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November 15, 2010

Via email address [jrader@dekalbcountyga.gov](mailto:jrader@dekalbcountyga.gov)

Commissioner Jeff Rader  
DeKalb County Board of Commissioners  
Commerce Drive  
Decatur, Georgia

Re: PDK Airport Layout Plan 2010  
/ Response to Memorandum to Board of Commissioners from Acting Airport  
Director Van Wie, dated November 9, 2010  
/ Open DeKalb, Inc.

Dear Commissioner Rader:

Given our significant efforts in recent months to narrow the disputed issues in the proposed 2010 PDK Airport Layout Plan (“ALP”) and to get an accurate ALP to the FAA and move forward on a Master Plan for the Airport, it was disappointing to review Acting Airport Director Van Wie’s memorandum to the DeKalb County Board of Commissioners, dated November 9, 2010, regarding the ALP (the “Memorandum”). The Memorandum 1) ignores the resolution of important, previously-disputed facts such as the physical load-bearing capacity of the runway being 66,000 lbs., not 75,000 lbs. as asserted by Airport Staff; 2) strategically mischaracterizes the community’s position on several issues, including for example, incorrectly stating that Open DeKalb Inc. is arguing that the law requires a formal Environmental Impact Study prior to submission of an ALP to the FAA, when in fact Open DeKalb supports a County blue ribbon commission environmental analysis; 3) inaccurately asserts that the current County policy is to build PDK to 75,000 lbs. when that policy is demonstrably 66,000 lbs.; 4) ignores the County Law Department’s legal opinion that no County Code, much less a “policy” can

outweigh the physical capacity of a runway in determining that runway's load bearing capacity; and 5) demonstrates yet another violation of the Georgia Open Records Act by the Airport in that it quotes from County records that **were not produced** but that **were responsive** to a recent request for County records under the Act.

The Controlling Physical Reality is that the Runway is Built to 66,000 lbs.

The Staff Memorandum ignores the now agreed-upon reality that the physical load bearing capacity of the runway in question, 2R/20L, is 66,000 lbs. (see, e.g., materials previously provided by Structural Engineer Marc Sorenson). The Memorandum does not challenge that reality. It simply ignores it. As you know, we have the core sampling results showing construction to 66,000 lbs.; the formal Engineer's Report showing 66,000 lbs.; and the County's formal certification that the runway extension was built to 66,000 lbs. Perhaps because Staff has to concede on the physical load bearing capacity point, Staff ignores the County Law Department's formal opinion that opines that, "A runway's weight bearing capacity is determined by the physical limitations of the operational runway **and not by the FAA or County Code.**" Hicks memorandum to Jones, dated August 20, 2002 (copy attached as Exhibit A)(emphasis added). If the County wants to act in contradiction of its Law Department's legal opinion and put an alleged County policy ahead of the accepted physical load bearing capacity, it owes the public a very solid explanation and none has been provided to date. The Memorandum warns that the ALP must be accurate. To say the load bearing capacity is 75,000 lbs. when the evidence clearly shows that it is 66,000 lbs. would be grossly inaccurate.

### The ALP is a Primary Planning Tool, Not a Mere “Snapshot in Time”

The Memorandum asserts, “our plan could more accurately be called a snapshot in time than a plan per se.” Memorandum at 1. That characterization is contradicted in all other documentation regarding the ALP. For example, the PDK web site states that the ALP is “the *primary planning document* for PDK and is a scaled graphic representation of existing *and proposed* airport facilities. . . . *It defines the proposed development of the Airport*, facilitates FAA protection of the approaches, *and defines the short-, intermediate-, and long-term development of the airport.*” Airport Layout Plan Update Report, Section 4, available at [www.PDKAirport.org](http://www.PDKAirport.org) under “Airport Layout Plan Update” (emphasis added).

