

Airport Compliance and Nonaeronautical Events

By Heather Haney, Compliance Team

An airport developed or improved with federal funds may not be closed for special, nonaeronautical outdoor events without prior FAA approval. Prior FAA approval is required by federal law and reflected in Grant Assurance 19, *Operation and Maintenance*.

The FAA's consideration of a request to close part of a federally obligated airport for a special, nonaeronautical event is based on:

- Safety
- The impact of the closure on aviation and the airport's aeronautical users
- Safeguards used to protect the aeronautical infrastructure
- Benefits that will accrue to the airport
- Financial considerations
- The airport sponsor's ability to protect its rights and powers

FAA Order 5190.6B, *FAA Airport Compliance Manual*, explains that, "...In certain circumstances where promoting aviation awareness through such nonaeronautical activities such as model airplane flying, etc., the FAA does support the limited use of airport facilities so long as there is not total closure of the airport. In these cases, safeguards need to be established to protect the aeronautical use of the airport while the nonaeronautical activities are in progress and to ensure that safety is not compromised."

Compliance Tips

When making a request to close part of the airport for a nonaeronautical event, an airport sponsor should explain:

- What kind of event is this and what equipment will it require?
- What kind of airport is this and where on the airport will this event take place?

- What kind of closure am I requesting (to include duration, set up and tear down)?
- Why does this event need to be at the airport?
- How will this event impact the airport's capacity, security, safety and operations?
- Do I have a proposed safety plan? (Airports certificated under 14 CFR part 139 are required to develop and submit a ground safety operations plan which must be reviewed by the assigned inspector.)
- How will this event impact the aeronautical users?
- Will the airport profit from the event? How will the event enhance the communities' acceptance of the airport?
- Do the airport's aeronautical users support the event?
- Can impacts of the closure be mitigated?
- How can we protect the federal interest in aviation?

Sponsor Liability

What is the airport sponsor's liability and is the sponsor committed to not using airport revenue? Who will pay for any damages to the airport?

Requests for Nonaeronautical Event Closures

Airport sponsors are encouraged to initiate requests for nonaeronautical event closures with the ADO several months in advance. Depending on the scope and scale of the request, the ADO may be required to coordinate the request with other FAA offices or may require additional information about the event.

Do you have a compliance question? Contact ASO's Compliance Team.