

STORM WARNING



March 2009

TRA/NAR vs. BATFE -- **ROCKETRY WINS!!!**

Plenty of News!!

by Lance Lickteig

There have been an extraordinarily large number of relevant news events surrounding hobby rocketry over the last few months since our last **Storm Warning** newsletter. If you are on the KLOUDBusters Yahoo e-group, keep up via other on-line resources, or even made it out to the KLOUDBusters Christmas Party you have been keeping up on most of what has been going on, but I will be presenting several items here that every active rocketeer should take the time to read. This issue is being delivered electronically because all of the newsworthy items I have briefly covered here are treated fully somewhere else on-line where you can go to obtain more complete information. I have included the relevant link(s) on the web within each article and you can click out and read it all, ad infinitum.

Making the biggest headlines in rocketry in quite some time is the ruling by Federal District Court Judge Reggie Walton in the on-going **TRA/NAR vs. BATFE** case and the ramifications of the judge's decision. In short, WE WON! ... but ... we must proceed with prudence until the ruling has withstood any possible appeal by the BATFE. More details elsewhere in this newsletter. Nearly as important to KLOUDBusters as the court ruling is information about the **KLOUDBusters FAA Waiver** for the Argonia Launch site as well as new **FAA Regulations** that have taken affect that will influence some folks' rocketry habits. Personal awareness of the new regulations is important to each person individually, and KLOUDBusters will employ a modified process for certain high-altitude (23,000' and above AGL) or very high impulse ('P' and over) flights. The good news is: for most flyers who fly with us at the Argonia Rocket Pasture it will be "business as usual" under the new FAA rules.

Another important piece of news is the adoption of **New Guidelines for TRA Certification Flights** at all levels. All Tripoli members should become familiar with the new rules in case a new person asks you a question or you ever perform RSO duties at launches. Everyone planning to certify at any level should read the new guidelines carefully as there are changes that will affect your certification flight.

It is starting to look a whole lot like spring in Kansas once again and that means we get a few opportunities to launch some rockets as the weather warms up. We actually were able to get out in January, February, and March to play within our new "Combined" launch format conducted under TRA Research Rules. January even featured three 'M' and one 'L' impulse launches, so you never know when the big boys might show up to impress. Our launch days in February and March were very mild and we got in some good launches in between some periods of high winds. The crowds were very good in February and March, which makes me think that **KloudBurst 19** should be hoppin' as folks look forward to getting out of the house after winter has passed. I think the new APCP ruling should encourage folks to pursue rocketry with renewed enthusiasm as well.



After KloudBurst 19 and one subsequent "Combined" day later in April, we will be taking our annual break to allow the wheat crop to mature and harvest to take place. We will then resume the '09 flying season with our inaugural Sweaty BALLS I two-day Research launch in July.

I hope everyone is as excited as I am to get back out to the Rocket Pasture, do some rocket launching, and meet up with our KLOUDBusters friends. 2009 should be a good year to fly some rockets.



Photo Credit: Terry Smemo

A few of the "Ladies of KLOUDBusters" enjoy the KLOUDBusters Christmas Party revelry.

TRA/NAR vs. BATFE

Over 9 years ago, hobby rocketry filed suit against the ATF (now BATFE) inclusion of Ammonium Perchlorate Composite Propellant (APCP) on the Federal Explosives List, plus a couple of other points of contention. The TRA/NAR argued essentially that: (a) the ATF has added APCP to the list arbitrarily; and, (b) the ATF did not have sufficient data to support APCP being an explosive based upon scientific and empirical data. The case wound its way through the various levels of federal court with TRA/NAR winning, then losing on ATF appeal, then finally an appeal to the Federal District Court in Washington, DC, almost 3 years ago where the case seemed to stall.

Since the beginning of the lawsuit, the post-9/11 US Explosives Laws tightened and the burden on rocketry hobbyists to comply with the law had become somewhat onerous. To comply with tightening regulations and legally enjoy our hobby, many individuals had obtained Low-Explosives User Permits (LEUPs) and KLOUDBusters even obtained a club LEUP. All of the associated restrictions and recordkeeping did not slow us down much, but were becoming a pain. Getting relief from a favorable decision in the case had become very important to the viability of hobby rocketry.

On Monday, March 16, 2009, following a status hearing the previous Friday, Judge Walton finally and unexpectedly issued his final ruling. The entire text of Judge Walton's decision can be read here:

<http://www.rocketryplanet.com/images/pdf/ATFE-03-16-09.pdf>. In summary, the Judge found that the BATFE did not prove that APCP is an explosive under their own criteria, ordered that decision to classify APCP as an explosive be vacated, and dismissed the case entirely!

Following the release of Judge Walton's decision, TRA President Ken Good and NAR President Trip Barber issued statements advising that, while the Judge's opinion "... constitutes a clear and full victory, and vindication of what we have asserted these long and difficult years" members are advised that "... the BATFE regulation of APCP will not take effect until the period for appeal by the BATFE has passed without their filing an appeal. This will be approximately 60 days from now." Full text of the TRA/NAR Joint Statement is located at the following link: <http://www.tripoli.org/documents/batfe/20090318JointStatement.shtml>.

