

BROOKNEAL-CAMPBELL COUNTY AIRPORT AUTHORITY



**MINIMUM STANDARDS
FOR THE
BROOKNEAL-CAMPBELL COUNTY AIRPORT
BROOKNEAL, VIRGINIA**

DECEMBER 20, 2007

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GENERAL

1. TITLE:

This Policy may be cited as the Brookneal-Campbell County Airport Minimum Standards.

2. PURPOSE:

This Minimum Standards Policy is intended to provide the minimum threshold requirements for any Person wishing to provide Aeronautical Services to the public on the Airport. These Minimum Standards are designed to assure the flying public of a certain level of service on the Brookneal-Campbell County Airport as well as protecting the existing Aeronautical Service providers from unqualified persons offering Aeronautical Services on the Airport. The Minimum Standards are intended to be reasonable and non-discriminatory.

3. DEFINITIONS:

As used in this Policy, the following words and phrases have the meanings indicated:

- a. Aeronautical Activity means any activity commonly conducted at the Airport which involves, supports, makes possible or is required for the operation of aircraft, or which contributes to, or is required for, the safety of such operations. These activities include, but are not limited to, aircraft charter, pilot training, aircraft renting, sightseeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts and accessories and aircraft storage.
- b. Aeronautical Operator means any person or entity that provides an Aeronautical Service at the Airport pursuant to an Aeronautical lease.
- c. Aeronautical Operator Lease means any lease agreement between the Authority and an Aeronautical Operator leasing property/space at the Airport, or any sub-lease agreement approved by the Authority between any Aeronautical Operator and any Person sub-leasing property/space at the Airport. In either case, it is for the purpose of providing Aeronautical Services at the Airport.

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- d. Aeronautical Service means any service which involves, makes possible, or is required for the operation of aircraft or which contributes to, or is required for, the safety of aircraft operations commonly conducted on the Airport by a Person who has a lease or permit from the Authority to provide such service.
- e. Aircraft means a device which is used, or intended to be used, for flight in air. Examples of aircraft include, but are not limited to; airplanes, sailplanes, gliders, rotorcraft (helicopter, gyrocopter or autogyro), balloons and blimps.
- f. Airport means the Brookneal-Campbell County Airport and all of the area, buildings, facilities and improvements within the boundaries of said Airport as it presently exists, or as it may exist whenever it is modified.
- g. AGL means altitude expressed in feet measured above ground level.
- h. ALP means the most current Airport Layout Plan for the Brookneal-Campbell County Airport, as approved by the FAA.
- i. Air Operations Area, or AOA, means the area of the Airport used, or intended to be used, for landing and takeoff or surface maneuvering of aircraft, together with the associated hangars and navigation and communication facilities.
- j. Airport Manager means the Authority or person employed by the Authority to manage the Airport.
- k. AUTHORITY means the Brookneal-Campbell County Airport Authority.
- l. FAA means the Federal Aviation Administration and its successors.
- m. FAR means the Federal Aviation Regulations, as published and amended from time to time.
- n. Fixed Base Operator, or FBO, means any person authorized by the Authority to offer two (2) or more Aeronautical Services to the public at the Airport pursuant to an Aeronautical Operator Lease.
- o. FSDO means Flight Standards District Office of the FAA.

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- p. IFR means Instrument Flight Rules of the FAA which govern the procedures for conducting instrument flight.
- q. Minimum Standards means the standards set forth in this Policy, as amended from time to time, as the minimum requirements to be met by a Person as a condition for providing Aeronautical Services to the public at the Airport.
- r. MSL means altitude expressed in feet measured from Mean Sea Level.
- s. NFPA means National Fire Protection Association.
- t. NOTAM means a "Notice to Airmen" published by the FAA and used to notify the flying public of conditions at the Airport that may affect flight.
- u. NTSB means the National Transportation Safety Board and its successors.
- v. Normal Business Hours means 8:00 AM to 5:00 PM Monday through Friday, unless modified by the Authority.
- w. Person means an individual, firm, partnership, corporation, company, association or other entity.
- x. Shall means mandatory and not merely directory.
- y. Specialized Aviation Service Operation (SASO) means any Person or entity with a lease or sub-lease from the Authority to provide only a single Aeronautical Service to the public at the Airport. A SASO cannot provide Fuel and Oil Dispensing Services.
- z. Special Event means an Aeronautical Activity which does not comply with the Rules and Regulations or, although it may comply with the Rules, may require an accommodation by other users of the Airport. Special Events include, but are not limited to, fly-ins, skydiving exhibitions, balloon operations or similar events or activities.
- aa. UNICOM means a nongovernmental communication facility which may provide airport information at certain airports. Locations and frequencies are shown on aeronautical charts and in aeronautical publications.

