

EAA MILE HIGH CHAPTER



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NEWSLETTER
KIRBY WHITE
423-5134

VOLUME 11, ISSUE 8, AUGUST, 1988

THIS MONTH: This month's meeting will be held on Saturday, August 13, 1988 at 7:30 P.M. in the Club Room of the Denver Air Center, which is at the junction of the two main roads leading into Jefferson County Airport. The program will be slides of Oshkosh taken by Chapter 43 members.

LAST MONTH: With 55 members and guests in attendance, the meeting of July 9, 1988 was called to order at 7:45 P.M. by President Kirby White at the Denver Air Center. The minutes of the June meeting were approved as published in the Newsletter.

Guests: Guests present were Chris Jones of Boulder, Maths Johansson of Boulder, Rob Martinson of Denver, and Tom Burlace of Aurora -- who owns a Cessna 170-B and a Citabria. Tom and his Grandfather, Bob Miller (who is now deceased), are the ones who gave me my first rides in a private airplane when Tom and I were going to the same High School together. After Tom got his Private license, we used to meet at midnight on Fridays when he got off work, drive to Sky Ranch Airport where their Cessna 170-B was tied down, and fly until it started to get light Saturday morning. We visited many airports along the front range. I have some very fond memories of those times. Tom now owns the 170, and is in the process of restoring it. A couple of years ago, I discovered that Tom and Jim Thompson are friends. Until recently, I hadn't seen Tom for many years, but I knew what he was doing through Jim. I always felt that our paths would cross again, with both of our interest in airplanes, so I never pursued looking him up. It was nice to have an old former friend as a guest at the meeting, and I was able to twist his arm into becoming a member of Chapter 43.

Treasurer's Report: There was none given.

Old Business: The subject of the Oshkosh Fly-In was discussed. Many Chapter 43 members planned to attend. Rides needed and rides that were available were announced.

New Business: Chapter 43 member Kevin Fornall talked about the work that he has been doing to try to bring Formula I air racing to the Denver area. He is very serious about it, and wants to have the race in conjunction with a Blue Angels or Thunderbirds show so a lot of people will be exposed to it. Kevin has been able to get things arranged pretty well, except he needs more corporate sponsorship so there will be good prize money to offer which will draw more Formula I airplanes. He will keep us informed how things are going and whether there will be a race this year, and he asked that anyone interested be sure to talk to him about it. He showed

New Business cont: a short promotional videotape on Formula I racing, which was quite enjoyable. Roy Maneely talked about an Aeronca Fly-In that he flew his 1942 Aeronca L3B to. It was held in Mid-dleton, Ohio. There were approximately 160 Aeroncas there! Chapter 43 member Warren Williams flew his 1948 Aeronca 15AC Sedan to the Fly-In, also. Both Roy and Warren reported that they had a wonderful time. Chuck Ogden had a number of AOPA magazines that he no longer wanted. He said that anyone that would like to read them was more than welcome to take them home. Mark Yelich brought in some items that he had for sale.

Gene's Corner: Gene Horsman read an article on the problems a person had in getting permission from an airport to fuel his own airplane. He also had a couple of articles on the final ruling of NPRM 88-2, one of which was supplied by Guy Clark. All of the above articles are worth reading, and are reprinted in this Newsletter. The General Aviation Accident Liability Standards Act was reported out of the Senate Commerce, Science, and Transportation Committee, and could reach the Senate floor for debate and final vote by June. The bill is designed to provide general aviation aircraft manufacturers with some protection against lawsuits regarded by manufacturers as "unjust or frivolous," according to the General Aviation Manufacturers Association, a leading proponent of tort reform. The chief opposition to the bill comes from the American Trial Lawyers Association, which contends that the legislation bars a plaintiff's access to recovery, although the bill does not impose any monetary limits on damages and does not limit a plaintiff's right to sue a negligent manufacturer. Gene talked about the experiences he had taking Martha Esch for a ride in his 1940 Luscombe 8A. She is a writer who is barnstorming through all 48 contiguous states in different antique aircraft with their owners. She plans to write a book about her adventure when it is finished. Guy Sheeon flew his Piper Super Cruiser along with Gene and Martha, and it was all filmed by the crew of the Channel 7 helicopter. A short portion of the footage made it on the Channel 7 news. Gene mentioned that a Fly-In was planned at the Boulder Airport, the proceeds of which would benefit the SIDS Foundation.

