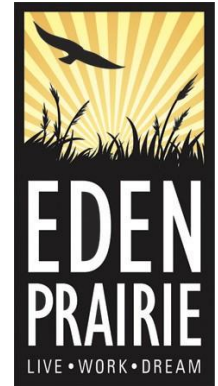


**TO:** Scott H. Neal, City Manager

**FROM:** Scott A. Kipp  
Staff Liaison - Flying Cloud Airport Advisory Commission

**DATE:** August 12, 2009

**SUBJECT:** Flying Cloud Airport Advisory Commission Review of Vicki Price's  
Concerns on Compliance with FAA/TSA Policies and Rules



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At your request, the Flying Cloud Airport Advisory Commission was asked to review and respond to some specific issues that were raised by Vicki Price regarding the Metropolitan Airports Commission (MAC) compliance with FAA/TSA policies and rules, specifically:

1. Open access to non-authorized personnel
2. Surface surveillance radar
3. Annual review of safety records from FAA Runway Safety Office
4. MAC retesting of remaining wells and groundwater

The Commission invited Ms. Price to its May 14<sup>th</sup> meeting and she gave a thorough presentation of her issues of concern. The Commission recommended that the members take additional time to review the information and to report back at the July 9<sup>th</sup> meeting. The following responses are a compilation of our discussion at this meeting.

**1. Open access to non-authorized personnel**

**Ms. Price recommends open access to non-authorized personnel is addressed.**

MAC indicates there are no requirements or mandates regarding gate security at general aviation airports like Flying Cloud. The FAA and MAC however will be reinstalling 12 gates at Flying Cloud in the fall of this year. These gates will require a key pad code for access including a screen on the pad displaying all of the operator's information. This will help control access to vehicles and people who want to look at the airport or for people who have no reason to be on the airport property. This includes the requirement of businesses having to allow their customers access through the gates. The Airport Manager indicates that the airport will be locked down.

The Flying Cloud Airport Advisory Commission, through its 2008 airport security update, recommends continuing efforts through the airport community watch.

2. **Surface surveillance radar**

Ms. Price recommends the MAC address the need for surface surveillance radar at the airport.

Airport Manager, Jeff Nawrocki said the FAA is working with MAC on some type of program but is not something they are required to do. This is an ongoing issue and it is a joint effort.

3. **Annual review of safety records from FAA Runway Safety Office**

Ms. Price recommends the Flying Cloud Airport Advisory Commission annually review the FAA Safety Record for FCM and use it to determine possible problems at the airport.

The FAA has recently identified Flying Cloud Airport has having the most runway incursions in the country. An incursion is any occurrence at an airport, with an operating control tower, involving an aircraft, vehicle, or person on the ground that creates a collision hazard or results in loss of separation with an aircraft taking off, intending to take off, landing, or intending to land.

Many of the incursions were from vehicles crossing a runway.

MAC has met with the FAA to discuss the incursions, and how best to address them. In addition to the secured gates as discussed under item 1 above, MAC will also be adding airfield lighting at all runway intersections as well as additional signage and markings that are above what is needed. Additional training was also conducted with the control tower staff and quarterly meetings are held with the tenants.

FAA's initiative is to conduct runway safety meetings along with seminars conducted by a runway safety team. They will hold additional meetings at Flying Cloud. These meetings are separate from the quarterly meetings.

4. **MAC Retesting of Remaining Wells and Groundwater**

Ms. Price requests any remaining tenant wells be tested for groundwater contamination. She also is concerned that MAC does not have a PE (Professional Engineer) certification of its SPCC (Spill Prevention, Control and Countermeasure) plan.

According to Mike Harder, MAC's Environmental Administrator, the remaining 14 wells at Flying Cloud, which must comply with the Minnesota Department of

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Health code, are owned and maintained by various tenants. MAC is unaware of any recent well inspections. MAC does not own or maintain any wells on the airport property and there are no environmental monitoring wells on the airport property.

MAC recently extended sanitary sewer and water along the north boundary of the airport to serve tenants and businesses along Pioneer Trail. Sewer and water is already available along Flying Cloud Drive. As part of this infrastructure, airport businesses and hangar tenants that have wells are required to properly abandon them as well as their septic systems and connect to sewer and water within two years. In addition, a number of new hangars are being redeveloped along Pioneer Trail. These new owners are electing to connect to sewer and water as part of the hangar construction.

Mr. Harder indicated the Flying Cloud Landfill was closed in 1988 by the Minnesota Pollution Control Agency (MPCA). It was incorporated into the MPCA Closed Landfill Program (CLP) in 1998. Under the CLP the MPCA is responsible for the long term care of this site; which includes monitoring ground water contamination. The MPCA is continuing to monitor this site. The May 2006 MPCA Closed Landfill Program Site Report for the Flying Cloud Sanitary Landfill indicates that, overall, concentrations of volatile organic compounds (VOCs) show a downward trend.

Regarding the issue of PE certification, Mr. Harder indicates MAC's SPCC plan is PE compliant and voluntarily has had its plan in place since 1991. Although the MAC does not meet the regulatory threshold that requires a SPCC plan, the MAC determined it was appropriate and prudent to have the plan reviewed and signed by a PE. This plan was updated in 2009. A copy of MAC's SPCC plan is attached to this memorandum. The tenants are also required to have an SPCC plan. Harder explained the MPCA would enforce this with the Fixed Base Operators (FBO). MAC's role is to provide guidance.