This is a huge victory for hobby rocketry, and while it may not be etched in stone as of yet, it does weigh any future law making or enforcement heavily in favor of our position. Members and vendors are asked to conduct any motor transactions under the laws that were in effect prior to the March 16, 2009 ruling and until any possibility of appeal has passed. Please monitor the KLOUDBusters Yahoo e-group or other electronic rocketry-related media for updates. This holds for the upcoming KloudBurst 19 launch and we should have clear direction by the time the flying season resumes in July.



Photo Credit: Lance Lickteig

A little rocket called "Grand Illusion" heads into the crisp, clear January sky on a M1500 Polish Rojo motor. She weighs-in at about 55 lbs. on the pad.

FAA Waiver, New FAA Rules, High-Altitude Flights

The KLOUDBusters waiver for 2009 has been in place since the beginning of the year, thanks to the untiring efforts of our Prefect Bob Brown. We currently have a waiver to 34,500' AGL with a five (5) nautical mile radius, as we have enjoyed for some time.

It is important to be aware that new US FAR 101 regulations went into effect in February 2009 and have

changed the rules governing amateur rocketry significantly. Reference the new "Requirements for Amateur Rocketry" here: <http://edocket.access.gpo.gov/2008/pdf/E8-28703.pdf> A major part of the rule changes involve the re-classification of rockets based upon lift-off weight and propellant mass and the notification and documentation requirements at each class.

There are now three classes of rockets (see page 73774 at the above link for complete table of the new 3-class standards):

Class 1 - Model Rockets

Rockets weighing 1,500 grams (53 ounces) at liftoff and with a propellant mass of 125 grams or less.

Class 2 - High Power Rockets

Rockets other than Class 1 with total impulse of 40,960 or less [That is a full 'O'].

Class 3 - Advanced High Power Rockets

All rockets other than Class 1 or 2. [Which means 'P' impulse and above.]

These new regulations will result in some changes and limitations applicable to how we fly rockets at Argonia. Also on page 73774 there is a table of the notification requirements for each of the newly defined three classes of amateur rockets. The new notification requirements have caused TRA to remove themselves from the previously mandated notification/approval for flights of 25,000' and above. In place of the TRA notification/approval, KLOUDBusters now has its own notification and approval requirement:

Effective immediately, all Class 1 or Class 2 rockets (per the new FAA FAR 101 definition) flown at KLOUDBusters Argonia rocket launches expected to reach an altitude of 23,000' AGL or more must complete the KLOUDBusters High Altitude Application and submit it to prefect@kloudbusters.org at least 30 days prior to the planned flight. The KLOUDBusters Prefect and/or KBoD will review the application for approval. The KLOUDBusters High Altitude Application is located here: <http://www.kloudbusters.org/images/HiAltApp.doc>

With regard to notification and approval of Class 3 rockets, the requirements are clearly more detailed and specific than ever before. The responsibility for supplying the FAA with the require information and obtaining clearance for the flight directly from the FAA lies with **the flyer and not KLOUDBusters or the waiver holder.** To that end, the TRA Board of Directors has recommended that former TRA President and noted rocket flight simulation expert Chuck Rogers assist TRA members with Class 3 projects in advance of obtaining FAA clearance. The plan is for flyers to submit flight data required directly to Chuck (also send a copy to Dick Embry). Chuck will perform comparative analyses based both on the FAA requirements and on a simplified process he has developed. In general, Chuck is willing to assist flyers' efforts with Class 3 projects. If you are planning a Class 3 project or if you have any questions about the process, please contact Chuck directly. After receiving FAA clearance for the flight, the flyer must notify the KLOUDBusters Prefect at least 45 days prior to the planned flight that the flight has been approved by the FAA.

We appreciate your cooperation and patience as we all learn this new process.



Photo Credit: Lance Lickteig

John Farmer sends his 'Competitor 4' up on atop the huge plume of smoke from a sugar 'L' motor. Speakin' of SWEET!



Photo Credit: Lance Lickteig

John Farmer has plenty of supervision during post-flight debrief.

TRA Certification Guidelines

Tripoli has adopted a revised set of rules for High Power Rocketry Certification, found here: http://www.tripoli.org/cert/TRA_Certification_Rules_2009.pdf. These rules are "official" as of January 1, 2009.

The new rules codify many of the practices Prefects and Level 3 TAP members have been conforming

to in recent years, including exclusion of Odd Rockets, recovery by parachute, and non-certification conditions.

The Level 1 & 2 rules are not significantly different than we have been certifying folks at KLOUDBusters over the past several years. Added are two notable requirements: 1) Oddrocs are now specifically prohibited for certification flights, and there must be parachute recovery for each attempt; streamer, tumble, or glide back recovery is not permitted, and 2) the Center of Pressure (CP) must be marked on the airframe.

The Level 3 rules specify a few new requirements/limitations. The new restrictions noted above for Level 1 & 2 apply. Additionally, Level 2 flyers must make at least one flight using electronics for recovery deployment before making any Level 3 attempt. Also, added is codified prohibition of pre-fabricated fin can units and the mandate for two electronic deployment devices on Level 3 certification attempts.

