



EASA further adapts its Rulemaking process

In December 2012, more than 100 representatives from organisations and trade associations representing the industries, professions and end user group regulated by the Agency came together to receive information on the implementation of the Agency's Rulemaking Programme and establish the basis on the future rulemaking priorities. The reports from the Safety Standards Consultative Committee (SSCC) sub-committees on the future rulemaking priorities were endorsed by the plenary SSCC.

The focus of this meeting was the future of the SSCC where the Agency will regulate all aviation domains. In this new setting, EASA and the industry need to establish an effective representation of all impacted stakeholders, ensure an efficient process for information sharing and the Agency receive inputs on rulemaking priorities and feedback on implementation. After debate, the SSCC provided a positive opinion on the Agency proposal for the revised SSCC.

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EDITORIAL

Transatlantic cooperation

Safety is a goal shared by the aviation community on both sides of the Atlantic. The European Union and its Member States have a long history of cooperation on aviation safety with the US. With the establishment of EASA and the adoption of common EU safety rules, the 2011 Bilateral Aviation Safety Agreement (BASA) put this cooperation into a new legal framework. The BASA has allowed the aviation industry on both sides of the Atlantic to benefit from a more efficient use of resources.



Focus has now turned to making the Agreement an even more useful tool by extending its scope to new domains. This will be one of the themes of this year's EASA / FAA International Aviation Safety Conference, which will take place in Paris from 12-14 June 2013. Under the theme "Aviation Safety Knows no Borders: a Global Cooperation Strategy is the Springboard to Success", EASA, in conjunction with the FAA, have jointly planned an agenda that will bring all participants abreast with the latest developments on both sides of the Atlantic.

For more information on the conference, visit: www.easa.europa.eu/conf2013

**Patrick Goudou,
EASA Executive Director**

ICAO Global Safety Audits

Find out about how EASA supports ICAO audits.

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The main improvements include:

- bringing in additional representatives from missing aviation trade associations;
- reducing the size of the plenary SSCC to 35 members while organisations can now directly nominate members to sub-committees after decision by the Executive Director
- the plenary SSCC considered the Roadmap for Regulation of General Aviation as drafted by the European Commission and EASA and

“EASA and the industry need to establish an effective representation of all impacted stakeholders”

provided a positive opinion on the proposal for the creation of a 6th Sub-Committee on General Aviation.

In 2013, the Agency will initiate the process for the change of the structure and composition of the SSCC.

For more information please see:
www.easa.europa.eu/rulemaking/consultative-bodies.php

Interview with Erik Moyson, Q & A with the chair of the SSCC, Erik Moyson, Director Safety and Operations, International Air Carrier Association (IACA):

What factors contributed to reviewing the structure of the SSCC?

Since the remit of EASA was extended to include operations, air traffic management and aerodromes, the Agency received several requests for SSCC membership from organisations and associations wishing to participate in the development of the European aviation safety rules. The Agency therefore wants to ensure not only that all views from all industries, professions and end users regulated by EASA are considered, but also that feedback on the implementation of its rules is provided by these stakeholders.

Furthermore, the review of the SSCC followed the review of the rulemaking process, which should result in more efficient rulemaking with high quality rules that are not more complex than necessary.

As chair I enjoyed the excellent collaboration of all members of the Working Group that proposed an improved structure and composition of the SSCC. We have made a complete analysis of all aviation sectors, subsectors and geographical areas, discussing and consolidating the different views of all members of the SSCC.

Why was a new sub-committee created?

At its September and December 2012 meetings, the EASA Management Board discussed the Safety Strategy and Roadmap for regulation of General

Aviation (GA). Considering that risk categorisation was accepted by all Member States, the Management Board identified the need to take a critical look at the effectiveness of the traditional regulatory approach. GA regulations should be more tailor-made and proportionate to the type of GA activity. Instead of more prescriptive regulations, GA could benefit more from non-regulatory measures whenever useful, hereby making extensive use of best practices and industry standards.

