

July 30, 2007

Mayor Kenneth A. Lorenz
City of Willoughby Hills
35405 Chardon Road
Willoughby Hills, OH 44094

Re: Willoughby Hills

Dear Mayor Lorenz:

You asked me to report on the current rules / events regarding compliance with Runway Safety Area ("RSA") regulations. Specifically, you asked whether runway pavement improvements, alone, would trigger a requirement that an airport bring its substandard RSA's into compliance.

The short answer is that FAA Order 5200.8, requires:

10. b. Whenever a project for a runway involves construction, reconstruction (includes overlays), or significant expansion, the project shall also provide for improving the RSA. ...

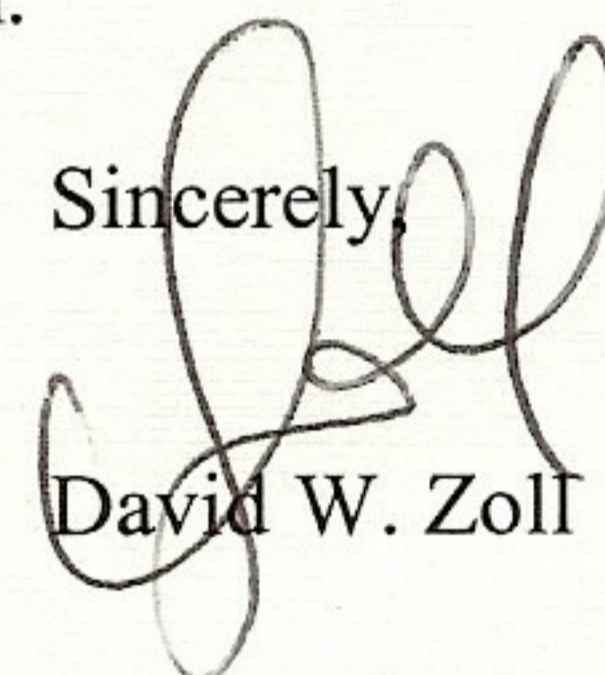
Reconstruction and significant expansion are construed as any project that results in changing the capability of the airport or the load-bearing strength of the pavement, restores the original design life of the pavement, or changes the actual or potential design aircraft use.

Before October 1, 2002, the Regional Airports Division Manager had discretion to take local conditions into effect and thereby make a finding that an airport that failed to meet RSA requirements could be "grandfathered." However this was modified by FAA Advisory Circular 150/5300-13, change 7 (10/1/2002) to make it clear that RSA's had to be modified any time there were improvements under 5200.8.

I also am enclosing Order 5200.9, which discusses the financial feasibility for RSA improvements. EMAS systems are used as the benchmark for comparing and determining the best alternative for RSA compliance. Finally, I enclose a recent fact sheet issued by the FAA on June 15, 2007, that discusses EMAS systems that I thought may be of interest to you in light of our recent conversations on the subject.

I hope this information addresses your questions, but if not I would be happy to provide more detail or explanation.

Sincerely,



David W. Zoll

DWZ:dwz w/ encl.

David W. Zoll*
david@toledolaw.com

Michelle L. Kranz
michelle@toledolaw.com

Pamela A. Borgess
pamela@toledolaw.com

Wesley D. Merillat
wes@toledolaw.com

*Certified National Board
of Trial Advocacy