



Questions to the RM directorate

18/11/2004



European Aviation Safety Agency

Part 66

Question from the Association of Dutch aircraft technicians - Thomas Cook Airlines UK Limited

Will EASA be holding additional Workshops as held for Part 145; for example for Part M, Part 66 etc?

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Answer

- *A workshop will be organised in April/March on Part 66/Part 147.*
- *It is also envisaged to hold regional workshops on Part-145 in 2005 with the help of interested NAAs.*

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PMA (part manufacturers approval)

Question from Dr. Hans-Georg Schrader

Is it planned to establish a similar system in Europe?

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Answer

- ***No, the EU part approval serves the same purpose***

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MA . 403 Aircraft defects

Question from the Association of Dutch aircraft technicians

- As stated, "only" Certifying staff can decide witch defect has to be rectified or could be deferred in relation of the flight safety. Witch category certifying staff does the EASA mend by this, A/B1,B2/C?
- Can the particular certifying staff A/B1,B2/C decide witch defect has to be rectified or could be deferred in relation of the flight safety when those defects are not in the scope of their 145 certification authorisation?
- Does it mean that defects that will not hazard the flight safety, can be deferred by the pilot according the approved minimum equipment list "MEL"?
- If so, should those deferred defects when they are raised released by certifying staff?
- Bullet level 1

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Answer (1)

→ Question 1

- ✦ The category of certifying staff that can decide what defect must be rectified immediately depends on the environment:
- ✦ In Part-145 base maintenance category C licence holders have the final decision.
- ✦ In Part-145 line maintenance and in Part-M Subpart F independent category B licence holder have the final decision.
- ✦ In Part-145 line maintenance, in some specific cases such as implementing the MEL category A licence holder can have the final decision.

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Answer (2)

→ Question 2

- ✦ Certifying staff can of course decide which defect has to be rectified before further flight. Certifying staff must refuse to release an aircraft if there is a known un-airworthy condition whether in the scope of their Part-145 certification authorisation or not.

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Answer (3)

→ Question 3

- ✦ A pilot always makes use of the MEL, the technician proposes to defer defects according to the MEL but the pilot accepts or not. This is how the MEL works.
- ✦ When there is certifying staff at a station, when proposing to defer defects, they must release the aircraft.
- ✦ But if the MEL allows continuing a series of flights, the release to service is not immediately necessary and should take place at the first line station having appropriate certifying staff.

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M.A.607 Certifying staff

Question from the Association of Dutch aircraft technicians

In addition to M.A.606(g), certifying staff can only exercise their privileges, if the organisation has ensured: **1. that certifying staff can demonstrate that in the preceding two-year period they have either had six months of relevant maintenance experience or, met the provision for the issue of the appropriate privileges;**

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145.A.35 Certifying staff and category B1 and B2 support staff

Question from the Association of Dutch aircraft technicians

- ✦ Are M.A.607 and 145.A.35 made for the same purpose and what is the relation between them and the AMC 66.A.20(b)2 Privileges. In our previous question the EASA has stated that: that they mend with "exercised the privileges" is actual issuing the Certificate of release to service, in our opinion this does not reflect on the support staff?
- ✦ Does the EASA mend with six months of "exercising their privileges" in a two years period, that by doing so that all the Aircraft types on the particular "145 Certification Authorisation" of a certifying staff are granted? (off course with the proper continuation training)
- ✦ Or does that mean that only a maximum of 4 Aircraft types on the "145 Certification Authorisation" are allowed?

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Answer (1)

- ✦ **Subpart F is an approval for General Aviation maintenance organisations of non large aircraft while Part-145 is an approval for maintenance organisations for large aircraft and commercial air transport.**

The objectives of M.A.607 and 145.A.35 are the same in both environments.

- ✦ For M.A.607: The responsibility for controlling the adequacy between the privileges held by a licence holder and what he actually releases lies with the Subpart F maintenance organisation employing him.
- ✦ For 145.A.35: The responsibility for controlling the adequacy between the privileges held by a licence holder and what he actually releases lies with the Part-145 maintenance organisation employing him.
- ✦ For 66.A.20: The responsibility for controlling the adequacy between the privileges held by a licence holder and what he actually releases lies with the licence holder.

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Answer (2)

- ➔ *In the case of Part-M, Subpart F, exercised privileges means to release aircraft as there is no support staff in this environment (different to Part-145 organisation).*
- ➔ *The question is unclear. The experience applies to each aircraft type on the authorisation. If someone has not worked on a relevant aircraft type within the previous two year period, the person can no longer hold privileges.*



Fuel System Safety

Question from Thomas Cook Airlines UK Limited

JAA Interim Policy Letter INT/POL/25/12 was issued in Jan 2003 and required a number of issues to be addressed including Maintenance and Training. I understand that a draft NPA has been produced (for the JAA or EASA?) to require implementation of these actions by the end of 2005, which is at variance with the FAA compliance date of Dec 2008. Could EASA provide an update as to the requirements for EU Operators?