### Increasing the Runway’s Load Bearing Capacity and the size of the Design Aircraft is Expansion

The Memorandum tries to make the case that the ALP does not constitute "airport expansion" because “[t]he proposed ALP has no provisions to neither [sic] acquire more land nor [sic] designate any additional land for aeronautical use.” (Emphasis in original). This gross oversimplification of “airport expansion” might have worked in years past when the public was not aware of advances in avionics technology that permit much larger and heavier planes to land on shorter runways. But it is now common knowledge that there are many ways that an airport can expand without expanding the land it encompasses or uses for aeronautical purposes. In this case, the expansion of airport capacity by labeling the principal jet runway’s load bearing capacity as 75,000 lbs. rather than 66,000 lbs. and naming the 68,500 lbs. Gulfstream III as the Airport’s “design aircraft” overtly welcome the regular use of PDK by larger aircraft. Formal acceptance by the BOC of regular use of the Airport by more larger, heavier aircraft would be an expansion of the airport.

### Staff Erroneously and Illegitimately Warn Loss of Business Activity in DeKalb

Regarding “Who are these guys?” on page 2 of the Memorandum, Airport Staff are taking aim at your publicly stated interest in the Airport’s being a driver of economic development in DeKalb. The Memorandum warns: “Does the County really want to send a message to Corporations [sic] like this that they are not welcome in DeKalb County?” Memorandum at 2. So the “mere snapshot in time” is now serving as a message to the big-jet-flying business community that it is not welcome in DeKalb? That is simply ridiculous. Staff’s ominous and unsupported assertion, can perhaps best be put in perspective by acknowledging that in October 2010 there were only 10 operations (a take off and a landing are both deemed operations) out of 14,632 operations at PDK of aircraft that requested prior authorization to use the Airport. See October 2010 Monthly Noise Report, available on [www.pkdairport.org](http://www.pkdairport.org). Moreover, on this argument that economic activity in DeKalb County is at stake, the BOC needs to fully understand that the Economic Impact Assessment portion of the proposed ALP, Section 3, does not address economic development in DeKalb, it “outlines the economic contributions of PDK for the calendar year 2007 *to the economy of the surrounding counties of DeKalb, Fulton, Cherokee, Cobb, and Gwinnett*. . . . Aviation and supporting activities create jobs and economic activity *within the counties comprising the study area*. PDK also provides transportation access to the Atlanta area, making *the region* attractive for businesses and events that may or may not be related to PDK.” (Emphasis added). The BOC has not been provided with information about how DeKalb County, as opposed to the five county region, including the bustling Fulton, Gwinnett, Cobb and Cherokee counties, is impacted by the Airport. Open DeKalb and others are urging that the BOC be fully informed as to the costs and benefits to DeKalb, not the five county region, before taking actions that primarily and directly cost only

DeKalb. The corporations listed in the Memorandum may occasionally send big jets into PDK (10 out of 14,632 operations in October 2010, and 4 out of 13,828 operations in September 2010) with people bound from or to Fulton, Cobb, Gwinnett or Cherokee counties, to offices staffed by residents of those counties. But DeKalb alone bears the costs associated with such uses 100% of the time. No conclusions are drawn by Staff nor could be drawn by Staff about the costs to DeKalb, like the costs born by Fulton County for housing Hartsfield-Jackson Airport. Airport technical Staff are way out on a limb in the Memorandum when they resort to economic scare tactics with the BOC.

Airport Staff Have Violated the Georgia Open Records Act Again.

On August 10, 2010, following the meeting of the BOC's Planning, Economic Development & Public Works Committee Meeting on June 29, 2010, at which Commissioner Kathy Gannon and Acting Director Mike Van Wie said that the County's policy was to build infrastructure and improvements at PDK to 75,000 lbs., Mr. Larry Foster submitted an Open Records Act request to Mr. Van Wie. Mr. Foster requested, "any and all public records that support the position that there is a County policy to build all infrastructure and improvements at PDK to 75,000 lbs. rather than to 66,000 lbs." (Copy of request available). Mr. Van Wie responded to Mr. Foster's request with an email that attached over 90 pages of records, all of which dealt only with the reconstruction of certain *taxiways*, not the runway; and/or with the slab replacement project that replaced 80 out of 960 (**only 8%**) of the slabs of concrete that make up the longest runway at the Airport with slabs designed to bear 75,000 lbs. aircraft. (Email and attachments available upon request). Van Wie failed to provide Foster with the records on which Van Wie relies in the Memorandum, namely the correspondence from June 1999 between

