

COUNCIL ACTION FORM

SUBJECT: MOTION APPROVING/DENYING AMENDMENT TO ALLOW ABOVE GROUND SELF-FUELING TANKS AT THE AMES MUNICIPAL AIRPORT.

BACKGROUND: On October 12, 1999 Staff submitted a Council Action Form recommending denial of a request from Hap's Air Service to change the fueling standards at the airport. This requested change would have allowed airport users the ability to install above ground fuel tanks on the airport property thereby changing the fueling standards that were developed and implemented in November of 1997. Council referred the issue back to staff to address some of the questions regarding the safety of above verses below ground fuel tanks.

Hap's Air Service currently has a self-fueling permit and utilizes a refueling truck to accomplish the fueling activities for their airplanes. The standards established for self-fueling do not allow storage of fuel on the airport by self-fueling permit holders, other than that contained in their refueling truck. The refueling trucks can carry as much as 1,200 gallons of standard av-gas and 3,000 gallons of jet fuel. The safety standards require that the refueling trucks be filled off of the airport property in accordance with state and federal regulations.

The concern about the safety of an above ground storage facility has been reviewed again by staff from the Fire and Public Works Departments. Staff also retained the consultant that developed the current airport standards to address the issues that were recently raised. According to Fire Department officials, requirements for above ground tanks have become more stringent (double walls, leak detection equipment, containment, etc.) such that they are not the potential **environmental problem** that they once were.

Staff is very concerned about the **safety hazards** associated with fueling at the airport. Any above ground fuel tank increases the safety risk two-fold. First, there is the hazard of the fuel tank itself being exposed to operating aircraft and other maintenance vehicles. And secondly, a large tank truck, which again exposes aircraft to additional hazards, must fill each tank. Safety concerns are the reasons given by representatives of the airports at Fort Dodge, Mason City, Ankeny, Boone, Iowa City, and Newton as the main reason for not allowing above ground fueling tanks that are not the owner's or the FBO's. This limitation on above ground tanks is imposed to minimize liability created by a proliferation of above ground tanks.

It is the position of Fire Department and Public Works Department staff that multiple above ground fuel tanks pose a greater potential safety risk than the below ground tanks. The city, as the property owner, has a right and duty to protect public property. The potential of several tanks concentrated or scattered

throughout the airport property increases the city's risk for potential spills, damage to tanks, or ground contamination during fueling operations. The FAA has issued a letter to Hap's Air Service regarding this issue (see attached) that states "it is the prerogative of the airport to impose conditions or minimum standards on users of the airport to ensure its safe and efficient operation, provided that they are relevant to the proposed activity, reasonably attainable, and uniformly applied." The city has always followed this requirement when developing airport policies.

The FAA, as well as the airport users, including Hap's Air Service, was involved in the development of the adopted Fueling Standards. Issues will continue to arise between the public and the city when they deal with differing opinions of the degree of safety necessary to protect the public.

ALTERNATIVES:

1. Deny any changes to the self-fueling standards.
2. Authorize funds to select a consultant to revise the airport fueling standards to allow above ground fuel tanks for self-fueling operations.

MANAGER'S RECOMMENDED ACTION:

It has always been staff's expectation that it is appropriate to go beyond the minimum standards to ensure public safety. Our consultant concludes that the city is within its rights to deny the request in the interest of public safety. (See attached). Staff still feels that extensive time, effort, and expense have been spent on the fueling standards and that they should not be changed. FAA officials have reviewed and approved the current standards that restrict self-fuelers from using above ground tanks. If approval of above ground fuel tanks is given per this request, it must be expected that the other corporate users of the airport will also establish above ground fueling areas. Therefore, it is the recommendation of the City Manager that the City Council adopt alternative number #1 and deny Hap's Air Service's request to modify the self-fueling standards.

COUNCIL ACTION:

Approved