



**COMMENT RESPONSE DOCUMENT (CRD)  
TO NOTICE OF PROPOSED AMENDMENT (NPA) 2011-20 (A)**

**'Authority, Organisation and Operations Requirements for  
Aerodromes'**

**(A) CRD to NPA 2011-20 (A) – Explanatory Note**

**IV. CRD table of comments, responses and resulting text**

<b>(General Comments)</b>	-
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comment	<p>2 <span style="float: right;">comment by: <i>CAA-NL</i></span></p> <p><u>Requirements for aerodrome equipment and apron management services:</u></p> <p>The requirements for the certification of aerodrome equipment and the safety rules for apron management services will follow at a later stage according to note 1 and 2 on page 6 of NPA 2011-20(A) - Explanatory Note. It will need a separate rulemaking proposal to implement these requirements and therefore it is advisable to introduce these requirements as a whole with a new regulatory proposal. We suggest to delete the current text about aerodrome equipment and apron management services for now from this regulatory proposal for aerodrome requirements.</p>
response	<p><i>Not accepted</i></p> <p>Rulemaking on the technical requirements for apron management services is on-going. Further requirements as proposed by the NPA are of generic nature but without effect until the entry into force of mentioned technical requirements later. Draft Art. 11 paragraph 2 refers. Removing the generic requirements from the draft text would require substantial amendment at later stage, therefore it is preferred to proceed as suggested by the NPA.</p>
comment	<p>11 <span style="float: right;">comment by: <i>AEA - Association of European Airlines</i></span></p> <p><b>AEA GENERAL COMMENTTS</b></p> <p>The sequence of subjects in the NPA is confusing and it is found difficult for the reader to find his way through the rather messy design of the NPA document.</p> <p>It is found too difficult to find all info concerning one particular subject. It is strongly recommended that the AMC and GM should be provided together with the specific IR subject.</p> <p>A reference should be made with the particular regulation making clear that an AMC or GM part is available.</p> <p>All definitions should be put together instead of placing them in two documents not covering the same items.</p> <p>It is recalled that in line with the preamble of ICAO Annex 14, the RFFS levels described in the NPA are those to be achieved by the aerodrome operator. This is different from the RFFS levels to be applied by aircraft operators during flight operations, which is subject to ICAO Annex 6.</p>
response	<p><i>Noted</i></p> <p>The NPA structure follows the structure and different levels of future rules, therefore distinguishes hard from soft law material. Definitions are suggested to be put in the respective parts.</p>
comment	<p>12 <span style="float: right;">comment by: <i>AEA - Association of European Airlines</i></span></p> <p><b>AEA Comments on EASA NPA 2011-20 – Aerodrome Regulation</b></p>

**EASA NPA 2011-20 text**  
**GENERAL**

**Comments**

The sequence of subjects in the NPA is confusing and it is found difficult for the reader to find his way through the rather messy design of the NPA document.

It is found too difficult to find all info concerning one particular subject.

It is strongly recommended that the AMC and GM should be provided together with the specific IR subject.

A reference should be made with the particular regulation making clear that an AMC or GM part is available.

All definitions should be put together instead of placing them in two documents not covering the same items.

It is recalled that in line with the preamble of ICAO Annex 14, the RFFS levels described in the NPA are those to be achieved by the aerodrome operator. This is different from the RFFS levels to be applied by aircraft operators during flight operations, which is subject to ICAO Annex 6.

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**NPA 2011-20 (A) – Explanatory Note**

page 6

Note 1: Requirements for the certification of aerodrome equipment, as well as for the oversight of designers and producers of safety-critical aerodrome equipment will follow at a later stage jointly with the work to be done for specific ATM systems and constituents.

Comments

Aerodrome equipment has to **be deleted** here or be defined.

It can not mean that every baggage cart in use on an aerodrome has to be certified and thus it is only about safety critical aerodrome equipment, which has to be defined as well as it may be unclear what equipment is meant.

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**NPA 2011-20 (A) – Explanatory Note**

page 9

the aerodrome has no features or characteristics making it unsafe for operation;

Comments

**Deemed obsolete and delete.**

Every aerodrome has to be designed and built in accordance with the ICAO regulations and same goes for these regulations.