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- bb. VFR means Visual Flight Rules which govern the procedures for conducting flight under visual conditions as described in FAR Part 91.

4. AUTHORIZATION TO OPERATE AT THE AIRPORT:

An Aeronautical Operator must meet the following prerequisites to operate at the Airport:

- a. Obtain the consent of the Authority through the application process set forth in these Minimum Standards.
- b. Obtain and comply with all requirements for any appropriate licenses from any governmental Authority to operate the Aeronautical Activity.
- c. Enter into a written agreement with the Authority in which the operator agrees to accept, be bound by, comply with, and conduct business operations in accordance with these Minimum Standards, as amended from time to time. The Minimum Standards for the services to be provided shall be stated in the lease. The Aeronautical Operator shall conduct all of its activities/services at the Airport, with the public safety and public interest being of paramount importance.
- d. Deliver to the Authority a Certificate of Insurance in a form acceptable to the Authority.

5. BUSINESS NAME:

No person or entity shall provide an Aeronautical Activity on the Airport under a business name identical, or substantially similar, to the business name of any other Aeronautical Operator on the Airport.

6. APPLICATION:

- a. An application for a lease to carry on any Aeronautical Activity must be made in accordance with these Minimum Standards and signed by all parties owning an interest in the business, including each partner, director, or corporate officer, and those who will be managing the business (i.e., providing the activities and services).
- b. An original of the application, together with all supporting documentation, shall be submitted to the Authority or the Airport

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Manager at least twenty working days prior to any regularly scheduled meeting of the Authority.

- c. Incomplete applications will be returned to the originator for completion and will be delayed until the revised application is returned.
- d. The application shall contain the following information:
 - (1) A written proposal detailing the nature of the proposed Aeronautical Service to be provided, space and facility requirements and the proposed location on the Airport.
 - (2) The prospective Aeronautical Operator must, at the discretion of the Authority, provide comprehensive financial statements and/or tax returns. The prospective Aeronautical Operator must also demonstrate the financial capability to initiate operations, construct any improvements and appurtenances that may be required commensurate with the concept of the proposed Aeronautical Operator's Lease, and shall also provide adequate working capital to carry out and maintain the contemplated operation for the entire term of the lease.
 - (3) A written listing of the assets owned, leased or being purchased which will be used in the business on the Airport. Copies of any leases or purchase contracts must be attached.
 - (4) A current credit report from a nationally recognized credit reporting agency covering all areas in which the applicant has done business in the past ten years.
 - (5) A written authorization allowing the Authority to obtain from the FAA and all aviation or aeronautical Authorities, administrators, or departments of all states in which the applicant has engaged in aviation business, any information in their possession relating to the applicant or applicant's operation. The applicant will execute such forms, releases, or discharges as may be reasonably requested by those agencies.

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- (6) Preliminary plans and dates for any improvements which the applicant intends to make on the Airport as part of the activity for which approval is sought.
- (7) Such other information as the Authority may reasonably require.

NOTE: If requested in writing by the applicant, the Authority shall hold the financial information included with the application separate from the application (i.e., not available for public inspection), provided the applicant requests confidentiality in accordance with the Virginia Freedom of Information Act. All other provisions of the application shall be available for public inspection.

e. All applications will be reviewed and decided upon at the next regularly scheduled meeting of the Authority once the application is deemed complete timely file, the information verified and the references checked. Applications may be denied for any of the following reasons:

- (1) The applicant does not meet the qualifications, standards and requirements established by these Minimum Standards.
- (2) The applicant's proposed operations or construction will create a safety hazard on the Airport.
- (3) The granting of the application will require the undesirable expenditure of local funds, labor or materials, or the operation will result in a financial loss to the Authority.
- (4) There is no appropriate, adequate or available space or building on the Airport to accommodate the entire activity of the applicant.
- (5) The proposed operation, Airport development or construction does not comply with the Airport Layout Plan.
- (6) The development or use of the area requested will result in depriving existing Aeronautical Operators of portions of the area in which they are operating, or will result in a congestion of or buildings, or will result in unduly interfering with the operations of any present

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Aeronautical Operator on the Airport, such as problems in connection with traffic or service, or preventing free access and egress to the existing aeronautical operator area.