The GA organisations and associations will become even more active in participating in regulating their own sector, and will also need to assume more responsibility for ensuring compliance. The GA community could help NAAs focus their scarce resources more efficiently on “delegated” organisations instead of each individual end user. To avoid disconnection, the current GA representatives will continue in the existing subcommittees of the SSCC. The specific tasks of the 6th subcommittee shall be clearly defined.

What do these changes mean for the Agency's stakeholders?

The SSCC structure with subcommittees seems to be working well considering that the AGNA - the NAA equivalent of the SSCC – was recently replaced by a plenary group (the Rulemaking Advisory Group) with a thematic sub-structure (the four

Thematic Advisory Groups (TAGs)). All SSCC members agreed with the increased importance of the thematic subcommittees. Now, stakeholders can bring in more expertise directly in the subcommittees without any impact on the size of the plenary SSCC, which will focus more than ever on the increasing multi-disciplinary issues and the coordination between subcommittees.

SSCC members will continue to actively participate in at least one subcommittee and shall reinforce their communication with the stakeholders they represent. The SSCC will follow-up more closely action items and will consider back-to-back meetings with the NAA Thematic Advisory Groups (TAG) if and as required. The Agency will improve the SSCC webpage including meeting reports and the contacts of SSCC members. The latter will enable stakeholders to identify the SSCC members representing their industry, profession or user group. Furthermore, the desired profile and an estimation of the expected resources will be included in the terms of reference of future rulemaking groups to enable SSCC members to propose their most appropriate expert.

Last but not least, the representation of leasing companies and major aircraft owners will provide the SSCC with a new dimension. The horizon of leasing companies and aircraft owners (20 years

and beyond) extends beyond typical lease terms (3-6 years). Lessors and aircraft owners will be more interested and concerned by major projects extending over a longer period, such as SESAR. Lastly, as leased aircraft are regularly transferred between the EU and third countries, they represent a continuous evaluation of the global harmonisation of EASA rules.



Erik Moyson, new Chairman of the SSCC

Erik Moyson obtained a Master of Science in Engineering at the University of Leuven (Belgium) and accumulated 25 years of aviation experience as Director of Engineering at Sabena Technics, Technical Director at Sobelair and Maintenance Manager at Brussels Airlines. He joined the International Air Carrier Association (IACA) in 2007 as Director Safety and Operations. In July 2012, Erik was elected by the members of the EASA Safety Standards Consultative Committee as Chairman for the next two years.

EASA supports ICAO in the conduct of Global Safety Audits

The results of the ICAO USOAP activity play a significant role in the EU Safety List process as prescribed by Regulation EC 2111/2005. Identified lack of effective implementation of ICAO Standards in a State with regard to Personnel Licences, Air Operations and Airworthiness will be a crucial element in processing applications from Third Country Operators. Subject to the progress made by the European Commission in the adoption of the new regulation, EASA will start this task in summer 2013. The Third Country Operator (TCO) section is in charge of the implementation.

EASA staff have consequently started to assist ICAO in the conduct of USOAP ICVM missions. In order to qualify to become a USOAP auditor a three-week long computer based training and testing programme had to be accomplished. Since April 2012, EASA experts have participated in ICAO missions to Mauritania, Gabon, Sudan, Zambia, Haiti, Philippines, India and to the Democratic Republic of Congo. ICAO missions require significant resources, as auditors typically spend up to two weeks on-site. For the time of the mission, EASA second experts to ICAO, which bears all costs for travel, accommodation and per diems.



ICAO missions are often conducted to States in which heightened security measures apply. The conduct of the visit as such is subject to clearance received from the United Nations Security Service. In addition to this, the responsible EASA Director gives his clearance for the participation of the EASA staff member. On-site, the team members must strictly follow the security measures put in place by the UN, which may include restriction of movement, daily reporting and security briefings as well as carrying a walkie-talkie.