Answer

- ➔ *An NPA to Part-M has been developed by EASA. It will be published shortly. It puts Part-M in line with the current JAR-OPS.*
- ➔ *The interim policy, TGL 49, is still under study. An NPA will be developed. FAA is opting for a slower process.*



EGPWS

- ➔ Question from Gumersindo Guerrero.
 - ➔ Engineering Manager
- Will be there an extension (based on reasonable reasons as components lead time, technical development delays, etc) to EGPWS requirements? Would be applicable in this particular case the article 10(3) of the Regulation (EC) n° 1592/2002?



Answer

- ➔ *The need for EGPWS is not in EASA's remit. The question of the applicability of 10.3 (short duration exemptions) is therefore not relevant.*
- ➔ *The approval of the EGPWS is of course in EASA's remit*



Release certificates – EASA Form 1

Question from Dr. Hans-Georg Schrader

Two items (eligibility and airworthiness status) seems to be impracticable and illogical. FAA has the same opinion regarding Form 8130-3, but nobody takes the decision to delete both items. Who is responsible in EASA to do that and when it could be done?



Answer

- *Form 1 has been fully harmonised with FAA. We continue to cooperate with FAA in further improving it.*
- *An airworthiness status box does not exist in the form 1.*
- *Concerning box 9, eligibility is useful for some components. Maybe too many organisations are not filling it properly*



JAA part 21 JB approvals

Question from Dr. Hans-Georg Schrader

Is it planned to establish a similar procedure/method like in the old JAA system?



Answer

- *A further review of the DOA concept is envisaged in the Agency's rulemaking advance planning. It is not possible to prejudge at that stage what the outcome will be. 5*



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Organisation Approvals generally

Question from Dr. Hans-Georg Schrader

The IAQG (International Quality Aerospace Group) established a worldwide organization surveillance system for production, maintenance and distributor (EN 9100, 9110, 9120, 9104) to cover the complete supply chain in the frame of global manufacturing.

Industry believes that there is a need to cooperate with EASA in that field. How does EASA want to manage the global aspects? Is a cooperation with Industry desirable, too?



Answer

- *The Agency is ready to discuss with the industry ways and means to rely more on industry standards for regulating certain sectors, as promoted by the Community policy on the New Approach to Standardisation and the Global Approach to Certification. It has already indicated such readiness in the SSCC and suggested that the point be put on the agenda of a future meeting when the industry feels ready itself.*

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STC and repairs

Question from Gumersindo Guerrero, Engineering Manager.

Major repairs: Will be there a reciprocal acceptance of repairs data between EASA and FAA in the future? Would this mean that a 8110-3 form issued by a consultant DER without any relation with the TCH will be accepted by EASA?

When an in service aircraft will be imported from USA when the BASA is signed, Will be accepted the repairs and STC installed on an in-service aircraft without any special requirement from EASA if they are previously approved by FAA?

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Answer

- *This is already largely the case in the existing bilateral agreements between FAA and Member States that the Agency is now committed to implement. An Agency decision is therefore in place to accept repairs of TC Holders, repairs of STC Holders on their STC, and all minor repairs installed on an in-service aircraft without any special requirement from EASA if they are previously approved by FAA. STC and repairs outside the cases described above must be validated by EASA. Note: This decision is currently under review and should be amended soon.*
- *As recommended by the Repair Data Working Group, the mutual acceptance of repairs approved under each other system will be discussed with the FAA in the context of the ongoing bilateral negotiations*

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Part M:

Question from Gumersindo Guerrero, Engineering Manager

Which will be the qualification needed to be accepted as Maintenance Responsible for Part M ? Given that there are several university degrees in Europe, we would like that EASA clarifies which are the minimum university studies years needed to be included in the definition included in Part M.

- *NPA 05/2004: There are some FAA Aging Programs (as Repair Assessment Program) mandatory in USA through an Advisory Circular (AC). This is not a mandatory document for European operators (as an Airworthiness Directive). In this particular case, TCH issues a maintenance document to comply with FAA AC. According to the NPA proposed for Part M, it could be understood that every Maintenance instructions promulgated by TCH will be mandatory. Please, clarify which will be the process to do mandatory the Maintenance Instructions issued by TCH (EASA AD, EASA specific approval, etc)*

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Answer

- Question 1
This is for national competent authorities to define, based on the national educational system. Classically a degree is obtained 5 years after high school. AMC M.A. 706 provides other alternatives.
- Question 2
The elements that must be taken into account are the instructions for continuing airworthiness issued in compliance with Part 21.A.61 that comprise of descriptive data and accomplishment instructions prepared in accordance with the applicable type certification basis. In this case ADs will not be needed for some specific issues such as fuel tank safety. This is the objective of the rule change.

