbers, find Advisory Circulars, browse airport delays, and more. You can find FAA Mobile at <http://www.faa.gov/mobile/> (optimized for mobile devices).

The FAA Mobile website allows you to stay connected with popular features of FAA.gov from any location – whether it be the hangar, the office, or home. You can also access the full web version of FAA.gov by tapping a link at the bottom of any FAA Mobile page.

FAA Mobile fully supports iOS 4 and higher, as well as Android 2.2 and higher. For details on all devices that are compatible with FAA Mobile, visit [Supported Platforms and Devices](#).

FAA Headquarters

Agriculture Spray Planes

This is the time of year that brings many questions about Agriculture Sprayer (Ag sprayer) operations at your airport. If you are a Federally Obligated Airport, AG Sprayers have a right to work safely and responsibly out of your airport.

You cannot have a blanket policy that excludes AG sprayers from using the airport. This would discriminate against a class of aeronautical activity and is a violation of Grant Assurance 22. That being said, you can still establish rules or airport minimum standards at your airport that the AG Sprayers have to abide by when they sign a use agreement with your airport. These rules cannot be unjustly discriminatory or include unreasonable conditions.

The rules will have to be the same for all AG Sprayers and you cannot require them to have something that is not reasonable. An example of this would be, you want them to have a "trillion-zillion" dollar liability insurance policy. You can require them to clean up any spills or messes they might make, at their cost, to your satisfaction. You can assign an area for them to operate from or you can require that they store their chemicals in a certain area.

What if you feel you have too many AG Sprayers that want to work out of your airport and it is becoming a safety issue? At that time, you will have to ask for assistance from the Flight Standards District Office (FSDO) to make that determination. We know one of your jobs as an airport manager is to run the airport safely. We also know that the airport has certain rights and powers and we are not asking that you give up those rights and powers. We are asking that you work with these airport users to establish a win-win situation. If you are interested in establishing Minimum Standard for commercial aeronautical activities at your airport, please refer to [Chapter 10 of the Compliance Manual, 5190.6B](#) (pdf) or [AC 150/5190-7](#) (pdf).

Lynn Martin
Compliance Specialist
FAA Central Region

2011 Value Engineer of the Year

Please join us in the recognition of *Women Engineer Magazine's* 2011 Value Engineer of the Year, **Nardos Wills!** She has been an integral part of the Central Region Airports Division since early 2004. Nardos' bachelor degree in Civil Engineering has enabled her expertise to range far and wide from planning to development within the Airports Engineering discipline. Congratulations Nardos!

**FAA Central Region
Airports Division**

The Search for a Qualified Land/Relocation Consultant

The land acquisition and relocation process is difficult for airport sponsors for several reasons. The typical airport may go five to ten years without purchasing any land interests for their airport, or may need to actually relocate displaced persons once or twice in the history of the airport. One drawback is the uncertainty of the project schedule. A development project goes through the bidding process, which is tied to a specific timeline.

Although we set up guidelines, there are many factors that can disrupt the schedule such as appraisal delays, discovery of contamination, uncooperative property owners or legal representatives, etc. Sometimes there is no City or airport official that has any experience with the Uniform Act as it applies to FAA AIP funding. This makes it extremely difficult to know how to choose a qualified professional with expertise in Uniform Act acquisitions or relocations. The following are some suggested questions you may ask when you interview a prospective consultant:

- What guidance should the appraisers follow in order to complete the appraisal problem for federal acquisitions?
- What training courses or experience do you have with administering Uniform Act projects?
- According to the last revision of the Uniform Act in 2005, what are the responsibilities of the review appraiser?
- What happens with the Replacement Housing Payment if the acquisition is litigated in the courts and the Just Compensation amount is raised?
- When is an Environmental Site Assessment necessary in an AIP land project?
- What is the agency's responsibility to the displaced person to relocate them from their residence? Is it the same procedure to replace their business?
- When is it appropriate to use a low value waiver?
- What items need to be included in the relocation plan or offer?
- When and who decides what is realty and what is personal property?

These are just a few examples of direct relevant questions that will indicate the qualifications of the firms you are interviewing for contracts. If you are interested in using any of the above questions, and would like the answers to these questions, email your Central Region Land Specialist at **Gayla Rich** ([Central Region Contact Information](#)) and she will provide the answers and references to the Uniform Act and/or FAA regulations.

**Gayla Rich
Land Specialist
FAA Central Region**

Improvements to the DBE Program

The USDOT issued a Final Rule in January 2011, to create Program Improvements for the Disadvantaged Business Enterprise (DBE) Program. The new rule improves the administration of the Program by increasing accountability for recipients with respect to meeting overall goals; modifying and updating certification requirements; adjusting the personal net worth (PNW) threshold for inflation; providing for expedited interstate certification; adding provisions to foster small business participation; improving post award oversight; and, addressing other issues. For details on this and other components of the DBE Program, visit:

[Disadvantaged Business Enterprise \(DBE\) and Airport Concessions Disadvantaged Business Enterprise \(ACDBE\) Program Training](#)

Patricia Wright
FAA Civil Rights

Small Business Provisions

In January 28, 2011, as part of the improvements to the DBE Program, USDOT included a provision that airport sponsors add an element to their DBE programs to foster small business participation in contracts. The purpose of this provision was to encourage programs that, by facilitating small business participation, augmented race-neutral efforts to meet DBE goals. The program element may include items such as race-neutral small business set-asides and unbundling provisions. The regulation did not propose to mandate any specific elements, however.