Not only ICAO but also EASA benefits from the secondment of EASA experts to these missions. EASA's Third-Country Operator section receives important background information on the oversight performed in several States. This will be very beneficial, when the authorisation of third-country operators enters into force later this year. Furthermore, ICAO and EASA have agreed on the sharing of collected information. Under this agreement, EASA may inform the European Commission about the observations made during the ICAO missions, even

“EASA staff have started to assist ICAO in the conduct of USOAP ICVM missions”



before the official report is filed by ICAO. This facilitates the timely decision making of the Commission and the Air Safety Committee in the light of the so called "List of Banned Operators" under Regulation EC 2111/2005, referred to as the Safety List.

ICAO has praised the service provided by the EASA team members. Both ICAO and EASA plan to continue this successful cooperation, which is a win-win scenario for all parties involved.



The International Civil Aviation Organisation (ICAO) is the specialized Agency of the United Nations responsible for aviation. As part of its responsibilities, ICAO aims to ensure uniform application of international aviation standards. In pursuance of this goal, ICAO in 1999 put in place the so called Universal Safety Oversight Audit Programme (USOAP). Under this programme ICAO teams perform comprehensive audits of the critical elements of aviation oversight performed in ICAO contracting States. The activities encompass the State's legal system, organisation and safety oversight, personnel licensing, aircraft operations, airworthiness of aircraft, aerodromes, air navigation system and finally accident and incident investigation.

The USOAP programme has been implemented very successfully. Apart from the narrative results, audit information is transposed into numerical values, the so called lack of effective implementation (LEI%). Parts of the USOAP data are public and can be reviewed under <http://www.icao.int/safety/Pages/USOAP-Results.aspx>.

ICAO contracting States decided in 2010 to further develop USOAP and to transform it into a continuous monitoring tool. The most important change is that States are not always audited against all standards, but so called ICVMs (validation missions) are conducted. During these ICVMs audit teams verify the effective closure of audit findings that had been raised in previous audits. ICAO has a very ambitious programme as regards the number of ICVMs to be performed per year. Hence, ICAO is grateful to receive the support from EASA in the form of seconded experts

EASA Rulemaking Update

Update on European AIR OPS Rules

With the entry into force of the Air Operations Regulation for commercial air transport (EU 965/2012), Member States may choose to postpone the applicability of the Regulation by up to 2 years. The Agency has published a continuously updated version of the table with the Member States and the date at which they decide to start applying the provisions of EC Regulation 965/2012. The link to this table can be found in the list below (Opt-Out table to Reg. (EU) 965/2012).

In relation with the second OPS package, the European Commission is expected to send the Implementing Rules for non-commercial opera-

tions (NCC and NCO) to the European Parliament and the Council for scrutiny in March 2013. This scrutiny period takes 3 months. If no objections are raised, the European Commission will adopt the implementing rules and will publish the text in the Official Journal of the European Union. Simultaneously, the Agency will publish the related Decisions containing the alternative means of compliance and the guidance material on the EASA website.

The implementing rules for SPO (Specialised Operations), as well as for commercial air transport operations with sailplanes, balloons and A-A operations

(with aeroplanes and helicopters) are still under discussion in the EASA Committee. An agreement on the documents in the EASA Committee is expected to be reached in the first half of 2013.

More information about the Regulation Air Operations, the rules structure, as well as a list of frequently asked questions can be found on the Flight Standards mini-website.

Moreover, the Agency has now a special webpage where all the EASA official publications and useful links to related documentation can be searched for. Useful links:

- **Regulation 965/2012:** <http://easa.europa.eu/regulations/flight-standards-implementing-rules.php#Air-Operations>
- **AMC and GM to Regulation 965/2012:** <http://easa.europa.eu/agency-measures/agency-decisions.php#Rulemaking-2012>
- **Opt-Out table to Reg. (EU) 965/2012:** <http://easa.europa.eu/approvals-and-standardisation/regulations-1178-2011-and-290-2012.php>
- **Cross reference table – version 2:** <http://easa.europa.eu/flightstandards/cross-reference-table.html>
- **Flight Standards mini-website:** <http://easa.europa.eu/flightstandards/>
- **Derogations for Aircrew and Air operations:**

<http://easa.europa.eu/approvals-and-standardisation/regulations-1178-2011-and-290-2012.php>

- **Interpretation questions should be directed to the Air OPS mailbox:** air OPS@easa.europa.eu.