Airport Director Lee Rimmel and CEO Liane Levetan. In addition to the inadequate response to the Foster request, Mr. Van Wie does not accurately quote the records he cites in the Memorandum. According to the Memorandum, the June 1999 correspondence “establish[es] the following administrative policy regarding use of the airport. . . . 1. Any aircraft weighing more than 66,000 pounds Maximum Certified Gross Takeoff Weight (MGTOW) that is stage II or better, but weighing less than 75,000 pounds MGTOW, will be given ‘blanket authorization’ to conduct operations at PDK.” Memorandum at 1, paragraph entitled “Change of Use.” But a review of other related shows that in fact CEO Levetan specifically rejected airport staff’s request for such blanket authorization. (See three memoranda between Rimmel and Levetan, attached hereto as Exhibit B). The related records were identified and located in Open DeKalb’s cooperative archive of records. They were not produced by Mr. Van Wie. CEO Levetan rejected Airport Director Lee Rimmel’s request to take the Airport up to 105,000 lbs. load bearing capacity and instructed him that, “my predecessor had in place an unwritten policy which I have chosen to follow, extending such prior authorization requirement on a case by case basis, to aircraft of over 66,000 pounds maximum gross take of weight. . . . [A] weight limitation of 66,000 pounds existed at the airport . . . in part to maintain air quality and noise standards.” Levetan memorandum to Rimmel dated April 7, 1999, confirmed in memorandum from Levetan Assistant, Russ Crider, to Lee Rimmel, dated June 2, 1999, both included in Exhibit B hereto.

So the November 9 Memorandum is absolutely wrong when it tells the BOC that DeKalb County’s policy is that aircraft over 66,000 lbs. are to be given blanket authorization to use PDK. Other records not produced by Van Wie but identified and drawn from the Open DeKalb cooperative archive show that the exact opposite is the case. For example, in a letter from then-

Airport Director Ted Orvold to a member of the concerned public, Charles Feltus, dated January 8, 1992, Director Orvold states: “the policy for aircraft operating at PDK is limited to a maximum landing weight of 66,000 pounds. That encompasses all current general aviation aircraft but excludes aircraft by commercial air carriers. This recommendation was approved on 14 May 1991 by the Board of Commissioners, and remains in effect.” See Letter from Orvold to Feltus, attached hereto as Exhibit C.

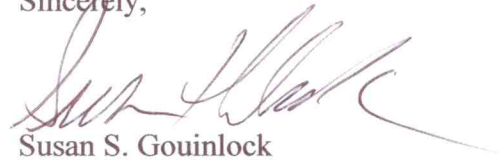
Airport Staff’s violation of the Open Records Act is actionable and injurious to the County. But more importantly and fundamentally, this type of action is surely not the way the DeKalb BOC wants to do business, namely to act on falsehoods and half-truths and defer to executive branch staff who are abusing their authority by misleading the Board and by refusing to provide the public with County records if those records hamper executive branch staff agendas. In the face of the Staff errors (or knowing misrepresentations to the Board) and its violation of Georgia’s Open Records Act, the Board can no longer defer to Staff’s judgment on the ALP.

Clearly Airport Staff want to develop PDK around a runway with greater load-bearing capacity, one that can handle larger, heavier aircraft on a regular basis. But Airport Staff are not elected to make policy for the people of DeKalb, nor are they entrusted by the people with the authority and responsibility for determining how best to protect the people’s health and safety. The BOC must make policy decisions based on the interests of the people of DeKalb, not the interests of executive branch Airport staff, especially when that staff has provided bad information to the Board and operated in violation of the Georgia Open Records Act. In this situation, the Staff have forfeited any deference the legislative branch may have otherwise afforded Staff’s technical role.

situation, the Staff have forfeited any deference the legislative branch may have otherwise afforded Staff's technical role.