There can be no unsafe features or every aerodrome is unsafe because of obstacles etc.

response

*Noted*

The text referred to reflects text of the Basic Regulation. The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

comment

17

comment by: *SWISS AERODROMES ASSOCIATION*

The aim at establishing and maintaining a high uniformed level of civil aviation safety does not necessarily mean setting such detailed new rules. It first calls for an assessment of the present situation to address this need and, in the domain of aerodromes, to take into account the fact that for some years already ICAO has been ruling the aerodromes certification including safety management systems.

The aerodromes safety level throughout Europe is good. As uniformisation must remain respectful of national enforcement as well as of principles like flexibility, proportionality and customized compliance, it can and should rather be achieved through shared experience instead of a new layer of regulation placed between already comprehensive ICAO material and national laws.

The scope of the proposed regulation should also duly take into account the principle of subsidiarity under Community Law. According to this principle, the intended requirements deriving from the BRs and ERs to be found in EC Regulation 216/2008 extend the responsibility of the aerodrome operator in a significant manner and an unnecessary extent.

A lot of issues are brought under the responsibility of the aerodrome operators without sufficient justification and available space of freedom for the various national regimes. Nor are the provisions for flexibility, customised compliance and proportionality given under the existing ICAO dual system (standards-recommendations) satisfactorily reflected in the much too complex NPA. It is notably due to the fact that a non negligible number of recommendations have been transposed in CS and therefore reach a higher binding character without necessity. Many references are made to SARPS without differentiating between standards and recommendations. And the classification of many provisions into AMCs, although declared as non-binding, will unduly raise the level of requirements by setting criteria for the level of safety to be achieved. They should be GM, should they not be binding.

These requirements also cause for both authorities and aerodrome operators an increased workload without proven gain in safety. It is therefore important to reduce complexity and volume of the proposed regulation.

The basic principles found in Art 8a of the BR have to be better reflected: rules - if any - are to be proportionate to the size, traffic, category and complexity of the aerodrome and nature as well as the volume of operations thereon.

Corrective action is therefore expected and we appeal for the volume as well as for the degree of detail and for the level of constraint to be reduced in a significant manner. Our Association offers its cooperation

during this process.

In the process of commenting this NPA, we shall not address every individual issue but only give some illustrations of the enhancement potential. Therefore and unless achievement of an acceptable level of flexibility and potential of customized compliance to ensure continuity of present aerodromes operations without additional burdens, the fact of non commenting all provisions must not be considered as an agreement with those provisions by our Association and its members.

response *Noted*

comment 25

comment by: *Federal Office of Civil Aviation FOCA*

1. As an introductory remark FOCA welcomes the present preparation of common safety rules for aerodromes as well as common rules for certification and oversight. However, by drafting new rules for aerodromes it is of great importance to keep in mind the existing and well established ICAO Annex 14 framework and its structure. Future aerodrome regulation therefore should be drafted along the lines of ICAO SARPs by reflecting the parallelism of those two regulatory systems. By reviewing the NPA 2011-20 FOCA has felt that this parallelity has not been sufficiently considered. Creating a completely new structure to aerodrome regulation is likely to create considerable difficulties of implementation.

2. Within the EU a lot of effort has been made to reduce this national administrative burden by harmonizing regulations. However, the detailed regulation set forth in the NPA is likely to increase the administrative workload and administrative costs, for Member States and stakeholders alike. Therefore, FOCA strongly recommends designing the implementing rules in a less detailed degree by creating a general, but binding framework, keeping in mind the existing and well established ICAO Annex 14 framework resp. mechanisms. Thus, a considerable number of AMCs and CS could be transferred to Guidance Material.

3. The NPA reflects a mix of various regulatory sources, the main ones originating from ICAO, which however have not been completely consolidated. FOCA considers the structure of the NPA as complex and user-unfriendly. Many topics have been dispersed and their (logical) content are separated among IR, AMC, GM and CS. The cross-references are difficult to manage (errors, missing items), large passages contain repetitions. Furthermore, the present document contains various errors (incorrect referencing, missing content). Therefore, a more structured framework which is oriented to the existing ICAO Annex 14 regulation would be very welcome.

4. Considering the future sole responsibility in aerodrome regulation as stated in the Basic Regulation, the ICAO amendment process must be coordinated by EASA. Several subject matters of the present NPA are already in a ICAO state letter process and therefore must be coordinated/included by EASA at an early stage.

5. It must be ensured that all standards from ICAO Annex 14 are addressed/included in the draft rules and those which are missing have to be integrated. EASA should not go below the level of ICAO standards by assuring to address all safety related aerodrome standards.