DBEs are small businesses. Program provisions that help small businesses can help DBEs. By facilitating participation for small businesses, recipients can make possible more DBE participation, and participation by additional DBE firms. Consequently, a program element that pulls together the various ways that a recipient reaches out to small businesses and makes it easier for them to compete for DOT-assisted contracts will foster the objectives of the DBE program. Because small business programs are race-neutral, use of these programs can assist recipients in meeting the race-neutral portions of their overall goals. This is consistent with the language that under Part 26, recipients are directed to meet as much as possible of their overall goals through race-neutral means.

It is important to keep in mind that race-neutral programs should not be passive. Simply waiting and hoping that occasional DBEs will participate without the use of contract goals does not make an effective race-neutral program. Rather, recipients are responsible for taking active, effective steps to increase race-neutral DBE participation, by implementing programs of the kind mentioned in the final rule. The DOT will be monitoring recipients' race-neutral programs to make sure that they meet this standard.

Because of the many questions related to this subject, USDOT issued several Q&A pieces to help clarify the intent and methodology for implementing this small business element of the DBE Program. These questions and answers may be found at that web page [Official Questions and Answers \(Q&A's\) DBE Program Regulation \(49 CFR 26\) Official Questions and Answers \(Q&A's\) DBE Program Regulation \(49 CFR 26\)](#).

Patricia Wright
FAA Civil Rights

Radio Requirements:

The Aeronautical Information Manual, section 3-2-1(d) explains, "It is the responsibility of the pilot to ensure that ATC clearance or radio communication requirements are met prior to entry into Class B, Class C, or Class D airspace. The pilot retains this responsibility when receiving ATC radar advisories. (See 14 CFR Part 91.)"

A pilot is only required to maintain radio communications during VFR flight in certain designated airspace. Per [14 CFR Part 91](#), radio communications are required before entering Class B, Class C and Class D airspace. Hence, the aircraft is required to be equipped with a two-way radio unless prior arrangements are made with the controlling ATC facility.

A clearance is required before entering Class B airspace. However, Class C and Class D airspace only require that the pilot establish communications.

Class D and Class E airspace do not require the pilot to maintain radio communications under VFR flight rules. Furthermore, the aircraft is not required to be equipped with a two-way radio.

Eric Parker
All Weather Operations Program Manager
NextGen Branch, Flight Standards

Recently Revised or New FAA Publications (a selected list)

Advisory Circulars (AC)

- [AC 150/5220-30](#) - Airport Winter Safety and Operations (pdf) – Change 1
- [AC 150/5200-36](#) – Qualifications for Wildlife Biologist Conducting Wildlife Hazard Assessments and Training Curriculums for Airport Personnel Involved in Controlling Wildlife Hazards on Airports (pdf)
- [AC 150/5300-13](#) – Airport Design, Change 18
- [AC 150/5345-53C, Airport Lighting Equipment Certification Program](#) - April 2012, Addendum to appendices 1, 3, and 4. (Note: This AC is updated the 15th of every month)

AIP - Other

- [AIP Buy American Preferences Webpage](#) – Webpage has moved. Update your bookmarks
- [Current FAA Advisory Circulars Required for Use in AIP and PFC Projects](#) – Updated 1/25/2012

CertAlert

- [CertAlert 12-02](#) – NOTAM Transition

Program Guidance Letters

- [PGL 12-02](#) (pdf)– Specifying LED Lighting on AIP Funded Project
- [PGL 12-03](#) (pdf) – Change to Paragraph 906, Price or Cost Analysis of FAA Order 5100.38c
- [PGL 12-04](#) (pdf) – Avian Radars

Engineering Briefs

- [EB No. 67D](#) (pdf) – Light Sources Other than Incandescent and Xenon for Airport and Obstruction Lighting Fixtures
- [EB No. 87](#) (pdf) – Heliport Perimeter Light for Visual Meteorological Conditions
- [EB No. 89](#) (pdf) - Taxiway Nomenclature Convention

For a more complete list, please visit our website [News and New Resources for Airport Projects](#). To receive automatic e-mail notification of changes, users may click on the "Subscribe" option at the top of webpage. Users will be prompted to provide their e-mail address.

Arrivals and Departures

Arrivals

Jeff Hancock – New City Manager/Airport Manager for McCook Ben Nelson Regional Airport (MCK) in McCook, Nebraska

Lynn Placek – New Airport Manager at Alliance Municipal Airport (AIA) in Alliance, Nebraska

Calendar of Events

Date	Event
April 25-26, 2012	Iowa Aviation Conference West Des Moines, IA
June 9-12, 2012	FAA/AMAC Airport Business Diversity Conference St. Louis, MO
September 25-26, 2012	Central Region Airports Conference Kansas City, MO