



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

EASA Conference  
on future aerodrome safety rules

# A light conversion - Acceptance of deviations

Gernot KESSLER

Your safety is our mission.

22 May 2012



## Conversion and Acceptance: Intention

We have a mature system of EU airports!

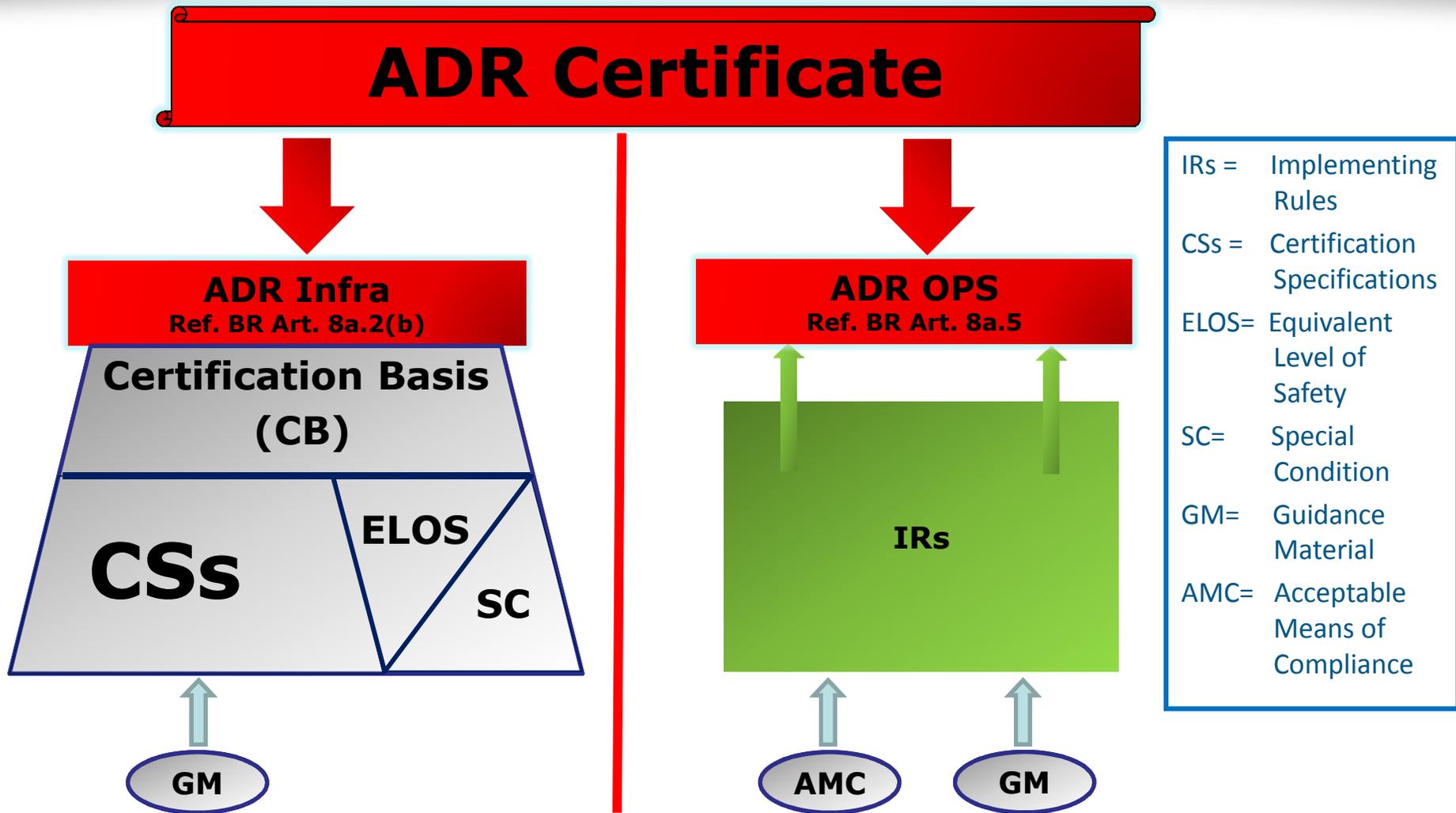


- Focus on migration into future regulatory system, rather than on “all new” approach
- Allow for continuity
- Avoid undue burden:
  - Infrastructure Rework
  - Administration
- Mind existing certificates

This intention is also provided for by  
Basic Regulation, Art. 8a.5(g)