- (7) Any party having an interest in the applicant or its proposed operation has supplied false information, has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
- (8) Any party having an interest in the applicant has a record of violating the Airport's Minimum Standards, the Rules and Regulations of the airport or any other airport, Civil Air Regulations or Federal Aviation Regulations.
- (9) Any party having an interest in the applicant has defaulted in the performance of any lease or other agreement with the Authority.
- (10) Any party having an interest in the applicant is not sufficiently credit worthy or responsible in the reasonable and sole judgment of the Authority to provide and maintain the business to which the application relates and to promptly pay amounts due under the proposed lease agreement.
- (11) The Authority determines that the applicant does not have the financial resources necessary to conduct the proposed operation for the term of the proposed lease
- (12) Any party having an interest in the applicant has been convicted of any crime or violation of any local ordinance which may indicate that the applicant could be an undesirable operator.
- (13) The protection of the health, welfare or safety of the inhabitants of the community requires such denial.
- (14) There are other contractual requirements of the Authority that conflict with the activity proposed by the applicant.

7. NON-AERONAUTICAL ACTIVITIES:

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Nothing contained herein shall be construed to prohibit the Authority from granting or denying, in its sole discretion, an application to conduct activities on the Airport for the purpose of selling, furnishing or establishing non-aeronautical activities or services or any application by a Person to use any part of the Airport for the Applicant's personal non-profit use (e.g., rental cars, restaurants and/or shops in the terminal building).

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8. AERONAUTICAL SERVICES:

a. No person shall use the Airport as an Aeronautical Operator without a valid Aeronautical Operator's Lease with the Authority. An Aeronautical Operator will carry on or conduct only those services which are specified in the Aeronautical Operator's Lease. No agreement will be issued unless the applicant has met the qualifications, standards and requirements of these Minimum Standards.

b. An Aeronautical Operator is one who has completed the application process specified in Section (7) above and has entered into an agreement with the Authority to conduct an aeronautical operation at the Airport to provide one or more of the following services:

- (1) Aircraft sales
- (2) On-demand charter operation as described under FAR Part 135
- (3) Scheduled air carrier operation under FAR Part 135 and Part 121
- (4) Aircraft rental
- (5) Flight instruction and/or Ground School

- (6) Aircraft maintenance

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- (a) Airframe overhaul and repair
 - (b) Engine overhaul and repair
 - (c) Radio and electrical
 - (d) Instrument shop
 - (e) Aircraft interior
- (7) Aviation fuels and oil dispensing (Note: An FBO is required to provide both services. A SASO cannot provide fuels and oils because anyone selling fuel is required to provide maintenance as well).
- (8) Inside storage
- (9) Outside storage
- (10) Specialized flight services
- (a) Aerial application operators (as specialized commercial flight service)
 - (b) Non-stop sightseeing flights within a 25-mile radius that begins and ends at the Airport
 - (c) Banner towing
 - (d) Aerial photography and survey
 - (e) Fire fighting
 - (f) Power line or pipeline patrol
 - (g) Any other operations excluded from FAR Part 135

9. MINIMUM QUALIFICATIONS:

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An Aeronautical Operator, in addition to meeting all other requirements and qualifications of these Minimum Standards, shall meet or exceed the following minimum qualifications for each type of service:

a. Aircraft Sales:

- (1) An aircraft sales business at the Airport shall lease at least 75 square feet of office space with, or having access to, rest rooms and with an area of Airport land sufficient in size to store and/or display a minimum of two aircraft, or as many more as such operator reasonably expects to have on hand in the business at any one time. Automobile parking for employees and customers must also be provided.
- (2) Have a minimum of one fully qualified demonstrator pilot employed with appropriate and current FAA pilot certificate and current Airman Medical Certificate.
- (3) Shall provide personnel on duty during normal business hours, or at other times, subject to the Aeronautical Operator's discretion with the prior written approval of the Authority.
- (4) Have satisfactory arrangements at the Airport or at another airport for repair and servicing of aircraft sold with a service guarantee.
- (5) New aircraft dealers shall hold an authorized factory dealership or sub-dealership and any permits required by Federal, State or local law. A new aircraft dealer shall have available, or on call, at least one current model demonstrator. In the case of used aircraft, the acquisition and sale of three aircraft within a 12-month period shall constitute a dealership.

b. On-Demand Aircraft Charters (described under FAR Part 135):

- (1) The operator shall lease from the Authority, or sub-lease with the approval of the Authority, at least 75 square feet of office space (an additional 100 square feet of space if cargo is carried) with rest rooms or access to rest rooms in the building, and an area on the Airport of sufficient size to accommodate all

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business activities (with a minimum ramp space for one aircraft). Automobile parking for employees and customers must also be provided.

- (2) An operator shall own or have under written lease a minimum of one aircraft based at the Brookneal-Campbell County Airport which is so equipped and maintained to meet all requirements for the aircraft charter/commercial operator FAR Part 135 certificate held by the operator.
- (3) Any operator engaging in an aircraft charter service will have a minimum of one FAA certificated commercial pilot who is appropriately rated to conduct an aircraft charter service in the type aircraft to be used.
- (4) The operator shall provide personnel on duty and available by cell phone or on site during normal business hours, or at any other time, subject to the operator's discretion and with the prior written approval of the Authority. The operator shall also be available 24 hours a day with two hours notice.

c. Aircraft Rentals:

- (1) The operator who engages in an aircraft rental business at the Airport shall lease from the Authority, or provide under terms agreeable to the Authority, 75 square feet of office space with, or with access to, rest rooms. The operator shall be required to lease an area on the Airport, on a month-to-month basis, of sufficient size to park or tie down a minimum of one aircraft whether or not occupied by the operator. Additional space is to be rented for as many aircraft as such operator reasonably expects to have on hand in such business at any one time.
- (2) Provide, and at all times maintain, a minimum of one aircraft equipped and FAA certified for IFR flight that is owned or under a written lease by, and in the exclusive control of, the operator. The aircraft must be properly equipped and FAA certified for rental and flight instruction.

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- (3) The operator shall provide a properly FAA certified flight instructor on duty who is capable of conducting flight checks for prospective renters during normal business hours, or at other times, subject to the operator's discretion with the prior written approval of the Authority.
 - (4) Have adequate facilities or arrangements for storing, parking, servicing and repairing all of its aircraft. Arrangements must also be made for automobile parking for employees and customers.
- d. Flight Instruction and/or Ground School:
- (1) The operator who engages in a flight instruction and/or ground school business at the Airport shall lease from the Authority, or provide under terms agreeable to the Authority, 75 square feet of office space with, or with access to, rest rooms. The operator shall be required to lease an area on the Airport, on a month-to-month basis, of sufficient size to park or tie down a minimum of one aircraft whether or not the area is occupied by the operator. Additional space is to be rented for as many aircraft as such operator reasonably expects to have on hand in such business at any one time.
 - (2) The operator shall provide a minimum of one properly FAA certified flight instructor on duty during normal business hours, or at other times subject to the operator's discretion with the prior written approval of the Authority. The flight instructor pilots must meet FAA certification requirements for flight instruction and maintain current FAA certificates and a current Airman Medical Certificate.
 - (3) The operator shall provide a minimum of one four-seated aircraft based at the Airport, and it must be equipped and FAA certified for IFR flight. These aircraft must be owned, or under a written lease, and in the exclusive control of the operator. The aircraft shall be properly equipped and FAA certified for flight instruction and rental. If ground school training is offered as part of such business, the operator shall have on hand, and available for use, such equipment

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and apparatus as would reasonably be expected to be available for such training.