6. The provisions for flexibility, customised compliance and proportionality given under the existing ICAO system are not satisfactorily reflected in the NPA documents. It is notably due to the fact that many recommendations have been transposed to the same level as standards, which does not correspond to the spirit of the ICAO system.

7. The wording "should" chosen for the EASA requirements, especially in the AMC might be misleading with regard to the wording used in ICAO SARPs. The AMC are inconsistent with the ICAO recommendations. The difference becomes evident with EASA referring to ICAO documents, for instance when an AMC refers integrally to an ICAO Standard or Recommendations. EASA should find a solution that avoids possible confusion and which leads to more uniformity along the lines of existing resp. well-established ICAO mechanisms.

8. FOCA strongly recommends EASA Rulemaking to conduct consistency checks with regard to the usage of the contents of ICAO State Letter 41 and ensure that only SARPs which are published are used in establishing EASA documentation.

9. In some topic areas, the consideration of state-specific aspects are insufficient. e.g. wildlife management. Land use in Switzerland differs considerably from land use in other EASA Member States .

10. The AMC/GM chapters should be consistently renumbered, ideally reflecting ICAO Annex 14. There is a need for a consistent numbering process for all tables and figures as well as their references.

11. Change all abbreviations of Air Navigation Service Provider to ANSP or ANS provider as the abbreviation of Air Navigation Service Provider is not consistently used.

12. The coordination and link of the EASA-NPA with ICAO PANS-Aerodromes is outlined insufficiently. FOCA strongly recommends coordinating these two documents. Discrepancies with regard to content between EASA-NPA and ICAO PANS Aerodromes create two parallel systems, leading to a non-harmonized regulation with potential conflict, in particular for aerodromes transitioning to EASA after the implementation of PANS Aerodromes.

response *Noted*

comment 28 comment by: *Turin Airport - TRN/LIMF*

Turin Airport fully supports the comments and justifications as submitted by ACI Europe. In addition to that Turin Airport has submitted together with ASSAEROPORTI extra comments and extra justification in this CRT.

In order to respect the national and international (ICAO) regulation, italian airports have already reached their certifications after a long period of assessment together with the italian CAA (ENAC). In addition, within the EU a lot of effort has been put in place to reduce the administrative load enforced by governments.

The detailed descriptions and amendments in these EASA requirements

will decrease, but increase the administrative workload and administrative costs. Therefore we suggest to make the implementing rules less detailed and more like a framework and transfer many AMCs and CS into Guidance Material.

Furthermore, the structure of the rules and cross references makes the documents complex to read and to understand. In ADR.OR.E.005 operators are required to observe human factors principles and organise their aerodrome manuals in a manner that facilitates preparation, use and review. It would be advantageous, if the EASA documents would follow these principles.

response *Noted*

comment 29 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

ASSAEROPORTI fully supports the comments and justifications as submitted by ACI Europe. In addition to that, ASSAEROPORTI has submitted further comments in this CRT.

In order to respect the national and international (ICAO) regulation, Italian airports have already reached their certifications after a long period of assessment together with the Italian CAA (ENAC). In addition, within the EU a lot of effort has been put in place to reduce the administrative load enforced by governments.

The detailed descriptions and amendments in these EASA requirements will decrease, but increase the administrative workload and administrative costs. Therefore we suggest to make the implementing rules less detailed and more like a framework and transfer many AMCs and CS into Guidance Material.

Furthermore, the structure of the rules and cross references make the documents complex to read and to understand. In ADR.OR.E.005 operators are required to observe human factors principles and organise their aerodrome manuals in a manner that facilitates preparation, use and review. It would be advantageous, if the EASA documents would follow these principles.

response *Noted*

comment 38 comment by: *IATA*

#### GENERALCOMMENTS

The sequence of subjects in the NPA is confusing and it is found difficult for the reader to find his way through the rather messy design of the NPA document.

It is found too difficult to find all info concerning one particular subject.

It is strongly recommended that the AMC and GM should be provided together with the specific IR subject.

A reference should be made with the particular regulation making clear that an AMC or GM part is available.

All definitions should be put together instead of placing them in two documents not covering the same items.