- **Official Publication:** <http://www.easa.europa.eu/official-publication/index.php>.

Tools for supporting the stakeholders in the implementation of the new rules include:

Regional workshops in 2013: The agenda for 2013 started with workshops on Air Operations and Air-crew Regulations in Oslo, Vienna and Zürich, followed by Copenhagen and Helsinki.

The cross-reference table containing the provi-

sions of the Regulation (EU) 965/2012 and the corresponding ones of EU-OPS and TGL 44 as well as JAR-OPS 3 has also been published in its second version, to enable a smooth transition from the old regulations to the new one. The link is in the list.

Air Operations Regulation and related AMC/GM: The Agency is preparing a compiled document containing both the implementing rule and the related EASA AMC and GM in one easy-to-use electronic version. The new tool will be available in the first trimester of 2013.

ATCO Notice of Proposed Amendment

EASA published in November 2012 its Notice of Proposed Amendment (NPA) 2012-18 on the licensing and medical certification of air traffic controllers, following nearly three years of work involving experts and stakeholder representatives in the framework of a dedicated rulemaking group. The NPA covers the licensing and medical certification of air traffic controllers and proposes the requirements, accompanied by Acceptable Means of Compliance and Guidance Material where necessary, for all aspects governing the ac-

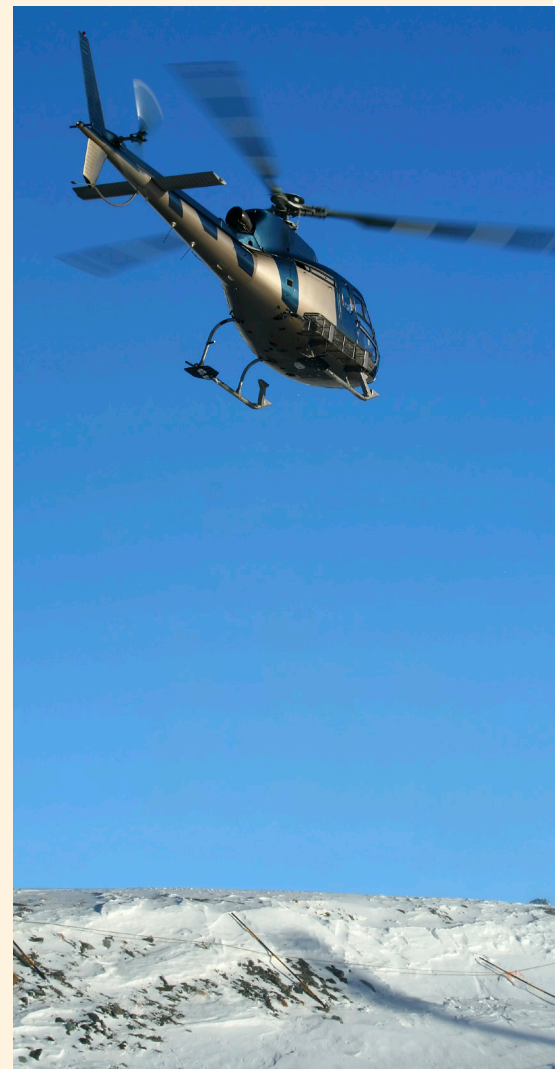
cess to this safety-related aviation profession, as well as for exercising the privileges granted by the air traffic controller licence.

Following the evaluation of the comments and the applicable rulemaking procedure, EASA will propose an Opinion for a Commission Regulation on the subject.

