

FAA ORDERS TOTAL BAN ON RESIDENTIAL TTF OPERATIONS

From EAA & AOPA November, 2009



On September 30, 2009, the FAA issued Order 5190.6B that contained a **new FAA policy banning through-the-fence (TTF) residential operations**. Page 12-7 of the order clearly states this new policy: "Under no circumstances is the FAA to support any 'through-the-fence' agreement associated with residential use..." Two weeks later, on October 15, 2009, the FAA presented a draft TTF policy memorandum to several associations for comment, including EAA and AOPA. The draft policy titled, "Through-the-Fence and On-Airport Residential Access to Federally Obligated Airports," mirrors the FAA policy as presented in FAA Order 5190.6B.

Through-the-fence operations are those where the owner of a public airport permits access to the public landing area by residential homeowners and/or commercial operators offering an aeronautical activity, or by aircraft based on land adjacent to, but not a part of, the airport property. Some common types of commercial through-the-fence agreements are for free-lance flight instruction, aircraft maintenance, aircraft restoration, and aircraft hangars. This new draft policy does not apply to airparks, through-the-fence, or on-airport residential/hanger properties located on private airports, nor does it apply to public airports that are not bound by federal funding obligations.

EAA is asking members who have real-world experience in through-the-fence operations to review this FAA draft policy and provide feedback and constructive comments on its Website *Oshkosh365*. Your comments will form the basis of those EAA will submit to the FAA in hopes of revising the newly created FAA through-the-fence policy, which affects all public airports that have received federal funds for airport improvements and other reasons.

FAA GROUNDS ZODIAC 601XL AND 605 S-LSA

EAA November 13, 2009

For the first time in history, the FAA has suspended issuance of any new airworthiness certificates for an entire fleet of special light-sport aircraft (S-LSA) - the Zodiac CH601XL and CH650. The FAA will not issue airworthiness certificates to experimental light-sport aircraft (E-LSA) and amateur built versions of CH601XL and CH605 aircraft until modified in a manner consistent with the manufacturer's safety alert is performed. A fatal crash by a Zodiac on November 6, 2009, was the most recent in a string of accidents since 2005 involving Zodiac models. The agency's investigation uncovered areas of concern



related to wing structure, airspeed calibration, and stick-force characteristics, among other items. The aircraft involved in that crash was amateur-built. In reviewing that accident, the NTSB noted recommendations it had previously sent to the FAA that, had they been implemented, may have prevented this latest fatal crash. The FAA's most recent action forces operators seeking airworthiness certificates for the model to prove they've made specific modifications meant to prevent aerodynamic flutter. So far, the FAA's actions do not require that modifications be made to the amateur-built planes that already have airworthiness certificates.