	<p>It is recalled that in line with the preamble of ICAO Annex 14, the RFFS levels described in the NPA are those to be achieved by the aerodrome operator. This is different from the RFFS levels to be applied by aircraft operators during flight operations, which is subject to ICAO Annex 6.</p>
response	<p><i>Noted</i></p> <p>The NPA structure follows the structure and different levels of future rules, therefore distinguishes hard from soft law material. Definitions are suggested to be put in the respective parts.</p>

comment	<p>43 comment by: <i>ERAC - European Regional Aerodromes Community</i></p> <p>ERAC, European Aerodromes Community refers to the various comments filled by its members Interessengemeinschaft der regionalen Flugplätze - IDRF and Suisse Aerodrome Association SAA.</p> <p>ERAC has no additional findings and therefore it isn't necessary to create own comments.</p> <p>ERAC and their associations offer contribution during the evaluation-process following this consultation.</p>
response	<p><i>Noted</i></p>

comment	<p>44 comment by: <i>Julian Scarfe</i></p> <p>PPL/IR Europe members operate non-commercial flights under IFR (and where appropriate, VFR) into aerodromes that fall within the scope of this regulation and also into aerodromes that fall outside its scope.</p> <p>PPL/IR Europe supports a proportionate approach to regulation, and insists that the benefits delivered to stakeholders must be commensurate with the costs of compliance and certification. We are concerned that, particularly in view of its scope, the regulation should not deter aerodromes from serving IFR traffic by providing instrument approach or departure procedures. To create a disincentive (in the form of, for example, excessive administrative or operational requirements) to the implementation of such procedures would have an overall negative impact on safety.</p> <p>We ask experts involved in the further development of this regulation to be mindful of this issue please.</p>
response	<p><i>Noted</i></p>

comment	<p>1 comment by: <i>Croatian Civil Aviation Agency</i></p> <p>Using of term „Operations“ in the: NPA 2011-20 (A); NPA 2011-20 (B.I);</p>
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NPA 2011-20 (B.II); and NPA 2011-20 (C).  
Under the term "Operations" we usually understand flight operations or air operations.  
Suggestion: consider use of the term "Operational" instead "Operations".

response *Not accepted*

It is "operations requirements for aerodromes", hereby revealing the context.

## EXECUTIVE SUMMARY

p. 2-3

comment 24

comment by: *DGAC Direction Générale de l'aviation civile*

### **1. Affected paragraphs**

- A. Explanatory Note - EXECUTIVE SUMMARY (p2)
- A. Explanatory Note - II. Process and scope (p5,6): note 1
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB) (p9): (23) (24)
- Draft Commission Regulation (p2-5): §11
- ANNEX II - Part-OR - ADR.OR.D.035 — Record keeping (p55)
- AMC/GM to ANNEX I — Part-AR — GM1-ADR.AR.C.055 — Findings, corrective actions and enforcement measures (p34)
- AMC/GM to ANNEX II — Part-OR — AMC1-ADR.OR.E.005 — Aerodrome manual (p109)
- AMC/GM to ANNEX II — Part-OR — AMC2-ADR.OR.E.005 — Aerodrome manual (p109-114)

### **2. Justification and proposed text / comment**

This comment is linked with comment 1078 in book I and 824 in book II. As indicated in the explanatory note (pages 2, 5, 6 and 9), requirements for the certification of aerodrome equipment, as well as for the oversight of designers and producers of safety-critical aerodrome equipment will follow at a later stage jointly with the work to be done for specific ATM systems and constituents. This work will probably help knowing which equipment is ATM and which is aerodrome, knowing that most of it is ATM equipment.

Therefore, the aerodrome equipment should not be part of the aerodrome manual since lots of it is air traffic management equipment. Moreover, the pertinence of having a manual for aerodrome equipment in charge of the aerodrome operator is not proved and merits further debates.

Consequently:

- the first bullet of **GM1-ADR.AR.C.055 is to be deleted**
- Paragraph 4.3 of Part C of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome manual* is to be deleted, all the more that outside the boundaries of the aerodrome, the aerodrome operator is no more competent;
- Paragraph 13 of Part E of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome*

*manual is to be deleted*

**"ADR.OR.D.035 – Record-keeping**

[...]

(d) [...]

(3) ~~manuals of aerodrome equipment or systems employed at the aerodrome, for as long as they are used at the aerodrome~~

[...]"

**GM1-ADR.AR.C.055 – Findings, corrective actions and enforcement measures**

"CATEGORIES OF FINDINGS – DOCUMENTARY EVIDENCE

Examples of documentary evidence include but is not limited to:

~~aerodrome or equipment manuals;~~

[...]"

**AMC2-GM1-ADR.OR.E.00510 – Structure of the Aerodrome manual**

"[...]