Thank you for your efforts on this matter on behalf of the many people impacted by PDK Airport operations. I will be available tomorrow at the BOC meeting to assert any or all of the points raised herein, as necessary.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan S. Gouinlock", with a long, sweeping horizontal line extending to the right.

Susan S. Gouinlock

cc: Commissioner Connie Stokes (via email)  
Commissioner Elaine Boyer (via email to Chief of Staff Bob Lundsten)



Exhibit A

to

Letter to Commissioner Jeff Rader re  
Proposed 2010 ALP, November 15, 2010



## MEMORANDUM

This communication is confidential and protected by the attorney-client privilege and attorney work product rule. It is intended only for the use of the individual or entity to which it is addressed. Dissemination or distribution to persons or entities not directly involved with the subject matter on behalf of the County is prohibited.

August 20, 2002

To: Vernon Jones, Chief Executive Officer  
Members, Board of Commissioners

Through: Charles G. Hicks, County Attorney *CHX*

From: Vivica M. Brown, Assistant County Attorney *VMB*

Subject: Aircraft Weight Restrictions at DeKalb-Peachtree Airport  
(Our File No. 02-0035)

During the Board of Commissioners' meeting of August 13, 2002, questions arose about the weight limitation for aircraft landing at DeKalb-Peachtree Airport ("PDK"). In particular, there was discussion about an alleged court order that placed a weight limit on landing aircraft. As a result of that discussion, this memorandum is provided for your review.

### QUESTIONS PRESENTED:

1. Is there a court order prescribing a weight limitation for aircraft landing at PDK airport.
2. Are there federal regulations or county codes prescribing weight limitations for aircraft landing at PDK Airport.

### SHORT ANSWERS:

1. No. In *CARE Now, Inc. v. FAA*, the U.S. Court of Appeals for the Eleventh Circuit, addressed a case which involved legal issues at PDK, but the court did not reach a legal conclusion regarding weight limitation for aircraft landing at PDK Airport. It merely made reference to and summarized specific language contained in the County's proposal for a runway extension.<sup>1</sup> The County was not a party to the case.

<sup>1</sup> The Law Department does not have possession of, nor has it reviewed the actual proposal but rather it relies upon the Court's reference to language included in the proposal.

2. No. There are no County codes or federal regulations that place a weight restriction on aircraft landing at PDK. A runway's weight capacity is determined by the physical limitations of the operational runway and not by the FAA or County code.

#### DISCUSSION:

In May 1988, the U. S. Court of Appeals, 11<sup>th</sup> Circuit, heard a petition filed by Citizens Against Runway Extension Now ("CARE Now").<sup>2</sup> The action was brought against the Federal Aviation Administration ("FAA"). The petitioner, CARE Now, asked the Court to review, among other issues, whether the FAA's finding of no significant impact ("FONSI") on the environment with regard to a runway extension was reasonable. If the court found that the FONSI determination was that the runway significantly impacted the environment, then a national environmental policy act ("NEPA") environmental study would have been required.<sup>3</sup> DeKalb County was not a party to the lawsuit, however, the petition did involve a DeKalb County proposal for a runway extension at PDK Airport.<sup>4</sup> For purposes of this discussion, the relevant portion of the FONSI report included a review of the runway's impact on projected noise increases. CARE Now's contention was that the FONSI determination did not consider the possibility that the runway extension would provide a way for larger, heavier aircraft to land.<sup>5</sup> They further contended that larger, heavier aircraft landing at PDK would lead to an increased noise impact on the surrounding community. Further, "to support this contention, the petitioners cite[d] statistics that forecast[ed] significant increases in airport traffic in the upcoming years."<sup>6</sup> The court was not persuaded and, therefore, the petition for review was denied.