Aerodromes

The EASA Opinion covering Implementing rules for aerodromes was published and submitted to the Commission for comitology procedure. Adopting of the rules is expected at the end of this year. The Agency intends to publish corre-

sponding Acceptable Means of Compliance, Guidance Material and Certification Specifications in parallel to the publication of the new rules in the Official Journal.



Phasing out halon

Halon are a family of chemical substances, some of which are excellent agents to extinguish fires. Halon like 1211, 1301 and 2402 have been successfully used as fire fighting agents in aviation for decades. They have contributed to the safe operation of aircraft both on ground and in flight.

Why should they be phased out? Because halon are ozone layer depleting substances (ODS).

Their production or import in the EU Member States has been limited since 1985 and banned since 1994, in line with the Vienna Convention for the protection of the ozone layer and the subsequent Montreal Protocol on the substances that deplete the ozone layer.

However, at that time, due to the inexistent alternatives, halon was allowed to be used in aviation under the 'critical use' exemption.

To safely remove halon from aviation use as fire fighting agents, the replacing alternatives must meet the stringent aircraft-specific requirements while ensuring at least the same performance. In particular, to maintain the current level of safety, fire suppression efficiency, non-corrosive property and level of toxicity shall not deteriorate.

In 2010, taking into account the progress achieved in the technical development of halon alternatives, the European Commission adopted Regulation 744/2010 on substances that deplete the ozone layer, which establishes for each application:

- 'cut off' dates after which the use of halon for new equipment or facilities (i.e. related to new applications for type certification) would no longer be permitted; and
- 'end' dates after which the use of halon would no longer be permitted: i.e. all halon fire extinguishers and fire protection systems should be decommissioned by the end date (= retrofit on the fleet).

In the same year, the ICAO Assembly adopted, by Resolution A37-9, timeframes for replacement of halon on a world-wide scale. These timeframes are now in ICAO Annex 6 (Operation of Aircraft) and Annex 8 (Airworthiness of Aircraft). The two regulatory references (i.e. EC Regulation and ICAO Annexes) do not only establish different cut off dates, but they are based on a different approach for phasing out halon from aircraft: the EC mandates retrofit on aircraft already in service, while ICAO standardises to act on newly produced aircraft based on an existing type certificate (i.e. forward fit).

A comparison of EU/ICAO applicable dates is presented in Table 1.

In mid-November 2012, ICAO has convened the third International Halon Replacement Coordinating Meeting (IHRCM/3) to review the status of the development of potential halon alternatives. In an Information Paper on Halon Replacement-Challenges and Solutions⁵ presented by the International Coordinating Council of Aerospace Industries Associations (ICCAIA) to said IHRCM, concerns are expressed about the current progress in the development of suitable halon alternatives for engines/APU and cargo compartments.



“The replacing alternatives must however meet the stringent aircraft-specific requirements”

Commission Regulation (EU) 744/2010				ICAO standards		
Purpose	Type of extinguisher	Type of halon	Dates		Dates	
			Cut-off	End	New products	Cut-off
Normally unoccupied cargo compartments	Fixed	1301	2018	2040	NA	NA
		1211				
		2402				
Cabins and crew compartments	Portable (Handheld)	1211	2014	2025	2016	NA
		2402				
Engine nacelles and APU	Fixed	1301	2014	2040	NA	2014
		1211				
		2402				
Lavatory waste receptacles	Fixed	1301	2011	2020	2011	2014
		1211				
		2402				

According to the paper, industry lacks optimism that any currently known agent will be ready and certified to meet the 2014 cut-off date for engines/APUs. On the cargo compartment, given the lack of potential candidate agents, industry is not presently willing to support any deadline.

However, industry acknowledges that a significant progress has been made for lavatory systems and handheld fire extinguishers. In the case of the former simple 'drop-in' solutions are available (i.e. replacement on board without changing the mechanical installation). For the latter, although some challenges are still ahead, the industry is optimistic that the ICAO 2016 deadline for forward fit can be achieved.

EASA was present at the IHRCM/3 and presented an insight of the current rule-making tasks related to halon.