C. PART C – PARTICULARS OF THE AERODROME SITE

[...]

4.3 ~~a plan showing the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;~~

[...]

E. PART ~~D~~ E – PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES OPERATING PROCEDURES OF THE AERODROME, ITS EQUIPMENT AND SAFETY MEASURES

[...]

~~13. Maintenance and repair instructions, servicing information, troubleshooting and inspection procedures of aerodrome equipment~~

[...]"

response *Noted*

Technical suggestions are addressed in the relevant sections.

comment 47 comment by: René Meier, Europe Air Sports

Europe Air Sports thanks the Agency for the preparation of NPA 2011-20 "Aerodromes". In all countries where our members are active most of the sports and recreational activities operate at aerodromes which are exempt from the proposed regulation. We therefore do not comment on the present NPA 2011-20, but shall follow the entire rulemaking process and, if required, intervene at CRD level.

response *Noted*

comment 48 comment by: Aero-Club of Switzerland

The Aero-Club of Switzerland thanks the Agency for the preparation of NPA 2011-20 "Aerodromes". Most of the sports and recreational activities operate at aerodromes which will not be covered by the proposed regulation. We therefore do not comment on the present NPA 2011-20, but shall, closely follow the entire rulemaking process and, if required,

	intervene at CRD level.
response	<i>Noted</i>

**A. Explanatory Note - I. Introduction**

p. 5

comment	4	comment by: <i>KLM</i>
	<p>The sequence of subjects in the NPA is confusing and it is found difficult for the reader to find his way through the rather messy design of the NPA document.</p> <p>It is found too difficult to find all info concerning one particular subject.</p> <p>It is strongly recommended that the AMC and GM should be provided together with the specific IR subject.</p> <p>A reference should be made with the particular regulation making clear that an AMC or GM part is available.</p> <p>All definitions should be put together instead of placing them in two documents not covering the same items.</p> <p>It is recalled that in line with the preamble of ICAO Annex 14, the RFFS levels described in the NPA are those to be achieved by the aerodrome operator. This is different from the RFFS levels to be applied by aircraft operators during flight operations, which is subject to ICAO Annex 6.</p>	
response	<i>Noted</i>	
	<p>The NPA structure follows the structure and different levels of future rules, therefore distinguishes hard from soft law material. Definitions are suggested to be put in the respective parts.</p>	

comment	30	comment by: <i>Bezirksregierung Düsseldorf / Luftverkehr</i>
	<p>Wie in "<i>NPA 2011-20(A) - Explanatory Note</i>" unter Punkt 16 (dritter Spiegelstrich) ausgeführt, sind CSs <u>nicht</u> verbindliche Standards, welche die Grundlage für die Zertifizierung darstellen. Sofern Standards (CSs) im Rahmen einer Zertifizierung nicht erfüllt bzw. nachgewiesen werden, ist zwingend ein Nachweis (Assessment) [hier: ELoS-Verfahren] zu erbringen, das ein gleichwertiges Maß an Sicherheit mit der alternativen Methode erzielt wird, wie es mit den entsprechenden Standards (CS) erreicht werden würde.</p> <p>Durch die Forderung, ein ELoS-Verfahren bei Nichterfüllung von Standards (CS) durchzuführen, werden die Standard (CS) zwangsweise zu verpflichtenden/verbindlichen Normen erklärt, was zu einen eklatanten Widerspruch hinsichtlich der Aussage "CSs sind <u>nicht</u> verbindliche Standards" führt.</p> <p>In "<i>NPA 2011-20(A) - Explanatory Note</i>" wird unter Punkt 16 (letzter Absatz) weiter ausgeführt, dass "Spezial-Verfahren" (SCs) und "Standards" (CSs) auf individueller Basis für den Antragsteller (Zertifikatinhaber) als Teil des ausgestellten Zertifikats verbindlich werden. Auch dies stellt einen eklatanten Widerspruch zu der grundsätzlichen Aussage dar, das CSs <u>nicht</u> verbindliche Standards darstellen.</p>	

Warum die EASA in diesem Punkt von der Idee des ICAO Annex 14 deutlich abweichen möchte, ist weder begründet noch nachvollziehbar. ICAO Annex 14 sagt aus, dass ein Standard eine Spezifikation für eine physikalische Größe ist, die aus Sicherheitsaspekten notwendiger Weise zu erfüllen bzw. einzuhalten ist. Somit stellt ein ICAO-Standard eine verbindliche Forderung dar, die quasi immer zu erfüllen ist. Nur in begründeten Ausnahmefällen kann jeweils im Einzelfall hiervon abgewichen werden, wenn gleichzeitig nachgewiesen werden kann, dass hierdurch keine nachteiligen Auswirkungen auf Sicherheitsaspekte einhergehen.