The court understood that PDK would experience increased traffic [and noise] whether the runway was extended or not. The court opined that "the numbers of those type[s] of aircraft [permitted to land at PDK] will inevitably increase given the growth of the Atlanta area."<sup>8</sup> "The effect of the runway extension on the number and size of aircraft that use PDK, however, is insignificant."<sup>9</sup> Admittedly, the court makes reference to the fact that the County's then-

<sup>2</sup> The 11<sup>th</sup> Circuit has jurisdiction to review the FAA's final order pursuant to Section 1006 of the FAA Act, 49 U.S.C. § 1486. The FAA's final order concluded that the mitigation measures taken to reduce potential environmental impact to an insignificant level was reasonable.

<sup>3</sup> CARE Now probably hoped that a NEPA environmental study would provide a further opportunity to demonstrate their position that the runway extension project significantly impacted the environment.

<sup>4</sup> CARE NOW, Inc. et al. v. FAA, 822 F.2d 1569 (11th Cir. 1988)

<sup>5</sup> Id. at 1573.

<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> Id. It is possible that the Court refrained from specifically limiting the aircraft weight due to its understanding of the Atlanta area's anticipated growth.

<sup>9</sup> Id.



Memorandum to Vernon Jones, Chief Executive Officer  
Members, Board of Commissioners  
August 20, 2002  
Page 3 of 3

proposal, not policy, for the extension of the runway "expressly maintains the current weight limitation of 66,000 pounds."<sup>10</sup>

The court, however, never made a legal determination that the weight of landing aircraft at PDK was limited to 66,000 pounds. It simply referenced the County's representation of its then-current loading requirements of 66,000 pounds. In fact, the runway could accommodate the flight operations of aircraft whose total gross weight exceeds 66,000 pounds. Lee Remmel, Director, PDK Airport, previously informed the Law Department, that the Airport's longest runway can accommodate aircraft with a gross weight of up to 105,000 pounds.

In a memo dated April 7, 1999, then-CEO Liane Levettan implemented an administrative policy that required aircraft over the maximum gross take-off weight of 66,000 pounds to obtain prior authorization for take-offs and landings from the airport director. This policy, however, was in contradiction of Section 6-93 of the Code of DeKalb County and was, we believe, legally ineffective in its attempt to override the official, codified county policy of Section 6-93. Section 6-93 reads:

Prior authorization is required before airships, dirigibles, blimps, gliders, free balloons, motorless aircraft or aircraft with a total gross weight in excess of seventy-five thousand (75,000) pounds land or take off at the airport.

Thus, aircraft with a gross weight in excess of 75,000 pounds are authorized to operate in and out of PDK, with the only limitation being prior authorization from the airport director and the ability of the operational taxiways and runways to accommodate such aircraft.

VMb/vmb

cc: Richard Stogner, Executive Assistant  
Lee Remmel, Director, Airport (PDK)  
Viviane H. Ernestes, Chief Assistant County Attorney

<sup>10</sup> Id. It appears that the County had limited foresight at the preparation of the proposal but obviously the Court understood the potential growth possibilities.

Exhibit B

to

Letter to Commissioner Jeff Rader re  
Proposed 2010 ALP, November 15, 2010



# DeKalb County



## MEMORANDUM

April 7, 1999

Chief Executive Officer

### CORRECTED COPY

TO: Lee Rummel, Airport Director

FROM: Liane Levetan, Chief Executive Officer

SUBJECT: 66,000-Pound Weight Limitation Policy

This memorandum serves to clarify the CEO's administrative weight limitation for aircraft taking off and landing at the DeKalb-Peachtree Airport. As you know, despite the DeKalb County Code §6-93, which requires prior authorization from the Airport Director or designee for aircraft of over 75,000 pounds total gross weight to take-off or land at the airport, **my predecessor had in place an unwritten policy which I have chosen to follow, extending such prior authorization requirement, on a case-by-case basis, to aircraft of over 66,000 pounds maximum gross take-off weight.** The purpose of the policy, as shown in the recent FAR part 150 Study Update, Section 10.1, has been to preclude air-carrier operations from ever occurring at PDK. An **opinion** of the 11<sup>th</sup> Circuit of the United States Court of Appeals in a case between CARE NOW, Inc. and others and the Federal Aviation Administration from 1988, attached, indicates that a weight limitation of 66,000 pounds existed at the airport at that time, in part to maintain air quality and noise standards.

