

Issued: 18 May 2012

**EASA CAA INFORMATION BULLETIN
HIGHLIGHTS OF EASA DEVELOPMENTS AND RELATED CAA
ACTIVITIES, COVERING THE PERIOD
28 MARCH 2012 – 18 MAY 2012**

This Information Notice contains information that is for guidance and/or awareness.

Recipients are asked ensure that this Information Notice is copied to all members of their staff who may have an interest in the information (including any 'in-house' or contracted maintenance organisations and relevant outside contractors).

Applicability:	
Aerodromes:	All Aerodrome Licence Holders – of interest to those aerodromes within the EASA scope of applicability
Air Traffic:	All ATC and FIS
Airspace:	All NATMAC Members
Airworthiness:	All Airworthiness Organisations
Flight Operations:	All AOC Holders and General Aviation Pilots
Licensed/Unlicensed Personnel:	All Training Organisations, All Pilots and Maintenance Engineers

1 Introduction

- 1.1 This Information Notice provides highlights of EASA developments and CAA activities covering the period 28 March 2012 to 18 May 2012.

2 EASA Committee Meeting

- 2.1 The EASA Committee met on 3-4 May; the agenda included the following items:
- i) Update on ongoing Commission adoption procedures as follows:
 - Commercial air transport operations and special approvals – possible adoption foreseen for October;
 - Amendment to Regulation (EC) 2042/2003 – adoption anticipated mid-July;
 - Revision of fees and charges regulation – adoption as soon as possible, but no date suggested;
 - Regulation on fines – revised text to be circulated to members of Committee shortly for agreement by written procedure.

- ii) EASA Opinion on OPS non-commercial air operations (NCC and NCO) - Review;
The Committee examined the text in detail, agreed a number of revisions and discussed further possible areas for amendment. A revised text will be circulated to the Committee in due course.
- iii) EASA Opinion on OPS commercial and non-commercial specialised operations (SPO) – Orientation discussion;
A number of Member States, including UK, suggested that specialised operations should be subject to a declaration rather than a certification process. The Commission concluded that further consideration was needed on how to proceed with this Opinion.
- iv) EASA Report on Standardisation Activities 2011 – Information and discussion;
The Agency gave a thorough presentation of the report on EASA’s standardisation activities in 2011 which showed that the standardisation process is mature and successful in identifying areas where improved compliance is needed. Nevertheless the Agency stressed that it was seeking continued improvement in its standardisation activities.
- v) Revision of the Standardisation Regulation (2nd Phase) - Information;
The Commission informed the Committee that proposals for a substantive update of the regulation to support a more risk-based approach would be presented after the summer.
- vi) CAEP/8 (Committee on Aviation Environmental Protection) Implementation – Information;
The Commission informed the Committee that a regulatory proposal was in preparation to bring into effect the CAEP/8 cut-off date of the old NO_x¹ standard by the end of 2012.

3 EASA Management Board

- 3.1 The next EASA Management Board is scheduled for 6 June. The agenda includes papers from the Agency on International Cooperation and Continuing Airworthiness; and a report from the group of experts set up to look at General Aviation.
- 3.2 The agenda also includes regular reports from the Executive Director, and some financial/administrative items, including the 2011 Annual General Report, a report from the FABs Group, the 2011 Annual Accounts, 2012 First Amending Budget, 2013 Work Programme and the 2013-2017 Business Plan.

An update will be provided following the meeting.

4 Other Rulemaking Topics

4.1 Aerodromes

The CAA submitted comments on Notice of Proposed Amendment (NPA) 2011-20, Authority, Organisation and Operations Requirements for Aerodromes at the end of April. A link to the comments is provided under paragraph 5.3 below.

¹ **NO_x** is a generic term for mono-nitrogen oxides NO and NO₂ ([nitric oxide](#) and [nitrogen dioxide](#)).

A letter setting out a few major concerns was also sent to the Agency via the UK's Permanent Representative in Brussels, so that particular attention can be given to these items in the next stage of the rulemaking process. A copy of the comments set out in the letter is annexed.

4.2 *Aircrew – First Amendment*

The [first amendment to the Aircrew regulation](#) incorporating annexes on Cabin Crew (CC), Authority (ARA) and Organisation Requirements (ORA) was published in the Official Journal on 5 April 2012. The Acceptable Means of Compliance (AMC) and Guidance Material (GM) to [Part-ARA](#) and [Part-ORA](#), and Guidance Material to [Part-CC](#) were published on 26 April.