In einer zweiten untergeordneten Stufe werden in ICAO Annex 14 sogenannte Empfehlungen (Recommendations) veröffentlicht, bei denen es wünschenswert ist, wenn diese erfüllt werden. Gleichwohl liegt es in der Entscheidung der jeweils zuständigen Luftfahrtbehörden, in begründeten Einzelfällen, wenn beispielsweise ein deutlicher Sicherheitsgewinn durch Erfüllung der Maßnahme erreicht werden kann, auch die Erfüllung derartige Empfehlungen verbindlich einzufordern. Auf der anderen Seite können auch die Flugplatzbetreiber aus eigenem Antrieb auf freiwilliger Basis derartige Empfehlung erfüllen, ohne dass die jeweils zuständige Luftfahrtbehörde hier Vorbehalte geltend machen kann.

NPA 2011-20 (B.III) wird derzeit so verstanden, dass die EASA beabsichtigt, auch die "Empfehlungen/Recommendations" aus ICAO Annex 14 zu europäischen Standards (CSs) zu erklären. Dies widerspricht dem ICAO-Grundgedanken und ist entsprechend zu korrigieren. Sofern es weiterhin beabsichtigt ist, ICAO-Empfehlungen zu EASA-CSs zu erklären, so wäre in jedem Einzelfall zu evaluieren und umfangreich zu begründen, welches Maß an Sicherheitsgewinn erzielt wird, wenn ICAO-Empfehlungen zu EASA-Standards erhoben werden sollen.

Weiterhin stellt die beabsichtigte Vorgehensweise insbesondere für existierende Bestandsflughäfen eine unbillige Härte bei Verfahren gemäß Artikel 6 und 7 der Cover-Regulation dar. Es ist sowohl faktisch aber auch rechtlich kaum möglich, im Nachhinein die Erfüllung von Voraussetzungen (Standards) einzufordern, die zum Zeitpunkt der damaligen Genehmigungserteilung "lediglich" als ICAO-Empfehlungen existierten.

*As it is stated in "NPA 2011-20 (A) - Explanatory Note" (Number 16 - third mirror line), CSs are non-binding technical standards, which are used to establish the certification basis (CB). If standards (CSs) are not fulfilled and/or are not proven in the context of a certification process, a proof (Assessment) is compelling [here: ELoS-procedure], which is obtained by an equivalent measure of safety with the alternative method, how it would be reached with the appropriate standard (CS).*

*By the requirement to accomplish an ELoS-procedure when standards (CS) are not fulfilled, standard (CS) became compulsorily a binding character. This is a glaring contradiction concerning the statement, that CSs are non-binding standards.*

*Furthermore in " NPA 2011-20 (A) - Explanatory Note" (Number 16 - last sentence) it is stated, that SCs, like CSs, become binding on an individual basis to the applicant as part of an agreed CB. Also this is a glaring contradiction concerning the fundamental statement, that CSs are non-binding standards.*

*This EASA-approach which deviates remarkable from the idea of ICAO Annex 14, is neither justified nor comprehensible.*

*ICAO Annex 14 expressly states, that Standard is any specification for*

*physical characteristics of which is recognized as necessary for safety aspects. Thus an ICAO-Standard represents an obligatory demand, which must be always fulfilled as it is. Only in justified exceptional individual cases it is possible, to deviate from an ICAO-Standard, if it can be proven at the same time, that there are no unfavourable effects on safety aspects.*

*In a second subordinated stage ICAO Annex 14 introduces recommended practices (Recommendations). Recommended practices are any specifications...of which is recognized as desirable if they are fulfilled. Nevertheless it is a decision of the responsible competent authority, if they decide in justified individual cases that an ICAO-Recommendation is to be fulfilled obligatorily, if the fulfilment for example pictures a clear safety gain. On the other hand the aerodrome operator is free to fulfil ICAO-Recommendations on a voluntary basis.*

*Currently NPA 2011-20 (B.III) is appreciated in the way that EASA intends to raise all ICAO-Recommendations to European Standards (CSs). This is a considerable contradiction to the basic idea of ICAO Annex 14 and therefore the EASA-approach should be corrected accordingly. If EASA still wants to raise ICAO-Recommendations to European CSs than EASA has to evaluate and to justify in each individual case, which measures of safety gain are obtained.*

*Further the intended EASA-approach is representing an inequitable hardness for existing aerodromes, which have to follow the procedures in accordance with article 6 and 7 of the cover regulation. Factual as well as judicial it would be hardly possible, to require the fulfilment of European CSs if they were only ICAO-Recommendations at that time the aerodrome-permission was issued.*

response

*Noted*

**A. Explanatory Note - II. Process and scope**

p. 5-6

comment

7

comment by: *KLM*

Aerodrome equipment has to **be deleted** here or be defined.