**You have recently informed me that contrary to widely held beliefs, your search indicates that the design and construction of runway 20L and its extension allow for the regular taking off and landing of aircraft at a maximum gross take-off weight of up to 105,000 pounds. You are concerned that a conflict might exist between my adopted policy and FAA regulations, which may require, for safety reasons, the airport to permit aircraft of more than 66,000 pounds to have use of the airport. As the policy itself merely requires prior authorization for aircraft of over 66,000 pounds, I do not see a conflict or need to change the existing policy.**

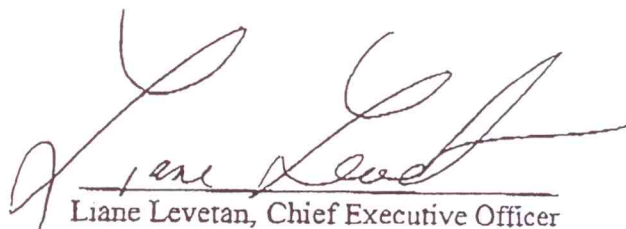
Nevertheless, I believe some clarification is necessary and that some criteria are needed for determining whether to grant prior authorization for aircraft of over 66,000 pounds. Environmental concerns and the response in modern development of aircraft technology, have allowed, in some instances **perhaps required aircraft to be somewhat larger and yet quieter and more fuel-efficient than the older private jet aircraft which routinely used PDK at the time the 66,000 pound policy was initiated.** Therefore, I can find no rational basis to deny prior authorization for corporate and private aircraft which have been designed to comply with the federal aviation noise levels of stage II or greater, and which may exceed 66,000 pounds **but are within design capacity of the runways.** Let me reiterate here, however, my firm resolve that no prior authorization or authorization of any kind



Memorandum to Lee Rummel  
April 7, 1999  
Page Two

will be permitted for any aircraft attempting to commence regularly scheduled passenger service or cargo service. Additionally, there will be no authorization of any kind for aircraft of over 66,000 pounds, which cannot meet stage II noise level standards.

However, where there exists a bona fide emergency, disaster, or where humanitarian efforts require an aircraft of over 66,000 pounds to land, I do not think the prior authorization policy applies. As has been the policy in the past, aircraft exceeding regular design capacity of the runways but within maximum design capacity will require prior authorization, at your discretion, on a case-by-case basis for special events, air shows, exhibitions, and the like. Let me remind you, however, that PDK is a general aviation airport for small aircraft. I do not expect to hear about 100,000-pound aircraft landing and taking off with any frequency, and do not ever want to hear of an aircraft the size of a DC-9 flying into PDK. Otherwise, I expect you to exercise your discretion to keep PDK a viable general aviation airport serving the needs of the public.



Liane Leveran, Chief Executive Officer

- c: Members, Board of Commissioners  
H. Russell Crider, Executive Assistant  
Donna A. Morgan, Assistant County Administrator  
Morris E. Williams, III, Assistant County Administrator  
Jonathan Weintraub, County Attorney



# DeKalb County



## MEMORANDUM

June 2, 1999

Executive Assistant

TO: Lee Rummel, Airport Director

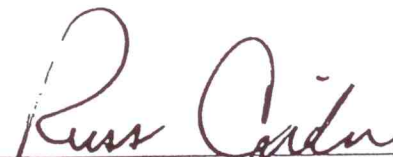
FROM: Russ Crider, Executive Assistant

SUBJECT: Your Memorandum Dated May 14, 1999

Thank you for your memorandum of May 14, 1999. Attached please find the edits that the CEO and I have discussed. As you will note, all reference to the 105,000 pound MGTOW has been removed.