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Bilateral Agreements

Question from EAD Aerospace

- *Can the Agency provide an update on the status of these bilateral agreements, notably as regards to the status of American companies and DOAs ?*

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Answer

- *Agency expectation is to have a final draft bilateral agreement available by the end of 2005. Ratification should take place in the course of 2006.*
- *The final word is however with the Council to which the Commission shall report the result of its negotiations*

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BASA

Question from Dr. Hans-Georg Schrader

When is the BASA between US and Europe finalized and the details for production and maintenance fixed?

Industry interest is to have a BASA with Japan, too (Snecma, Eurocopter, Airbus) for the subjects production and maintenance.

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Answer

- *USA: Agency expectation is to have a final draft bilateral agreement available by the end of 2005. Ratification should take place in the course of 2006. The final word is however with the Council to which the Commission shall report the result of its negotiations.*
- *Japan: EASA meets next week with a delegation of JCAB for initial discussion.*

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Transition with the JAA

Question from Thomas Cook Airlines

Could EASA provide us with an update on the transfer of open issues from the JAA MST ?

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Answer

- *The open MST issues were listed and sent to EASA. All have been put on the RG plan.*

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Transition with the JAA

Question from Thomas Cook Airlines

Could EASA provide us with an update in respect of the JAA Committees and Groups as listed in the JAA Directory and their status/future roles under EASA?

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Answer

→ *They no longer exist in domains where EASA is now competent.*

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Permits to Fly

Question from Thomas Cook Airlines

EASA 'Permits To Fly' will be replacing some National schemes under 1702/2003 - can EASA give any guidance as to the ability of these Permits to be mutually recognised across Member States to enable use of the Permit more flexible?

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Answer

→ *After 28 March 2007 all Permits to Fly issued in accordance with part 21A.185 are valid in all EU Member States. The restrictions linked to the PtF may limit the European wide applicability by means of regional limitations. During the transition period until 28 March 2007, PtF are limited to the airspace of the issuing State, and for flights outside this airspace should be validated by the State concerned.*

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DOAs / 2005

Question from EAD Aerospace

Is 28 September 2005 the definitive date for getting a DOA for group 1 Modifications (21.A112B)

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Answer

→ **Yes**

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DOAs / GM 21.A112B

Question from EAD Aerospace

IS there any intention to provide a refined definition for « Equipment / avionics upgrades » of CS23 ?

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Answer

- *Not at the moment, the Agency will interpret this on a case by case basis.*

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Status of DO

Question from Avionics Honeywell Aerospace Company

Can the Agency clarify the status of design organisations that are not airframe manufacturers: our organisation designs aftermarket avionics and we find that this situation is not adequately addressed in current regulations.

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Answer

- *Organisations designing aftermarket avionics will normally have to apply for a Supplemental Type Certificate (STC) for the approval of the modification.. As there is an obligation for the STC applicant to demonstrate his design capability, the applicant shall hold, or apply for, a Design Organisation Approval (DOA) under Subpart J of Part 21 (Ref. 21A.112B and 21A.233).*

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EC 1592/2003, Annex II / NPA 2/2004

Question from the Sport Aircraft Manufacturers Association of the Czech Republic

The "Comment Form" to the EASA Consultation Document proposes to amend wording of the EC 1592/2003, Annex II, Aircraft referred to in article 4(2), par. (e) to include not only aeroplanes, but also ultralight / light sailplanes.

- This category of sailplanes is established as the part of FAI Sporting Code and enables cheap and widely accessible gliding activities to those, who prefer "gliding for pleasure" to extreme speed / distance records. The growing interest in these "simple products" is worth of maintaining the low cost, substantially influenced by the complexity of the certification process and charges. The MTOM and stall-speed limitations (kinetic energy characteristics) of this category comply with the limitations, determined in Annex II for "aeroplanes".

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Answer

- *The Agency shall send, in its Opinion on the extension of the scope of the Agency to air operations and pilot licensing, new proposals regarding Annex II which reflect the intent of this request.*

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Question from Airbus

Is there an EASA plan (control by local AA) to validate the design data (concessions, repairs, modifications) released by the UK design suppliers that are no more covered by their BCAR approval since obsolete awaiting them either to get their own EASA approval or to be covered by the Design Organisation Approval holder?

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Answer

- No, all designs data formerly released before 28/9/2003 in accordance with National rules remain valid. Non-approved data needs to be validated by a DOA holder before it can be submitted to the Agency for approval.