- (4) The operator shall demonstrate the continuing ability to meet requirements for FAA certification of flight instructor personnel and aircraft.
- (5) The operator shall have adequate facilities or arrangements for storage, parking, tying down, servicing and repairing all of its aircraft. Arrangements for automobile parking for employees and customers must also be made.
- (6) Proof of Transportation Security Administration (TSA) compliance (i.e., dealing with flight instructors and their students) must be made available biannually to Authority.

e. Aircraft Maintenance Services and Sale of Parts and Accessories:

- (1) The operator who engages in an aircraft maintenance service business and sells parts and accessories at the Airport shall lease from the Authority, or provide under terms agreeable to the Authority, an existing building or area of Airport land sufficient in size to provide 200 square feet of office space with rest rooms and a hangar having a minimum of 3600 square feet (60' by 60') and an area of ramp to tie down a minimum of three aircraft.
- (2) The hangar required shall be equipped with such tools, machinery, equipment, parts and supplies as are normally necessary to conduct a full-time business operation in the maintenance service offered and shall be staffed by mechanic(s) and other full or part-time personnel who are qualified and competent and hold all necessary certificates required by the FAA. T-Hangars will not be used for commercial maintenance activities. Arrangements for automobile parking for employees and customers must also be made.
- (3) The business of such maintenance service and sale of parts and accessories shall be staffed with competent personnel on duty to conduct business

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during normal business hours, or at other times, subject to the operator's discretion with the prior written approval of the Authority.

- (4) The operator shall have adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other hazardous wastes in compliance with Federal, State and local regulations.
- (5) The operator shall have the necessary equipment and personnel, or shall have made other arrangements, for the prompt removal from the public landing area (as soon as permitted by FAA, NTSB and the Authority) of any disabled aircraft. If there is no maintenance operator on the Airport, the Authority has the responsibility of moving the aircraft or contracting to have it moved.
- (6) If the business includes aircraft refinishing and painting, it shall:
 - (a) Comply with, and abide by, all standards, rules, regulations and requirements of the FAA, Virginia Departments of Aviation & Environmental Quality, Environmental Protection Agency, OSHA, and any other local, state or Federal governmental agencies having jurisdiction over aircraft painting and stripping operations.
 - (b) Comply with the current standards of the National Fire Protection Association on "Paint Spraying and Spray Booths" with regard to the arrangement, construction, and protection of spray booths and the storing and handling of materials used in connection with aircraft painting and varnishing and spray painting operations.
 - (c) Prohibit any stripping, painting, varnishing, doping, materials or agents, or other contaminants from flowing into

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rivers, lakes or streams, etc., or being placed in any sewer system unless pretreated and the pretreating process has been approved in advance and in writing by the Authority.

- (d) Perform all aircraft stripping operations inside a hangar or building. Outside stripping must be approved in advance and in writing by the Authority.
- (e) Properly treat and dispose of all hazardous material in compliance with the governing agencies listed in Paragraph (a) above.

(7) If the following specialized commercial Aeronautical Services are to be provided separately, the Authority will develop standards for them based on the scope of the service to be provided:

- (a) Airframe overhaul and repair
- (b) Engine overhaul and repair
- (c) Radio and electrical
- (d) Instrument Shop
- (e) Aircraft interior

f. Aviation Fuel and Oil Dispensing:

In order for an FBO to provide aircraft fueling and line services, it must also provide aircraft maintenance services and sale of parts and accessories as outlined in Aircraft Maintenance Services and Sale of Parts and Accessories in Paragraph (e) above.

(1) In order for any Person to engage in the business of providing aircraft fuel sales and line services to the public at the Airport, the Person shall lease from the Authority, or provide under terms agreeable to the Authority, office space of 200 square feet and counter space of 100 ft. in the public reception area, an additional 325 square feet of inside floor space for a

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pilot lounge and flight-planning area (unless otherwise provided), and access to rest rooms in the same building. The operator shall also lease the space needed to accommodate the aircraft fueling and line servicing equipment, supply, and storage for the aircraft being serviced and the flow of traffic in and out of the aircraft fuel servicing areas.