# Flexibility: CB and "DAAD"





# Flexibility: CB and "DAAD"

## ADR Certificate



**ADR Infra**  
Ref. BR Art. 8a.2(b)

**ADR OPS**  
Ref. BR Art. 8a.5

**Certification Basis  
(CB)**

**CSs**

**ELOS**

**SC**

**EASA**

**GM**

- No „hard law“ for airport infrastructure
- Individual process
- Involving high level of NAA's discretion
- ELOS and SC as safe option, alternative to CS, in order to respect individual challenges (terrain, buildings, obstacles)



# Flexibility: CB and "DAAD"

## ADR Certificate



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- No „hard law“ for airport infrastructure
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**For existing deviations only: Additional option of acceptance via "DAAD" mechanism**  
Ref. Draft Cover Regulation, Art. 7

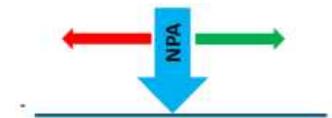


## How to convert a certified airport:

- Some time needed
- Install the Certification Basis (CB) as platform for future oversight
- Avoid duplication, focus on new elements

## ➔ Draft Article 6 of Cover Regulation foresees:

- 48 months period after entry into force
- Establishing CB
- Demonstration of compliance for new requirements only





# Conversion (cont'd)

## Draft Article 6 of Cover Regulation:

### “Conversion of certificates

Aerodrome certificates issued by the competent authority to aerodromes and their operators, prior to the coming into force of this Regulation, shall remain valid for a maximum period of **48 months**, following the coming into force of this Regulation.

Before the end of the period specified in (1), the competent authority may issue certificates in accordance with this Regulation for such aerodromes and aerodrome operators, if:

the competent authority has **established the certification basis** using the Certification Specifications issued by the Agency, including any cases of equivalent level of safety and special conditions which have been identified and documented;

and

the certificate holder has **demonstrated compliance with the elements** of the certification basis, the requirements of Regulation (EC) No 216/2008 and its Implementing Rules which are applicable to its organisation and its operation **which are different** from the requirements in accordance to which the national certificate was issued.

The competent authority shall keep records of its conversion process.”



# Acceptance

## How to deal with deviations as “local solutions” to infrastructure:

- Some might not be subject to ELOS or SC treatment
- Hence different, additional dealing necessary
- Proposal: “DAAD”, Deviation And Acceptance Document
- Widely supported as crucially needed



## Draft Article 7 of Cover Regulation foresees:

- Option of NAAs to accept existing deviations
- Duration of acceptance open
- Application until end 2019 
- Safety assessment requirement, review 



# Acceptance (cont'd)

## Draft Article 7 of Cover Regulation:

### “Deviations from Certification Specifications

During the certification process for the issuance of the first certificates in accordance with this Regulation and its Annexes, the competent authority **may, until 31 December 2019, accept** applications for a certificate including deviations from Certification Specifications issued by the Agency, **if:**

- such deviations **do not qualify as** an equivalent level of safety case nor qualify as a case of special condition under ADR.AR.C.020 of Annex I; and
- such deviations have **existed prior to the entry into force** of this Regulation; and
- the **essential requirements** in Annex Va to Regulation (EC) No 216/2008 **are respected** by such deviations, supplemented by mitigating measures and corrective actions as appropriate; and
- a supporting **safety assessment** for any such deviation has been completed.

The competent authority shall **compile** the evidence supporting the conditions above **in a document**. This document shall not form part of the certification basis. The competent authority shall specify the period of acceptance of such deviations and inform the Agency of all such documents it has issued.

The conditions referred to in paragraph (1)(a), (c) and (d) above shall **be reviewed** and assessed by the aerodrome operator and the competent authority for their continued validity and justification, **as appropriate**. This document shall be amended as necessary.”



## ....in application: Timeline, Example

- Entry into Force: End 2013
- Example: Existing obstacle deviation, intended “DAAD treatment“:

### Case 1:

- Civil airport
- Certification nlt end 2017
- DAAD **ok**

### Case 2:

- Mil airport
- Civ operation applied for in 2018
- DAAD **ok**

### Case 3:

- Mil airport
- Civ operation applied for in 2020
- DAAD **not ok**

All existing EU scope airports

For more, refer also to: EASA Web, ADR FAQs, “Kolndorf“ simulation



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Proposed “2019”



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# Thank you

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# Additional explanatory material

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# ICAO SARPS vs. EU CS system

|                               | ICAO           | EU   |             |
|-------------------------------|----------------|------|-------------|
| „Will conform“ *              | Standard       | (IR) | Binding     |
| „Will endeavour to conform“ * | Recommendation | CS   | Non-Binding |
| Assistance                    | Documents      | GM   | Assistance  |

\* Reference: Annex 14, Foreword, 1.a



# ICAO SARPS vs. EU CS system: ADR Infrastructure Certificate



**NO DIFFERENCE IN BINDINGNESS,  
ROOM FOR INDIVIDUAL DECISION !**