Progress Reports: John Barrett reported that he had replaced the magnets on his 1946 Piper J-3 Cub with a set of Bendix shielded mags.

A&P: The business portion of the meeting adjourned for coffee at 8:30 P.M. After the break, Kirby asked the membership to decide whether to watch the advertised Bob Hoover tape (which turned out to be more than an hour and a half in length) or a shorter tape on WWII aerial footage with recent interviews and remembrances of the pilots involved. The vote went to the WWII tape, and it was very interesting and well done. When more time is available, the Bob Hoover tape will be shown.

ADDRESS CHANGE: Bon Aero Aircraft Hardware 209 W. Baca Trinidad, CO 81082 719-846-2542

MARKETPLACE: For Sale: Lycoming crossover exhaust system believed from O-320 in Piper Tri-Pacer, \$100.00. Also Hobbs meter and Scott CAT, Both work but both have cracked glass, Make offer. Call Guy Clark at 674-4766.

MARKETPLACE cont: For Sale: 1. Mitchell part # 52D67M Horizon, Mfg. by Edo, Model 5000 E-11, Internal light, Autopilot connections, Very good condition, 2.2 pounds. 2. Yellow tagged 1" Vacuum Gauge. 3. Suction Regulator with filters (new). 4. Central Air Filter (new). \$300.00 for Horizon system. Also assorted Vari Eze leftovers -- 13 yards Hexel bid & uni glass, All parts acceptable to the discriminating builder. Steve Franseen 987-1880



**EXPERIMENTAL AIRCRAFT ASSOCIATION
ROCKY MOUNTAIN CHAPTER 301
DENVER, COLORADO**

We have just 49 weeks left to equip our airplanes with Mode C transponders if we want to continue to operate within 30 miles (nautical) of Stapleton Airport. This includes Boulder, Longmont, Platte Valley, Inl-County, Front Range, Aurora, and of course Jetco and Centennial airports, as well as the many private airstrips in this area. Gliders, balloons, and aircraft without electrical systems can continue to operate under the ICA floors without Mode C, but personally, I don't expect this to last very long. And it is my personal experience that the FAA is not going out of its way to clear traffic through the ICA. And EAA Headquarters is calling the new rule a victory! Maybe we won a battle, but we sure as hell lost the war. Go back and read NPRM 87-7.

You can be sure a lot of airplanes will leave this area or quit flying altogether, which will surely hurt the smaller airports. As chairman of the Rocky Mountain Sport Aviation Committee, I am going to press for congressional action to guarantee unrestricted access to all uncontrolled airports. Aircraft operating at or below 1200 feet, in VFR weather, for example, cannot be conceived as in any way a threat to commercial airliners.

If you have bought a new sectional chart in the last 6 months, you may have noticed that none of the airports inside the area of a TCA chart (light blue bordered area on the sectional) have the airport data printed: no elevation, runway length, or unicom frequencies. You have to have the ICA chart for that information, which is a sneaky way for the FAA to make you buy a TCA chart. Anyway, Sport Aviation reports that due to many complaints, the FAA is going back to the old system. However, if you are going to fly regularly near a TCA, I recommend that you buy a TCA chart. It is a larger scale than the sectionals, and gives you a better chance to avoid being tracked down and hung with a violation of the sacred airspace.

Self-fueling nightmare

I own and fly a Cherokee 235 for which I have an auto fuel supplemental type certificate. There is no auto fuel available at the Lincoln, Nebraska, airport.

Recently, I received a letter from the Lincoln Airport Authority advising me that if I wanted to fuel my own aircraft I would have to meet the following requirements:

(1) Pay an annual fee of \$60. (2) Use an OSHA-approved container, no smaller than two gallons and no larger than five gallons. (This means I have to make 16 trips to top off my airplane or carry 16 cans instead of the one 120-gallon tank I have in my truck. How this enhances safety eludes me.) (3) Use a metal funnel of at least two-gallon capacity. (4) Both the funnel and can must have grounding and bonding cables. (5) All containers must be inspected by the airport authority before their first use. (6) A 20BC fire extinguisher must be accessible outside the aircraft during all fueling operations. (7) Complete an aviation fuel training course acceptable to the Federal Aviation Administration. (8) Permit periodic inspections of my equipment. (9) Pay a four-cent-per-gallon fuel flowage fee monthly on all fuel placed in my airplane by me, regardless of location. (10) Provide proof of liability insurance from a Nebraska company for \$1 million covering my fueling operations and endorsed to the airport authority.

