

**AMENDMENT TO RULES AND REGULATIONS
OF EVERETT-STEWART REGIONAL AIRPORT
(Adopted by the Board of Everett-Stewart Regional Airport)
March 8, 2007**

The purpose of this section is to provide fire prevention and self-fueling regulations for persons who service or fuel their own aircraft. Persons who intend to use flammable or volatile liquids on the Airport and/or fuel their own aircraft shall do so in accordance with the requirements of the National Fire Protection Association (NFPA) 407 Standard for Aircraft Fuel Servicing, and FAA Advisory Circular 150/5230-4 (with change). The following shall apply except where applicable codes differ, in which case the later shall prevail:

Flammable or volatile Liquids – No person shall use flammable or volatile liquids having a flash point of less than 100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose. The procedures and precautions outlined in the criteria of NFPA Pamphlet 410-D (Safeguarding Aircraft Cleaning, Painting, and Paint Removal) and NFPA Pamphlet 410-F (Aircraft Cabin Cleaning and Refurbishing Operations) are hereby incorporated by reference and made part of this chapter as if fully set out herein. These procedures shall be adhered to in all cleaning, painting, and refurbishing operations using flammable and volatile fluids, including the storage of such fluids. No rags soiled with flammable substances shall be kept or stored in any building on the Airport with the exception of Authority approved aircraft maintenance facilities where they must be stored in a manner acceptable to the local Fire Marshall.

Cleaning and Liquid Disposal – No person shall clean any engines or other parts of an aircraft in any hangar with flammable substances. If flammable liquids are used for this purpose, the operation shall be carried on in the open air in a designated owner maintenance area. Fuels, oils, dopes, paints, solvents and acids shall not be disposed of or dumped into drains, on the aprons, catch basins, ditches (on or adjacent to the Airport) or elsewhere on the Airport. Such liquids shall be disposed of at an approved waste disposal point off Airport property.

Cleaning Floors – Floors shall be kept clean and free of oil. The use of volatile or flammable solvents for cleaning floors is prohibited.

Drip Pans – If required by aircraft design, drip pans shall be placed under engines and kept clean.

Self-Fueling Operations – Persons may self-fuel their own aircraft provided such fueling operation is conducted in accordance with Environmental Protection Agency (EPA), Federal, State and Local codes covering fuel dispensing on airports, and NFPA 407 (latest edition). The applicable sections of FAA Advisory Circular 150/5230-4 (with revisions) shall also be followed. A permit for self-fueling must be issued by the Authority prior to any fueling activities. Self-fueling shall be conducted only in those areas designated by the Authority. Fixed Base Operators may fuel aircraft in areas other than designated self-fueling area.

Contracts Prohibited – An aircraft owner shall not contract with or permit a service company to fuel aircraft. Refueling by such a second party is considered a commercial aeronautical activity.

Fueling Operations – No fixed wing aircraft shall be fueled while its engine is running, or while in a hangar or other enclosed placed. Adequate connections for grounding of electricity shall be continuously maintained during fuelling.

Fueling from vehicle fuel tanks into an aircraft is prohibited. No gravity flow fueling shall be permitted. Pumps, either hand-powered or powered operated, shall be used when aircraft are fueled, and per gallon meter readings shall be maintained for each fueling operation.

All fuel dispensing equipment must have a “deadman” control to prevent accidental spillage. The operator must maintain control of the “deadman” system at all times. Under no circumstances will the control be blocked in the “on” or “open” position.

Fueling Personnel – All personnel engaged in self-fueling shall be properly trained in all fueling, handling, and associated safety procedures. Specific training as set forth in Federal Aviation Regulations (FAR) Part 139, Federal Aviation Regulation (FAR) Part 107, FAA Advisory Circular 150/5230-4. National Fire Protection Association (NFPA) 407, as well as local fire codes and Airport fire regulations shall be strictly adhered to.

FAA regulations provide that an aircraft owner may fuel his own aircraft provided he does so personally, or with his own full time employee and his own equipment in accordance with the established regulations of the Authority related to such work. Any aircraft owner utilizing an employee to perform aircraft self-fueling may be required to provide the Authority evidence of employment in a form acceptable to the Authority. Social Security records, corporate identification, etc. shall be deemed acceptable evidence of employment.

