



421 Aviation Way
Frederick, Maryland 21701

T. 301-695-2000
F. 301-695-2375

www.aopa.org

October 10, 2012

Mr. Lynn Martin
Compliance Specialist
Federal Aviation Administration
Central Region, Airports Division
901 Locust – Room 364
Kansas City, MO 64106-2325

Dear Ms. Martin:

The Aircraft Owners and Pilots Association (AOPA) represents the general aviation interests of 400,000 members nationwide including over 2,646 in the state of Nebraska. AOPA strives to ensure that members have access to a robust system of airports, both nationally and locally, that meet their needs without unjust discrimination or unnecessary restrictions.

In accordance with Federal Aviation Regulation (FAR) Part 13.1, we are writing to request an informal investigation to a number of potential grant assurance violations at the Millard Airport (KMLE) in Omaha, Nebraska. Millard Airport is owned and operated by the Omaha Airport Authority as a Reliever Airport to Eppley Airfield, a medium hub, which is also owned and operated by the same airport authority. Millard is a federally obligated airport, which according to Federal Aviation Administration (FAA) records since 1987 has accepted in excess of \$2.4 million dollars. The most recent grant we are able to verify was issued by the agency in 2010 in the amount of \$408,500 for runway rehabilitation.

Over past years, Millard Airport has been the subject of substantial controversy. Our involvement in issues at MLE date back to the mid-90's when formal complaints against the airport authority were filed by businesses making use of the airport with corporate jets. During that particular case, AOPA along with others in the industry filed briefs supporting the business user of the airport. The issues at that time, as it is today, relate to a weight based restriction on aircraft making use of the airport.

Even though the majority of the primary runway surface was constructed to support aircraft exceeding a maximum certificated gross weight of 30,000 pounds, the airport authority placed a weight limit of 12,500 pounds on use of the runway. Additionally, during a runway rehabilitation project funded by the FAA in the 90's, the airport authority reconstructed a very small portion of the runway to 12,500 pound standards even though the remaining and majority of the runway continued to be designed at 30,000 pounds. Essentially, the airport authority reduced the overall viability of the airport and runway environment claiming the move was a safety related action.

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While we can certainly understand the airport authority's desire to operate a facility to the highest safety standards, recent actions by management of Millard bring into question the airport sponsor's willingness to continue support for the facility and business being conducted at the airport.

For example, it has come to our attention that there are turbine aircraft operators who were previously operating and those who wish to operate their aircraft at Millard but are being told that they may not conduct operations at the airport since the Maximum Certificated gross takeoff weight of their aircraft exceeds 12,500 pounds. However, these operators are operating their aircraft at weights that are significantly UNDER the 12,500 pound weight restriction of the runway.

It is our opinion that in refusing to allow aircraft operators whose aircraft operations are being conducted under the 12,500 pound weight limit, the airport sponsor is implementing an access restriction to the airport. If an aircraft operator is willing to certify to the airport authority that their aircraft are being operated at gross weights that are less than the weight based runway restriction, then these operators should be allowed to make use of the airport without restriction.

Additionally, after reviewing the State of Nebraska's 2012 airport inspection report of runway and taxiway conditions at Millard Airport, it appears to us that the airport authority is not meeting federal grant assurance 19 – Operations and Maintenance as it relates to pavement maintenance. The current condition of the airport pavement as depicted in the 2012 state inspection (attached) appears to indicate significant deficiencies on the airport. Based on the depicted conditions, we question whether the airport has complied with parallel grant assurance 11 which requires a pavement preventative maintenance program.

AOPA therefore asks the FAA to conduct an informal investigation into the Omaha Airport Authority's operation of the Millard Airport to determine if the authority is operating the facility in full compliance with federal grant obligations.

Respectfully,

A handwritten signature in black ink, appearing to read "Bill Dunn", with a long horizontal line extending to the right.

Bill Dunn
Vice President
Airport Advocacy



2012 Inspection

Legend

Pavement Condition Index

PCI Scale

- Good (86-100)
- Satisfactory (71-85)
- Fair (56-70)
- Poor (41-55)
- Very Poor (26-40)
- Serious (11-25)
- Failed (0-10)



**MILLARD AIRPORT
 OMAHA, NEBRASKA**

**STATEWIDE PAVEMENT MANAGEMENT SYSTEM
 NEBRASKA DEPARTMENT OF AERONAUTICS**