4.3 *Flight Time Limitations*

EASA is now reviewing the comments it received on the CRD (Comment Response Document). It is expected that EASA will produce an Opinion on this rulemaking task by the end of September 2012.

4.4 *Single European Sky (SES)*

Progress on all SES activities is covered in the SES Bulletin published periodically on the following webpage: www.caa.co.uk/SES

4.5 *Standardised European Rules of the Air (SERA)*

Following adoption at the 45th meeting of the Single Sky Committee on 15/16 March 2012, the Implementing Rule (IR) is now subject to EC internal legal scrutiny processes prior to publication in the Official Journal (OJEU).

Introduction of the Rule into EU law is still expected to take place on 4 December 2012; Member States will be required to complete implementation of the Rule within two years of its introduction and domestic implementation planning is under way.

EASA NPA action concerning AMC and GM in support of Parts A and B is still awaited. Work continues to develop SERA Part C (based upon elements of ICAO Doc 4444, Procedures for Air Navigation Services); associated NPA activity is expected to commence during the second half of 2012.

A SERA maintenance mechanism is under development and proposals are expected to be presented to the 46th meeting of the Single Sky Committee in June 2012.

4.6 *ATM/ANS (Air Traffic Management / Air Navigation Services) Common Requirements and Oversight Regulations*

All three EASA ATM drafting groups, ATM001 (Rules for ANSPs), ATM003 (Rules for ATCO Licensing) and ATM004 (Rules for Competent Authorities) have now held their final meetings and the material generated is now being collated by the Agency as part of their work to generate NPAs currently planned for issue in June and September 2012.

EASA is now intending that the ATM rules follow a similar structure and layout to that used for other EASA IRs, i.e. in the Flight Operations, Flight Crew Licensing and Aerodromes IRs, with the related Authority Requirements (AR) and Organisation Requirements (OR) contained within the corresponding regulation. Technical regulations would then form annexes including

sub-parts dealing with ATFM, MET, Human Factors, and Air Traffic Safety Electronic Personnel (ATSEP) also forming part of the same document. The Parts AR and OR refer to other technical sub-parts which will be added later and will deal with AIS, CNS and Airspace Design (ASD). These latter elements will be the subject of new rulemaking tasks to be launched in due course. This will lead to a single IR, which will replace existing Regulations 1034 and 1035/2011 (Fast Track Oversight and Common requirements).

CAA recently commented on draft Terms of Reference and nominated a specialist to participate in the working group for two rulemaking tasks which will encompass the requirements for safety assessment of changes to functional systems. Draft implementing provisions have been developed by the existing ad-hoc Safety Assessment Task Force (SATF) and there is a need to finalise the rule and develop the associated AMC and GM.

5 CAA Responses to NPAs and CRDs

- 5.1 The CAA submitted comments on the following EASA consultation since the previous update (Information Notice 2012/055) was published:

NPA 2011-20 Authority, Organisation and Operations Requirements for Aerodromes

- 5.2 The CAA had no comments on the following EASA consultation since the last update was published:

CRD 2011-14 Halon – Update of CSs in order to comply with EC regulations

- 5.3 CAA responses on NPA and CRD consultations can be viewed via the following webpage:
<http://www.caa.co.uk/default.aspx?catid=620&pagetype=90&pageid=11403>

6 Opinions Published

- 6.1 EASA recently published the following Opinion which can be found on the EASA website at <http://www.easa.eu.int/agency-measures/opinions.php>

Opinion 02/2012 Air Operations - OPS (Part SPO)

7 Queries

- 7.1 Any queries related to this Information Notice should be sent to European.Affairs@caa.co.uk.

8 Cancellation

- 8.1 This Information Notice will remain in force until 16 November 2012.

Annex

Content of comments to Agency on major concerns on proposals in NPA 2011-20

"We recognise that EASA has done a considerable amount of work on this rulemaking task and the UK is pleased to see alignment with the Standards and Recommended Practices in ICAO Annex 14.

The UK CAA has responded to the consultation document and would like to highlight three areas where we have major objections. These are:

Changes to be notified to and approved by the competent authority (ADR.OR.B.040).

The UK considers that the text, as currently written, allows the aerodrome to make major infrastructure changes and changes to the certification basis of the aerodrome without prior approval, or without even notifying the competent authority. This has potential safety implications, as the competent authority would no longer have oversight of changes to the physical characteristics of an aerodrome (e.g. runway extension, a new air traffic control tower) which often need very close coordination, communication and oversight in order to avoid safety hazards brought about by the changes. It should be specified beyond doubt that the competent authority must be notified of (and approve, where necessary) changes to infrastructure and the certification basis at an aerodrome.