It is the desire of the administration to deal with all aircraft in the same manner as prescribed in the administrative memorandum of April 7, 1999. Please send us a corrected copy of this statement before it is released.

If you have any questions, please contact me at 404 371-2883.

  
Russ Crider, Executive Assistant

### Attachment

c: Liane Levetan, Chief Executive Officer  
Donna A. Morgan, Assistant County Administrator  
Morris E. Williams, III, Assistant County Administrator  
Jonathan Weintraub, County Attorney







(F) general airport file

DeKalb Peachtree Airport

(770) 936-5440  
FAX: (770) 936-5446

212 Administration Building  
2000 Airport Road, Atlanta, Georgia 30341

# MEMORANDUM

MAY 17 1999

TO: Ms. Liane Levetan, Chief Executive Officer  
DeKalb County

FROM: Lee Rimmel, Airport Director  
DeKalb Peachtree Airport

SUBJ: 66,000-Pound Weight Limitation Policy

DATE: May 14, 1999

RE: (a) Your memo dtd April 7, 1999, same subj as above  
(b) Sec. 6-93, Code of DeKalb County (Code 1976, § 6-4077)

Thank you for placing into writing the administrative policy that seems to have existed at the airport for well over 30-years but has never been captured in writing before.

Having read and studied your Memorandum carefully, it is my intent to implement your administrative policy in the following manner:

- I. Any aircraft weighing more than 66,000 pounds Maximum Certificated Gross Takeoff Weight (MGTOU) that is Stage II or better, but weighing less than 75,000 pounds MGTOU, will be given "blanket prior authorization" to conduct operations at PDK.
- II. Any aircraft weighing more than 75,000 pounds MGTOU, ~~but less than 105,000 pounds MGTOU~~, will require prior authorization pursuant to County Code Section 6.93. Such aircraft must also be Stage II or better.
- III. There will be no authorization of any sort given for any kind of regularly scheduled passenger or cargo service regardless of aircraft weight.
- IV. No authorization of any type is required where there exists a bona fide emergency, disaster, disaster relief effort, or where humanitarian efforts require an aircraft of over 66,000 pounds MGTOU to land.

REMOVE

X ~~Aircraft that exceed the regular design capacity of the runway of 105,000 pounds that might be sought after and brought into the airport for special events such as the annual Good Neighbor Day, etc, will require prior authorization. Additionally, for each different type of aircraft, before the operation is conducted, an expert opinion will be sought in writing from the airport Architect & Engineering (A&E) consultant that is currently under contract with the County requesting the implications associated with the weight bearing capacity of the runway related to that specific aircraft operation.~~

With your concurrence of the above implementation strategy, I will also take the following actions:

- A. In every publication in which the runway weight capacity is discussed, be it printed or electronic, I will list ~~the true weight bearing capacity of Runway 20L/02R as 105,000 pounds "dual wheel weight". However, in each instance, I will also caveat the 105,000 pound weight capacity~~ that prior authorization is required for aircraft weighing more than 75,000 pounds.
- B. We will maintain an appropriate record of those prior authorizations that have been requested and given to verify such records against those aircraft seen operating on the airport known to be certificated above 75,000 pounds MGTOW.
- C. If an aircraft weighing more than 75,000 pounds MGTOW is seen on the airport that has not requested prior authorization, every effort will be made to contact the owner/operator of that specific aircraft notifying them of the requirement to request prior authorization and that the aircraft in question should not use the facilities again without first requesting such authorization.