It can not mean that every baggage cart in use on an aerodrome has to be certified and thus it is only about safety critical aerodrome equipment, which has to be defined as well as it may be unclear what equipment is meant

response

*Noted*

The text referred to reflects text of the Basic Regulation. The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

comment

19

comment by: *Infratil Airports Europe Ltd*

**Page No:** 5

**Paragraph No:** 9

**Comment:** The definition of commercial air transport used by EASA

includes cargo aircraft. This presents difficulties for aerodromes which are served exclusively by cargo aircraft (aircraft undertaking cargo operations without passengers) because the rescue and firefighting service (RFFS) requirements are based exclusively on the size of the aircraft and not on whether it is carrying out passenger or cargo operations. **EASA should consider a relaxation of RFFS requirements for aerodromes to permit a lower category in some circumstances for aircraft undertaking cargo operations.** The UK has commented on AMC4-ADR-OPS.B010 to this effect but would also seek confirmation of the principle from EASA.

**Justification:** Some aerodromes operate cargo aircraft only at night (usually night mail) or have limited passenger activities. As indicated in ICAO Annex 14 (Section 9.2), the principal objective of the RFFS is to save life. For a cargo aircraft without passengers the lifesaving element is reduced to the need to rescue the flight crew. Therefore, the theoretical and practical critical area can be reduced in size, to cover the cockpit and related areas only, which would facilitate a lower RFFS category but whilst maintaining sufficient rescue capability.

The UK permits a relaxation in RFFS requirements to facilities operations by cargo aircraft. The additional burden of having to apply the full RFFS might result in those aerodromes being unable to survive financially.

**Proposed Text:** N/A

response

**Noted**

**Material on the subject has been included in Guidance Material**

comment

23

comment by: *DGAC Direction Générale de l'aviation civile*

### **1. Affected paragraphs**

- A. Explanatory Note - II. Process and scope (p5,6): note 2
- Draft Commission Regulation (p2-5): §12
- ANNEX I - Part-AR - ADR.AR.C.005 — Oversight (p23)
- ANNEX I - Part-AR - ADR.AR.C.050 — Declarations of providers of apron management services (p27-28)
- ANNEX I - Part AR - APPENDIX I (p32-33)
- ANNEX I - Part AR - APPENDIX II (p34-36)
- ANNEX II - Part-OR - ADR.OR.B.060 — Declaration of providers of apron management services (p43-44)
- ANNEX II - Part-OR - APPENDIX II (p61-62)
- AMC/GM to ANNEX I — Part-AR — AMC1-ADR.AR.A.030(d) — Immediate reaction to a safety problem (p3)
- AMC/GM to ANNEX I — Part-AR — AMC1-ADR.AR.C.005 — Oversight (p18)
- AMC/GM to ANNEX II — Part-OR — AMC2-ADR.OR.E.005 — Aerodrome manual (p109-114) - part E - 16

### **2. General comment**

This comment is **critical**.

As it is said in the explanatory note (*II. Process and scope, note 2, pages 5-6*), the Agency did not undertake the development of safety rules for apron management services but later on will initiate a joint group with ATM. However, some procedural rules related to those services are included in the proposed rules.

DGAC considers it is essential to provide the flexibility needed to conduct further debates that will take place in the given joint group.

In particular, the connection between the aerodrome operator and providers of apron management service can not be established without further debates. Indeed, providers of apron management services, when existing, can be independent from the aerodrome operator, with arrangements between these two entities. For example in CDG airport, providers of apron management services are not subcontractors of the CDG operator. Moreover, there is a risk of inconsistency with what will be proposed by the joint group that will propose draft regulation on that point.

Therefore, the procedural rules included in the proposed implementing rules and corresponding AMC/GM shall remain at a high level stage only.

