

European Aviation Safety Agency

DECISION 2013/010/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

OF 14 JUNE 2013

adopting Amendment 13 of the Certification Specifications for Large Aeroplanes

'Incorporation of generic SC and AMC CRIs in CS-25' and on 'Volcanic ash'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008¹ on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC² (hereinafter referred to as the 'Basic Regulation'), and in particular Articles 18(c), 38(3)(a) and (e) thereof,

Having regard to Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations³, in particular 21.A.16A of the Annex (Part-21) thereof.

Whereas:

- (1) The Executive Director issued certification specifications including airworthiness codes and acceptable means of compliance, for large aeroplanes ('CS-25') in the Annex to Executive Director Decision 2003/002/RM of 17 October 2003 (Initial Issue)⁴.

¹ Regulation (EC) No 216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1). Regulation as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² OJ L 79, 19.03.2008, p. 1.

³ OJ L 224, 21.8.2012, p.1.

⁴ Executive Director Decision 2003/002/RM of 17 October 2003 as last amended by Executive Director Decision 2012/008/R of 6 July 2012 (CS-25 Amendment 12).

- (2) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue certification specifications and acceptable means of compliance, as well as guidance material for the application of the Basic Regulation and its implementing rules.
- (3) The Agency is obliged, pursuant to Article 19 of the Basic Regulation, to reflect the state of the art and the best practices in the fields concerned and update certification specifications and acceptable means of compliance taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (4) Retaining generic and mature special conditions and/or guidance material, means of compliance in Certification Review Items (CRIs) is, therefore, not in compliance with the Basic Regulation and does not facilitate transparent and open regulation. The Agency decided to incorporate these generic CRIs in CS-25 after consultation of stakeholders; this was performed under rulemaking task RMT.0067 (25.070).
- (5) The Agency has determined that following recent experiences with volcanic activity and forecast widespread airspace contamination, there is a need to strengthen regulations in order to maintain continued flight safety while minimising the likelihood and severity of disruptions to normal flight operations in any future volcanic events.
- (5) The Agency will adopt recommendations from the ICAO International Volcanic Ash Task Force (IVATF) that promote safety risk assessments undertaken by the aircraft operator as part of their management system, as the principle means of ensuring flight safety. Proposed changes to Part-ORO/ORA and Part-ARO/ARA⁵ will be the subject of separate Agency Opinions. However, a prerequisite and essential input is needed to ensure that the safety risk assessment undertaken by operators is robust and based on informed judgement. Therefore, information is required from design organisations on the susceptibility of their products to volcanic cloud hazards, and the provision of this data is the subject of this Decision.
- (6) The Essential Requirements of the Basic Regulation already place an obligation on design organisations to provide operators with limitations and other information necessary to ensure that no unsafe condition will occur from exposure to environmental hazards. While this can be understood as meaning all environmental hazards, detailed certification specifications related to volcanic cloud hazards have not been previously addressed in the Certification Specifications. This Decision will introduce a new certification specification and acceptable means of compliance into CS-25 to ensure that design organisations undertake an assessment of their products' susceptibility to volcanic cloud hazards as part of type certification, and establish limitations and/or information for their safe operation. The applicability of the certification specification is aligned with the operational need for a management system.
- (7) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and Articles 5(3), 6 and 7(2) of the Rulemaking Procedure,⁶ has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁷.

⁵ Part-ORO and Part-ARO, Annexes II and III to Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations; Part-ORA and Part-ARA, Annexes VI and VII to Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew.

⁶ Management Board Decision No 01/2012 of 13 March 2012, amending and replacing Decision No 08/2007, concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure').

⁷ Refer to CRD to NPA 2011-09 and CRD to NPA 2011-17 available on the Agency's website, under the Rulemaking Archives page: <http://www.easa.eu.int/rulemaking/r-archives.php#crd>.

HAS DECIDED:

Article 1

The Annex to this Decision is adopted as Amendment 13 of the Certification Specifications applicable to Large Aeroplanes ('CS-25').

Article 2

This Decision shall enter into force on the day of publication in the Official Publication of the Agency.

Done at Cologne, on 14 June 2013.

P. GOUDOU