U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

MAY 21 2008

Mr. Mark Lavenson
[redacted]

Dear Mr. Lavenson:

This response is in regard to your undated letter from earlier this year. Although you do not specify any particular regulation in your letter, you ask whether or not, for IFR flight, the destination airport may also serve as the alternate airport when weather conditions dictate that an alternate airport is required by regulation. You state that several pilots believe that is permissible to list -- as the alternate airport – the destination airport. You state that you believe that it is not legal to list the same airport as the destination and alternate airport.

To the extent that an aviation safety rule requires an aircraft operator to list a second airport as an alternate airport, it is not permissible to list the same one airport as both the destination and alternate airports. If the safety rules require an operator to list and prepare for possible flight to the alternate airport (e.g., have sufficient fuel, make calculations that the aircraft can safely land on the type of runway available etc...), the whole purpose for having a safety backup airport would be undermined if the aircraft operator listed the same airport as the destination and alternate airport.

This interpretation has been reviewed by Flight Standards Service.

Sincerely,

Rebecca MacPherson
Assistant Chief Counsel Regulations Division