TRA has added the flexibility to allow certification flights at all levels at ANY insured launch, which includes Research launches (this provision went into affect during LDRS 28).

If you are planning to make a certification flight, please read and become familiar with these new rules and save yourself potential denial of a cert flight attempt and/or failed certification. If you have questions after reading the new rules, talk to Prefect Bob Brown (or a Prefect from another club) or a Level 3 TAP member about them.

KloudBurst 19

The 19th edition of the long-standing KLOUDBusters tradition that is KloudBurst is set for April 4-5, 2009. Both launch days are commercial-only with the waiver hours of 9am-5pm each day. **Range set-up will begin around 8:00am on Saturday**, so come a bit early to help get things ready to go.

In celebration of the TRA/NAR victory in the judgment vs. BATFE, KloudBurst 19 will be FREE to all KLOUDBusters members who volunteer for one 3-hour shift of range duty. You can sign-up for range duty when you arrive at the field.

LATE-BREAKING NEWS:

Heavy snow in the area this weekend may affect the schedule for KloudBurst 19. Please monitor the KLOUDBusters e-group and/or check the web-site for any change in plans regarding KloudBurst 19.

There will be portable toilets on-site. Rocketry vendor(s) will be on-site, but no food vendors this year.

Come on out and join the fun!

Sweaty BALLS I

Since the expansion of the TRA Research Rules last year, we have been looking for a way to squeeze a 2-day research launch into our calendar. Having the March,

August/September, and November multi-day launches already in place presented some difficulty in finding an appropriate date. We settled on July and of course having a "BALLS-type" launch in mid-summer led us to the name "Sweaty BALLS" - after all, we all know it can be warm during that time of year.

TRA Research Rules will apply for **Sweaty BALLS I** for both days July 11-12, 2009. While commercial motors will be allowed, we encourage large, fast, high, and extreme. 34,500' AGL waiver will be available, but make sure you comply with the new guidelines for 23,000' and/or 'P' impulse if they apply to your flight(s).

Naturally, with mild overnight temperatures, who knows what off-hours fun will ensue during **Sweaty BALLS I**.



Photo Credit: Lance Lickteig
Steve Tedeschi's *Little Dog* gets a kick out of a Loki Research L1400..

AIRFest 15

The dates for **AIRFest 15 will be September 4-7, 2009**. The format for AIRFest this year will change slightly. In recent years, the high-power TRA attendees have made virtually all flights on Friday of AIRFest, therefore, to offer more available flight diversity to these folks, this year's AIRFest Friday will be conducted under TRA Research rules. This means, Research on Friday and Monday and Commercial on Saturday and Sunday of AIRFest 15.

We are hoping to see many of the folks who enjoyed LDRS 27 here in 2008 return for AIRFest 15, and thus we anticipate a large number of flyers in attendance. We expect to offer many of the recent AIRFest traditions of recent years. Complete details will be available on the AIRFest 15 web-site. Watch for its debut around May 1, 2009. It will be <http://www.kloubusters.org/airfest/>.

Save the dates September 4-7, 2009 ... **AIRFest 15** will be a good one!

KLOUDBusters Yahoo E-Group

KLOUDBusters members can keep up-to-date with latest news, event reminders, late schedule changes, and general friendly banter via the KLOUDBusters Yahoo e-group. You can get messages one-by-one, in daily digest format, or even via the Yahoo web interface. To enroll, go to <http://tech.groups.yahoo.com/group/kloubusters/> and click on the "Join this Group" button. Please include your real name and/or KLOUDBusters member number so your membership can be verified.

New KLOUDBusters BoD

Over the winter, we elected and installed a new KLOUDBusters Board of Directors. We are excited to have some existing BoD members returning and some new blood as well. Congrats to the new BoD members and many thanks to those who served and are stepping aside. The new KBoD members are:

Prefect	Bob Brown
President	Lance Lickteig
Vice-President	Tad Keller
Treasurer	Mark Logan
Secretary	Steve Tedeschi
Member-at-Large	John Farmer
Member-at-Large	Dave Pomeroy



Photo Credit: Lance Lickteig

Mark Logan gets a good look at Eric Martin's *Wildman* rocket.



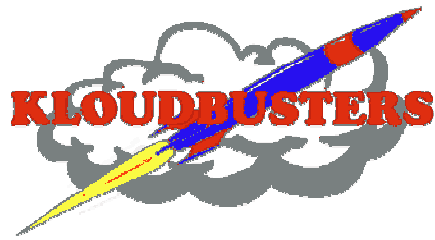
Photo Credit: Lance Lickteig

Bob Brown's *MaxiMag* on a Polish Rojo 'L' motor.



Photo Credit: Lance Lickteig

Eric Martin's *Wildman* again. This time a Loki L1400 provides the blast.



Presents:

KloudBurst 19
April 4-5, 2009
Argonia Rocket Pasture

Flyers Fees WAIVED for KLOUDBusters Members who work one or more shifts of Range Duty!



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