Fuel Flowage Fee – All persons who self-fuel shall pay a monthly fuel flowage fee to the Authority determined by the Authority. A fuel flowage report, invoice, or receipt with the appropriate remittance shall be provided to Authority by the 10th day of each month for the fuel dispensed on the airport during the prior month.

Fuel Storage – No aircraft fuels shall be stored on Airport property unless that facility meets all the requirements of the FAA, NFPA, EPA and the State Fire Marshall; and the Authority has issued a permit for such storage. The Airport Authority reserves the right to inspect the facility from time to time to insure that it continues to meet these requirements.

Fuel Storage Areas – Fuel storage facilities shall only be constructed at the location set forth in a lease agreement between the self-fueler and the Airport Authority. The facility shall be constructed to meet all FAA, NFPA, EPA, State, City and Airport Authority Rules and Regulations.

Insurance – All persons who self-fuel shall purchase and maintain in force insurance that will, in the opinion of the Authority’s Risk Manager, protect the Authority from claims which may arise out of or result from the fueling operations performed. The insurance coverage shall be as to fully protect, in the opinion of the Authority’s Risk Manager, Authority and the general public from any and all claims for injury or damage or both resulting or arising from any actions or omissions on the part of the self-fueler, its officers or employees. The self-fueler shall furnish the Authority with a Certificate of Insurance naming the Authority as an additional insured for all coverage in addition to updated Certificate of Insurance reflecting any and all changes to the self-fueler’s insurance coverage including, but not limited to, changes in coverage terms, coverage limits, insured risks, agents or insurers. Should any of the coverage be canceled, the issuing company or its agent will mail a thirty-day written notice of such cancellation to the Authority.

Self-fuelers shall be accountable for any damages, fuel spills, or environmental contamination resulting from its negligent operations, or equipment malfunction. The self-fueler shall pay for all such damages. Adequate environmental insurance or proof of financial ability to clean up a major spill must be provided to the Authority prior to conducting refueling activity. Self-fuelers shall be fully responsible for the protection of all persons, including members of the public, employees of other contractors or subcontractors, and all public and private property which is affected by work performed by, or on behalf of the self-fueler operator.

Spillage – All self-fuelers on the Airport shall provide the Authority with a detailed spill prevention and cleanup plan. In the event of spillage or dripping of petroleum products or any material on Airport property which may cause a hazardous condition detrimental to the ground or pavement surface or an unsightly condition, the Authority shall be notified and the spill removed immediately. The responsibility for

removal of such spillage or drippings shall be assumed by the operator of the equipment causing the same or by the tenant responsible for the deposit thereof.

Self Servicing Vehicles – A person operating on the Airport electing, with the written permission of the Authority, to use fuel-servicing vehicles (hereinafter referred to as “refueler”) for the purpose of personally dispensing fuel into their own aircraft, must meet the following rules:

1. Refuelers and their systems shall be maintained and operated in accordance with Environmental Protection Agency (EPA), Federal, State and Local codes covering fuel dispensing on airports, and NFPA 407 (latest edition). The applicable sections of FAA Advisory Circular 150/5230-4 (with revisions) shall also be followed.
2. Each vehicle to be used as a refueler must first be inspected and approved by the Airport Authority. The Authority reserves the right to re-inspect such vehicle at regular intervals to insure that it continues to meet these regulations.
3. The refueler cargo tank shall be supported by and permanently attached to or be a part of, the vehicle upon which it is carried.
4. Refuelers shall not be stored or parked on Airport property. Refuelers shall be parked or positioned on Airport property only when actually dispensing fuel into the owner’s aircraft. Once fuel dispensing is complete, refuelers shall be immediately removed from Airport property. Fixed Base Operators and Military Operators, permitted by written agreement with the Authority, shall be exempt from this requirement.
5. Refuelers shall use only the entrance, exit, and route designated by the Authority during the transportation of fuel onto and off of the Airport.
6. Each mobile refueler shall be conspicuously marked in letters of contrasting color, with the word “flammable” on both sides and rear of the cargo tank, and with the wording “emergency shutoff” and other appropriate operating instructions required at the emergency operating devices in letters at least two inches high. Each refueler will also be conspicuously marked on both sides and rear with the type and grade of fuel it contains in appropriate color schemes.
7. Refueling shall be conducted only in those areas designated in writing by the Authority.