Question from German Gliders Manufacturers Association & German Aero Club and European Gliding Union

Part M – rights of the owner-operator in regard to maintenance: The proposed procedures in Part M for an owner-operator to maintain his own aircraft pose a restriction in comparison to the rules before. The previous scheme was that the manufacturer authorised such maintenance work within the manuals which in turn had to be certified by the Authorities. This procedure has proven within the last decades to work very well and has not caused safety concerns. Any tightening of minimum maintenance procedures will cause severe problems within the sport and recreational aviation due to sharp increasing costs (without a measurable increase of flight safety). Europe Air Sports (EAS) is already engaged in discussion with EASA about this matter but nevertheless we would like to be informed about the right person to contact and a way to proceed.



ANSWER RM - QS

- According to M.A.803 and the associated Appendix VIII the owner / operator is entitled to limited pilot-owner maintenance. Review of Appendix VIII is on the Agency's rulemaking programme, starting 2006.



Questions to the CF directorate



Article 10a

Question from Thomas Cook Airlines

- Could EASA provide an update as to which Member States/Authorities have retained National Requirements under Article 10 (1) of Regulation 1592/2003 and the status of those requests.



Answer

- The AD notified according to 10.1 by the member States are presently in the process of being reviewed on a case by case basis with the concerned NAA. The great majority will be cancelled, but :
- ✦ A few will become EASA ADs,
 - ✦ Others will become operational requirements.



Article 10b

Question from Thomas Cook Airlines

→ **Airworthiness Directives - (Aircraft where the TC is held by a non EU Member State) . These would normally be accepted by the FAA as AMOCs and for EU TC products, Revisions are deemed to be approved.**



Answer

→ **Question non understood. Please clarify.**



Revision of service bulletins

Question from Thomas Cook Airlines

One Member States Authority has stated to an Operator that EASA (via the Lead Authority) need to approve any Revisions to Service Bulletins which are subject to an FAA



Answer

- **The EASA does not approve any SB. These are either approved under DOA or through ADs (mandatory SB).**
- **If the revision of the XB corresponds to a change in the design, that change will have to be approved.**



ED Decision 2004/01/RM

Question from EAD Aerospace

Revision and clarification of this Decision ?



Answer

- **This article DOES NOT allow automatic acceptance of STCs. This is confirmed and will not be changed (no automatic validation). New decisions in the same line on the subject are being prepared.**



Question from German Gliders Manufacturers Association & German Aero Club and European Gliding Union

Especially within the range of CS-22 products experience has shown the need for a testing period between completion of the flight tests asked for in the airworthiness requirements and the issue of the type certificate. This has been conducted by granting permits to fly ("Vorläufige Verkehrszulassung") which enabled operation of those gliders outside the factory flight test environment after all basic requirements (basic flight handling qualities, flutter, structure) had been cleared. This procedure works now over several decades and helped very much to certify well proven designs without the need to issue lots of AD's directly after type certification and without problems in regard to flight safety. Regarding the need of harmonisation within Europe and equal opportunities for manufacturers of all European nations we propose to issue such permits to fly with a validity within all of Europe and not limited to national borders. Also in this matter we would like to know whom to contact and how to solve this issue.

» BULLET LEVEL 5

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Answer

- ➔ **Permits to Fly can be issued by the authority of a Member State under 21A.185 for the purpose described in the question. This category of flight-testing (endurance flight tests) is required for aeroplanes above 2722 kg MTOM but can also be done on a voluntary basis for other aeroplanes (gliders).**
- ➔ **An application for a PtF should be send to the authority of the state of registry.**

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Questions to the QS directorate :

18/11/2004



Training and environment compliance requirements

Question from Austrian Airlines Airlines

As compliance with environmental protection requirements are mandatory for design changes according to Part 21, our National Aviation Authority ACG requires a specific training of our design and quality assurance personnel on techniques and means of demonstrating compliance to environmental protection requirements. Could the Agency assist us in providing us information where we can find related training opportunities.

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Answer

- ➔ **Part 21 requires the design organisation to demonstrate that staff have the necessary experience to "achieve the airworthiness, noise, fuel venting and exhaust emissions objectives for the product". Training policy forms part of an organisation's design assurance system and its appropriateness forms part of the investigation by the Agency within the approval process. Whilst EASA does not plan to conduct technical training itself the Agency will look at the possibility of including in the AMC & GM for Part 21 appropriate guidance material, including the classification of design changes from an environmental point of view./..**

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Answer

- ➔ **As regards training organisations and as far as we know, there is currently no available training on the subject. We encourage the development of such training.**

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Standardisation of processing STCs by Authorities

Question from EAD Aerospace

Can the Agency provide an update about the standardisation of the processing of STCs by authorities ?

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Answer

- *Processing of STC is now the competence of EASA. National Authorities, when standardised by JAA system for PCA/STC, can support EASA in this task. Guidelines for STC processing can be found on the EASA website at the following address:*
- *easa.eu.int/doc/certification/design_appro/table1 for EU products*
- *easa.eu.int/doc/certification/design_appro/table2 for non-EU products*

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