I would like to hear from other pilots who may have encountered similar restrictions. I understand the FAA has issued some new regulations concerning self-fueling. Could it be that they are the basis for the above requirements?

I did not apply for the self-fueling permit. I have moved my airplane to Crete, Nebraska, where the folks seem to want the \$10,000 I spend each year on my airplane. The people at the Lincoln airport apparently don't care.

Grover T. Barker AOPA 769094
5401 S. 66

Lincoln, Nebraska 68516

FAA ISSUES FINAL RULE ON 88-2

Responding to more than 80,000 pilot comments and congressional criticism regarding its proposed requirements for use of altitude-reporting transponders (Notice of Proposed Rulemaking 88-2), the Federal Aviation Administration has issued a final rule that differs substantially from its original February proposal.

The new rule will require aircraft to have an operating transponder with automatic altitude-reporting equipment (Mode C) when operating (a) in airspace at and above 10,000 feet msl or 2,500 feet agl, whichever is higher, and (b) in the vicinity of certain primary airports for which a terminal radar approach control service area has been established.

Specifically, Mode C will be required in terminal control area (TCA) and airport radar service area (ARSA) airspace; from the surface to 10,000 feet msl within 30 nautical miles of a TCA primary airport; in the airspace above an ARSA to 10,000 feet msl; and within 10 nm (except below 1,200 feet agl outside the airport traffic area) of additional high-passenger-traffic airports (identified in Federal Aviation Regulations [FAR] Part 91, Appendix D). Gliders, balloons, and aircraft without electrical systems are excluded from most of these requirements but are still bound by current FARs regarding flight in TCA and ARSA airspace.

The new rule will be implemented in two parts. Phase One, requiring Mode C at and above 10,000 feet msl and in the vicinity of the 27 TCA primary airports, will go into effect on July 1, 1989. Phase Two, requiring Mode C in the vicinity of 109 ARSA primary airports and at two other airports with "significantly high air carrier enplanements and instrument operations," will go into effect on December 30, 1990. (The two airports to be initially designated under FAR 91, Appendix D, are Logan International Airport, Billings, Montana, and Hector International Airport, Fargo, North Dakota. Others will be considered on a case-by-case basis; the main criterion is that an airport enplane at least 200,000 passengers annually.)

The final rule differs from the original proposal in a number of significant details:

- The proposal would have mandated Mode C at and above 6,000 feet agl or 12,500 feet msl, whichever was lower.
- The proposal would have established a 40-nm "veil" around 254 airports with terminal radar approach control service.
- The proposal would have replaced the Continental Control Area with a United States Control Area having a floor at 1,200 feet agl over the entire United States. This issue will be addressed in a separate rulemaking action.

AOPA President John L. Baker said of the final rule: "The volume of pilot com-

ments on the FAA's proposal clearly demonstrated the significance of the negative effects such a rule would have on the National Airspace System. We note with satisfaction that the FAA has responded to some degree to the constructive criticism of pilots and members of Congress in revising its proposal.

"We believe, however, that a 30-nm veil down to the ground around TCA primary airports is unnecessarily restrictive because it increases the volume of airspace affected by TCAs in many locations. We don't believe this will contribute to improved levels of safety for the flying public. Also, we can find no justification for a Mode C requirement for overflying ARSAs. This will simply increase congestion around the edges of controlled airspace. Third, in agreeing to consider establishing a 10-nm veil around any airport that enplanes 200,000 passengers a year, the FAA is inventing a whole new type of controlled airspace. Surely, this issue requires a great deal of further study.

"AOPA is concerned that these changes will set a precedent for increasingly restrictive regulation over the long term. We will continue to dedicate ourselves to the pursuit of alternatives that will provide real improvements to the air traffic control system, but we are not convinced that this rule, as much better than the original proposal that it is, will have this effect. We will take whatever steps are necessary to ensure that any new rules are reasonable and enhance the air traffic system."