Requirements for safeguarding surroundings of aerodromes and role of "competent authorities" (various articles of Cover Regulation and ADR provisions). The proposal includes provisions on safeguarding related to e.g. obstacles, misleading and dangerous lights and land use planning. It also imposes duties on the competent authority which, due to the construction of the draft IR, can only be the authority which issues the certificate (the UK CAA in this case).

Article 8a.3 of Regulation (EC) No 216/2008 ("the Basic EASA Regulation") states that it is a Member State responsibility to ensure provisions are in place to safeguard aerodromes. Article 8a.4 states that aerodrome operators should monitor activities and developments that may cause unacceptable safety risks in the aerodrome surroundings. These two provisions replaced a provision in the original Commission proposal providing for implementing measures to be developed specifying measures to be taken by competent authorities to safeguard aerodromes, which was not thought appropriate given the various and varied administrative arrangements in Member States for such matters as land use planning and environmental protection in general.

The UK does not consider that the text in the NPA correctly reflects the provisions of the Basic EASA Regulation.

Many of the responsibilities assigned by this proposal to the "aviation" competent authority currently fall in the UK within government/local planning authority responsibilities and we understand that is also likely to be the case in a number of other Member States.

The UK proposes that Articles 8,9 and 10 in the Cover Regulation are deleted and that the associated implementing rules in the Annexes are amended accordingly.

Certification Specifications and Guidance Material which could lower the level of safety at UK airports

There are a number of Certification Specifications (CSs) which, if taken as currently written, would lower the current level of safety at UK airports and increase the likelihood of runway incursions and exacerbate the consequences of runway excursions. The CSs are more alleviative than the current CAA aerodrome regulations. Additionally, UK CAA is committed to driving down the risk of runway incursions and excursions, and has included these risks in the CAA's "Significant Seven" for safety planning purposes. Given the objective in Article 2 of BR 216/2008 (as amended) to establish and maintain a high and uniform level of civil aviation safety in Europe, and the fact that both runway incursions and excursions are identified as being safety priorities in EASA's European Safety Plan, we would strongly urge that the following items are re-visited:

Road access (CS.ADR.DSN.T.900) -The NPA requires that roads used for emergency access need not be provided with the infrastructure (signs, lights, surface markings) that are normally required at an access to a runway (whether a taxiway or road). The UK position is that all emergency access roads need to be lit, and have correct signage and markings in order to prevent runway incursions. The proposed text is more alleviative than the ICAO Recommended Practice and creates the opportunity for a reduction in safety.

Runway guard lights (CS.ADR.DSN.M.745) -The Certification Specification ties in the requirement to use runway guard lights in relation to visibility. However, the UK position is that the runway guard lights should be operational whenever the runway is in use regardless of visibility. This would give a consistent message to the pilots and drivers on the airfield at all times. Although the EASA text reflects the ICAO position at this time, the CS does not reflect the current thinking of the European Action Plan for the Prevention of Runway Incursions (EAPPRI 2) which has been endorsed by a range of European aerodrome operators, air navigation service providers, aircraft operators, and regulators.

Safety of objects on runway strips (GM.ADR.DSN.B.165) -This is only covered in Guidance Material, and should be upgraded to a Certification Specification. By only including this as Guidance Material, aerodromes need not comply with "delethalisation" requirements for such objects, which in turn could lead to significant aircraft damage and personnel injuries in the event of a runway excursion. Although this is the equivalent of Guidance Material in the ICAO text, we believe that under the EASA rules delethalisation should not be optional as it is a significant safety issue.

Location of installations (CS.ADR.DSN.T.915) -The Certification Specification is not aligned with ICAO Annex 14 and it has been written in a manner that is confusing and could lead to misinterpretation and incorrect data being applied. The EASA text allows equipment to be installed closer to the runway, inside the cleared and graded area. This increases the potential for collision with an object during a runway excursion. The Certification Specification should be aligned with ICAO Annex 14 to remove any potential for misinterpretation, potentially resulting in a safety hazard.

More detailed comments on these three aspects of the proposals are included in the CAA's comments, as sent directly to EASA via its Comment Response Tool.

I should like to stress that the UK considers that the proposals do contain some very good safety provisions and consolidate the implementation of ICAO Annex 14 SARPS. In particular we strongly support the following proposals;

- Article 7 on Deviations from Certification Specifications, which is an important tool for conversion of existing aerodromes;
- The Certification Specifications on Runway End Safety Areas and the retention of the complete ICAO SARP text;
- The power to make 'observations' in addition to audit findings.”