- (2) In addition, an operator under this provision shall maintain the County-owned pumps and tanks, provide and maintain in good operating condition at least one mobile fuel truck having a minimum capacity of 500 gallons. and maintain areas, ramps and other fueling facilities which may be necessary. The operator shall not place or maintain any fueling services on the Airport which have not been previously approved by the Authority and the Virginia State Fire Marshall. The operator shall not deliver fuel into any aircraft unless the fuel has first been placed in a suitable and approved filtration tank. There shall be no direct fueling from a common carrier transport truck into a mobile refueler without filtration. The FBO will, In all fueling operations, comply with State and Local Fire Code and the current edition of NFPA 407 including all NFPA Standards referenced in 407.
- (3) An operator under this provision shall keep a current, complete and accurate record of all fuel, oil and other products sold and shall, at the request of the Authority, make available all invoices and records of purchases and sales by the operator of fuel, oil and products sold for at least two years after the receipt or sale of such products. Failure of an operator to keep an accurate record of all purchases and sales shall be reason to revoke the operator's license or other such consequences.
- (4) The fueling operator will be responsible for operating the UNICOM for the Authority as designated by the Authority. The fueling operator shall offer aircraft fuel sales and line services and maintain sufficient full-time attendants on duty to service aircraft without unreasonable delay during the hours of operation. The hours of operation for fuel sales and line services shall be from dawn to dusk daily. Any deviation from

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this schedule must be approved in advance and in writing by the Authority.

- (5) The operator with fueling facilities shall, at all times, maintain an adequate supply of the fuels, oils, and fluids normally called for at this Airport. A mobile fuel truck may only operate in the FBO's leased area and such other areas as may be designated from time to time by the Authority.
- (6) All operators licensed to provide aircraft fuel sales and line services under this provision shall ensure payment of such charges or taxes as may, from time to time, be imposed by the Authority on all fuel delivered to the Airport or the gallons of aircraft fuel pumped, and/or on other products sold by such operators.
- (7) Services provided in addition to fuel will include emergency starting, parking, washing, minor repairs, tire inflation, oil changing, and any service not requiring a certified mechanic rating. All equipment necessary to provide these services shall be available.

g. Inside Aircraft Storage:

The Aeronautical Operator will enter into a separate agreement with the Authority, depending upon the availability of inside storage facilities.

h. Outside Aircraft storage:

The Aeronautical Operator shall lease from the Authority, or sublease under terms agreeable to the Authority, a paved tie-down area of sufficient size to accommodate all aircraft that would be parked or stored by the operator.

i. Specialized flight services:

- (1) Aerial-application operators planning to use the Airport as a temporary or permanent base for aerial application of pesticides, herbicides, fertilizer or any other material dispensed from aircraft must present the following items to the Authority prior to mobilizing:

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- (a) Copy of Virginia operating pesticide permit.
 - (b) A certificate of insurance showing the applicant has chemical liability for the period of proposed operation at the Airport and aircraft liability in the amount specified in Airport Rules and Regulations. The insurance policy must also name the Authority, the City of Brookneal and Campbell County as additional insureds.
 - (c) Copy of FAA waiver for aerial application.
 - (d) A copy of operator's emergency plan, which must include 24-hour phone numbers of the operator's key personnel.
 - (e) Product labels and Material Safety Data Sheets (MSDS) for all material being used.
 - (f) Operator must agree to have at least 200 pounds of absorbent material on site for spill protection, plus shovels, brooms and containers with spill countermeasures.
 - (g) Must use a backflow-preventer valve and obtain a permit and agreement from the Campbell County Board of Health for all water needed.
 - (h) If pesticides are to be stored on Airport property, they must be locked in storage containers in a prearranged position designated by the Authority.
- (2) When an application for the following specialized commercial Aeronautical Services is submitted, the Authority will develop standards based upon the scope of the activity or service to be provided:

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- (a) Non-stop sightseeing flights within a 25-mile radius that begins and ends at the Airport
- (b) Banner towing
- (c) Aerial photography, application and survey
- (d) Fire fighting
- (e) Power line or pipeline patrol
- (f) Any other operations excluded from FAR Part 135

This Policy shall become effective after passage by the Brookneal-Campbell County Airport Authority.

Signed, approved and adopted by the Brookneal-Campbell County Airport Authority.

By: _____ Larry Nash, Chairman
By: _____ John D. Barksdale, Vice Chairman
By: _____ Frank Greene, Secretary
By: _____ Carter Elliott
By: _____ Stacey Hailey
By: _____ Richard Adams