To be compliant with Regulation (EU) 744/2010 and ICAO standards, the Agency has initiated the following rulemaking tasks:

- update CS-23,-25 and -29 to avoid mandating halon, while allowing applicants for new type certificates to propose alternative solutions;
- update of Part 26/CS-26 to mandate forward- or retro-fit for lavatory and hand held fire extinguishers;
- amendments to Part-145 and Part-M to prevent the use of contaminated recycled halon;

The rulemaking task to update CS-23, CS-25 and CS-29 has removed all references to halon or any other specific extinguishing agent from 'Book 1' in said CSs. Additional explanation has been added in 'Book 2'. These new provisions are only applicable to new applications for type certificates. This means no retro-fit for aircraft already in service, thus no economic impact on aircraft operators.

The second rulemaking task currently underway is to update Part 26/CS-26 to comply with ICAO standards. Due to the significant time gap between the dates established in (EU) 744/2010 for retro-fit and ICAO Annex 6 for forward-fit, EASA

may propose to align Part 26/CS-26 only with the ICAO provisions: 2011 for lavatories, and 2016 for handheld fire extinguishers. The option proposed in the preliminary Regulatory Impact Assessment (pre-RIA) is hence forward-fit for lavatory disposal receptacles and portable fire fighting extinguishers in cabins and crew compartments. This would only apply to newly produced aircraft according to an existing type certificate as mandated by ICAO Annex 6. The proposed option brings environmental benefits, coupled with the minimum economic impact on aircraft operators (i.e. no retro-fit).

However, since halon are still being used and will be used until the applicable 'end date' as fire extinguishing agents for aircraft already in service, EASA has launched a third rulemaking task to amend Part-145 and Part-M. Acceptable Means of Compliance and Guidance Material will be developed for production and maintenance organisations to verify the quality of halon in their possession through testing and internal procedures. In fact, since the production of halon has been banned, the halon available on the market is recycled and transferred from one to another container multiple times.

In summary everyone agrees that suitable alternatives are available to replace halon in lavatories and hand-held fire extinguishers. The European Commission, ICAO and EASA are updating their respective provisions for this. EASA may also issue and ETSO for hand-held fire extinguishers.

The debate is instead lively on the feasibility of phasing out halon from engines/APU and cargo compartments by the established dates. This issue is expected to be discussed at the 38th ICAO Assembly in September 2013.

Additional rulemaking tasks could be planned by EASA taking into account the progress achieved in the development of halon replacement agents for engines/APUs and cargo compartments and the outcome said 38th ICAO Assembly.

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First EASA staff blood donation event

In the framework of the 10th anniversary of the Agency, the EASA Charity Group launched its first Corporate Social Responsibility event in the form of a blood drive together with the German Red Cross and the Landschaftsverband Rheinland. The idea was welcomed and over 45 enthusiastic staff members registered, donated and came back to the office safe and sound.

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EASA updates European roadmap to tackle aviation safety risks

EASA released an updated roadmap to tackle key aviation safety risks. Released in a document known as the European Aviation Safety Plan (EASp), 86 key safety actions to tackle operational, systemic and emerging aviation safety issues are identified for implementation until 2016. More information can be found at: www.easa.europa.eu/sms

Stakeholder Satisfaction Surveys 2013

The Agency continuously strives to identify opportunities for improvement and to better meet its stakeholders' expectations, without compromising safety. To that end, EASA's Quality Section conducts satisfaction surveys on a regular basis.

The stakeholders recently involved in the following processes will be contacted during the first semester of 2013 to answer the respective surveys:

- Annual Safety Review
- Standardisation of Member States
- Design Organisation Approval
- Product Certification
- Maintenance Review Board

As an Agency stakeholder, your feedback is highly appreciated. All comments and suggestions will be carefully and anonymously addressed for continuous improvement purposes.

For more information on our activities in this field please visit our page: www.easa.europa.eu/stakeholder-feedback.php or contact us under feedback@easa.europa.eu.