Once again, I would like to thank you for your efforts on behalf of the airport in clarifying this long-standing, unwritten administrative policy for your staff.

cc: Russ Crider, Executive Assistant  
Jonathan Weintraub, County Attorney  
File

Work/meweight.cco

Exhibit C

to

Letter to Commissioner Jeff Rader re  
Proposed 2010 ALP, November 15, 2010



DeKalb County



DeKalb-Peachtree Airport

(404) 457-7236  
FAX 936-0020

212 Administration Building  
2000 Airport Road, Atlanta, Georgia 30341

January 8, 1992

Mr. Charles L. Feltus  
3188 Parkridge Crescent  
Chamblee, Georgia 30341

Dear Mr. Feltus,

In response to your letter to Commissioner Jean Williams regarding the issues presented in PDK Airport draft master plan, the following comments hopefully will address some of your concerns.

Concern #1. Concern on improving safety conditions of Helicopter operations.

Helicopter growth at PDK is the single largest and projected growth category of aircraft at PDK. DeKalb County has provided the facilities and let the free market take its natural course. Previous planning documents did not anticipate this increase. Helicopter operations have been contained in the Northwest corner of the airport. That is the area best suited to operate safely with the fixed wing aircraft that utilizes this public airport. The Master Plan highlighted helicopter parking areas, hover-taxi ways, takeoff and landing pads, and the relocation of refueling points that would further enhance and insure even safer operations for this expanding fleet of aircraft. The Northwest corner of the airport is also the best area to control and abate helicopter noise. Specific flight routes have been established to minimize noise by encouraging arriving and departing rotarywing aircraft to fly over highly commercialized roads, Marta tracks, Interstate Highways and other non-residential areas.

Concern #2. Concern on providing a safer clear zone.

Federal governmental departments and agencies operate under legislation, rules, and policies enacted for the good of the public at large. Just like the federal department you work for, the Federal Aviation Administration has regulations and legislation that must be honored. FAA Advisory Circular 150/5300-13 outlines Runway Protection Zones (formerly the runway clear zones). Recommendations in the Master Plan at PDK are in conformance with these specifications. It should

also be noted that the city of Chamblee and the residents that live within the boundaries of this zone wholehearted support this recommendation.

Concern #3. Concern on moving garbage trucks.

The preferred location to relocate and park the garbage trucks currently based off old Carroll Avenue is on the closed landfill located on airport property. That is the only option we are contemplating. Revenue generated by the airport will be used at the airport to accomplish this move. General tax funds are not being considered.

Concern #4. Concern on closing Runway 9/27 for Helicopter operations.

Once public option was voiced and evaluated, alternative solutions were reviewed. Ongoing efforts by the airport director and local businessmen appear to indicate that closing 9/27 can be diverted while containing helicopter operations to the Northwest section of the airport. This action was a direct result of public concern expressed to this administration by residents east of Buford Highway. Since the closure does not appear to be an option at this time, the airport property across Clairmont, now a safety zone, will remain a safety zone. For the record, I was going to propose converting that land into a public park and was looking at the procedures to assist in developing the area for public use.

Concern #5. Concern on exceeding 66,000 lb. landing weight limitation.

The policy for aircraft operating at PDK is limited to a maximum landing weight of 66,000 pounds. That encompasses all current general aviation aircraft but excludes aircraft operated by commercial air carriers. This recommendation was approved on 14 May 1991 by the Board of Commissioners, and remains in effect.

Concern #6. Concern on PDK decreasing use of smaller planes in favor of larger planes.

Simply stated, the free enterprise market system will drive the type of aircraft in the future. Because of recent changes in federal legislation, property liability, incentive tax credits and the general economy, dramatic changes have occurred in the general aviation industry. This should suggest a leveling in total activity which was factually expressed in the Master Plan. The indicators suggest that the general aviation industry will tend to be used more by business and less by individual pilots. To me, that is encouraging. A new generation of aircraft that incorporates quieter engines and more professional flight crews will

result in quieter flight operations.

I hope that some of your concerns have been addressed in this response.

Thank you for your efforts.

Respectfully,

  
Theodore S. Orvold  
Airport Director

cc: Commissioner Jean Williams