

National Transportation Safety Board

Office of the Chair

Washington, DC 20594



January 13, 2025

US Department of Transportation
Docket Operations, M-30
West Building Ground Floor
Room W12-140
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Attention: Docket No. FAA-2024-2574

Dear Sir or Madam:

The National Transportation Safety Board (NTSB) has reviewed the Federal Aviation Administration's (FAA) notice of proposed rulemaking (NPRM) titled "Requirements to File Notice for Meteorological Towers and Other Wind Energy Systems," which was published at 89 *Federal Register (FR)* 90627 on November 18, 2024.

The NPRM proposes to amend requirements applicable to meteorological towers and permanent wind energy systems. Owners/sponsors of proposed, altered, or existing meteorological towers would be required to file notice with the FAA if the highest point of the structure is at least 50 ft above ground level (agl) up to and including 200 ft agl. The NPRM proposes marking requirements for meteorological towers constructed or altered after the effective date of a final rule if the highest point of the structure is at least 50 ft agl up to and including 200 ft agl. Finally, the FAA would make available pertinent information about these same towers in the FAA's official database, the Digital Obstacle File.

The NTSB has long been concerned about the hazards that meteorological towers pose to aviation operations conducted at low altitudes, such as agricultural operations, helicopter emergency medical services, law enforcement, animal damage control, fish and wildlife patrols, and aerial fire suppression. These structures can be erected quickly and, depending on their location, without notice to the local aviation community. In addition, they are often unmarked and unlighted because their height is typically just under the 200 ft agl threshold that currently requires FAA notification, including a marking and lighting plan. We have issued a safety alert urging pilots to be vigilant for meteorological towers and two related safety recommendations to the FAA, [A-13-16](#) and [-17](#).

These safety recommendations asked the FAA to require that all meteorological towers be registered, marked, and lighted where feasible and to create and maintain a national public database for these structures. These recommendations resulted from the NTSB's evaluation of three accidents that fatally injured four people in which airplanes operating at low altitude inadvertently collided with meteorological towers. Both recommendations are currently classified Open–Unacceptable Response (see the attached correspondence history of these recommendations for more information).

The NTSB supports the proposed rule changes requiring the filing of notice with the FAA. However, we are concerned that subsequent marking of meteorological towers if the highest point of the structure is at least 50 ft agl up to and including 200 ft agl would only apply to towers constructed or altered after the effective date of the NPRM. Decommissioned towers are not always removed and, therefore, may still pose a hazard. The 2011 accident referenced in Safety Recommendation A-13-16 involved a tower for which the county permit had expired more than a year before the accident, but the meteorological evaluation tower had not been removed as stipulated by the permit's conditions of approval.¹ The intent of Safety Recommendation A-13-16 is to apply to all towers, including existing towers. Therefore, we encourage the FAA to address this concern in the final rule.

The NTSB also supports the requirement for every meteorological tower to be maintained in a national database. If this aspect of the NPRM were adopted as presented, it would likely satisfy the intent of Safety Recommendation A-13-17. We are concerned, however, that the proposed frequency at which you intend to update the database (every 56 days) is not sufficient to ensure that any meteorological towers that are erected between updates are referenced in the database. The NTSB encourages the FAA to clearly communicate this timeline to database users in the event they are operating near a tower that has not yet been updated or added to the database, and to work to reduce the update timeline as technology allows.

We appreciate the opportunity to comment on this NPRM.

Sincerely,

[Original Signed]

Jennifer L. Homendy
Chair

Attachment

¹ Visit [nts.gov](https://www.nts.gov) to find additional information in the [public docket](#) for this NTSB investigation (case number [WPR11LA094](#)). Use the [CAROL Query](#) to search safety recommendations and investigations.