The FAA estimates that 39,000 new transponders and 104,000 new altitude encoders will be required to ensure compliance with the new regulations.

For further information regarding the new transponder regulations, contact: Reginald C. Matthews, Airspace Rules and Aeronautical Information Division, ATO-200, FAA, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone 202/267-8783. —Seth B. Golbey

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The flexibility and dedication of the SSA Staff really came through on the 88-2 project. As you know, this is a staff that has not been together very long, but all of us were impressed by their efforts, particularly the publication troops under the leadership of Mark Kennedy, who met some impossible deadlines.

The attached summary shows that soaring will continue as a responsible user of our airspace. We have formed an effective team backed by thousands of concerned members. This effort will continue. Your contributions in time and money were put to good use in a clean fight which produced greater respect for the soaring community by our government officials. We are part of the process and will need to maintain this respect through responsible use of air and ground facilities.

The NPRM effort also showed that while we need to maintain close contact with the AOPA, EAA and other aviation organizations, there is a clear need to develop an independent capability in Washington and other decision centers that represents our special interests.

All of us can be very proud of what we did and where we stand in the aviation community. On behalf of your Board of Directors, officers and staff, we thank you for your support on NPRM 88-2 and for the dedication you have shown towards this continuing effort to promote soaring.

Sincerely,



William C. Sproull
President

FROM: SOARING SOCIETY OF AMERICA

JUN 20, 1988

NPRM 88-2 / REVISED Information Sheet

After much discussion, the FAA has issued a revised version of NPRM 88-2. It is important to realize that this revision is presented as the Final Rule and as such, is not subject to another open public comment period.

The new rule was available for public review on Monday, June 20th. Over 60 pages in length, the rule is wordy and occasionally difficult to follow. Listed below are the major points as related to soaring. This information is presented only as a brief overview. A more detailed discussion will be prepared for the August issue of SOARING.

1. As of July 1989, Mode C transponders will be required on all aircraft operating above 10,000 ft msl. except gliders, balloons and aircraft without electrical systems.

Soaring will maintain its exemption up to 18,000 ft msl.

2. Previous rulemaking had established a "veil" around TCA's. Aircraft operating within 30 nautical miles of a TCA underneath positive controlled airspace were required to have Mode C transponders. Gliders, balloons and aircraft without electrical systems are now exempt from this requirement.

This is a very important victory for many SSA Chapters and Commercial Operators who were affected by the Mode C veil.

3. Only TCA's and ARSA's (Airport Radar Service Areas) will have the Mode C requirement. This affects approximately 140 cities as opposed to the 254 originally listed in NPRM 88-2. Instead of 40 NM radii, we are looking at 30 NM radii around TCA's and 10 NM radii around ARSA's.

4. As of Dec. 30, 1990, Mode C equipment will be required to operate in ARSA's. However, as in the past, soaring pilots and groups will be able to negotiate Letters of Agreement that will allow local exemptions. Further, we will still be able to establish Letters of Agreement to operate in "Wave Windows" and TCA's.

Please note, exact methods of establishing letters and possible operating procedure that might allow ARSA access by radio contact have yet to be explored.

5. The new rule limits the ability of aircraft to overfly TCA's and ARSA's below 10,000 ft msl. However, the rule establishes authorization procedures which would permit gliders, to overfly these facilities.

There is much more for us to learn about the new rule. Without a doubt, soaring is faced with some new operating issues. But, also without a doubt, we have accomplished a great deal and gained significant concessions in this new rule.

Today we claim a moderate victory, but tomorrow the pressure starts again. Consider just a few questions tomorrow will bring:

- A. By 1992, Mode S transponders will be required. Gliders are not yet exempted. How do we face this greater threat?
- B. Will new TCA's be "cookie cutter" style or will local aviation interests be allowed to influence design to permit all groups to operate safely?
- C. Will ARSA's, with their new Mode C requirement, turn into mini TCA's?
- D. How can we be sure that operating procedures and Letters of Agreement outlined in the rule will be properly implemented in hundreds of local areas?

The only answer we can offer at this time is to say that the SSA will never stop working to protect our ability to fly safely.