The provisions of the NPA that would consequently need to be revised are dealt with case by case in the proposed texts/comments below:

### **3. Justification and proposed texts / comments**

- This comment is linked with comment 1033 in book I and 793 in book II

#### **DADR.AR.C.005 — Oversight: Paragraph (a)(2)**

DGAC understands the certification basis is not applicable to providers of apron management services, but it's not clear in paragraph (a)(2) of ADR.AR.C.005.

Providers of apron management services declare their compliance to applicable requirements only, thus the proposed change:

"(a) [...]"

(2) *continued compliance, with the certification basis and/or applicable requirements [...]"*

- **ADR.AR.C.050 — Declarations of providers of apron management services**

Considering what is said in the general comment just above and the fact that providers of apron management services are not subcontractors of the aerodrome operator, it would be inappropriate, when the competent authority has to notify something to the apron management services, to systematically notify it also to the aerodrome operator. Moreover, this could induce more delays to solve the problem as it could be understood that the corrective action is to be done by other entities.

Finally, as this is not a requirement, the wording "*if required*" should be replaced by "*when deemed necessary*".

Thus DGAC proposes to modify paragraph (b) of ADR.AR.C.050 as follows:  
"*If the declaration does not contain the required information, or contains information that indicates non-compliance with applicable requirements, the competent authority shall notify the provider of apron management services about the non-compliance and request further information. ~~and~~ If deemed necessary, the competent authority can address a copy of this notification to the aerodrome operator about the non-compliance and request further information. If required deemed necessary, the competent authority shall carry out an inspection of the provider of apron management services and the aerodrome operator. If the non-compliance*"

is confirmed, the competent authority shall take action as defined in ADR.AR.C.055 **towards the apron management service**"

· Part AR - APPENDIX I and APPENDIX II

The name of the provider of apron management service should not be part of the certificate of the aerodrome operator because they can be independent.

**APPENDIX I**

"[...]"

<b>TERMS OF APPROVAL</b>	
<del>Provision of apron management services:</del>	<del>Specify name of service provider</del>

[...]"

**APPENDIX II**

"[...]"

~~Apron management services are provided by [specify name of service provider].~~

[...]"

· ADR.OR.B.060 — Declaration of providers of apron management services

Paragraph (a): DGAC doesn't understand the pertinence of having an agreement with an aerodrome operator.

~~"(a) The provider of apron management services, following an agreement with an aerodrome operator for the provision of such services at an aerodrome, shall:"~~

Paragraph (a)(5): DGAC finds this provision goes too far. Moreover, nobody will verify that the provider of apron management service complies with the aerodrome manual; in particular it's absolutely not the aerodrome operator's task.

~~"(5) provide its services in accordance with the aerodrome manual and comply with all relevant provisions contained therein"~~

Paragraph (b): DGAC doesn't understand the pertinence of notifying the aerodrome operator when ceasing activity.

~~"(b) Before ceasing the provision of such services, the provider of apron management services shall notify the competent authority and the aerodrome operator."~~

· Part-OR - APPENDIX II

In order to be clearer, DGAC proposes to clarify that these declarations of the providers of apron management services are declarations "of compliance" (see the proposed titles below).

Moreover, it is essential to delete "The service is provided in accordance with the content of the relevant aerodrome manual" as this is absolutely not high level and as it may induce a risk of inconstancy with the future rules on apron management services.

**"Appendix II to Annex II**

**Declaration of compliance**

In accordance with Commission Regulation (EC) No XXX/2013 laying down requirements and procedures related to aerodromes pursuant to Regulation (EC) No 216/ 2008 of the European Parliament and of the

Council
[...]
<del>ø The service is provided in accordance with the content of the relevant aerodrome manual.</del>
[...]
ø (If applicable) The operator has implemented and demonstrated conformance to an officially recognised industry standard. Reference of the standard: Certification body: Date of the last conformance audit:
[...]

· AMC1-ADR.AR.A.030(d) – Immediate reaction to a safety problem

AMC1-ADR.AR.A.030(d) is to be deleted:

~~"**AMC1-ADR.AR.A.030(d) – Immediate reaction to a safety problem**  
NOTIFICATION OF MEASURES~~

~~*In case that the competent authority directs a measure to a provider apron management services, then these measures should also be notified to the aerodrome operator."*~~

· AMC1-ADR.AR.C.005 – Oversight

High level provisions in this NPA state that apron management services shall provide a declaration to the competent authority when appropriate. But the oversight of the "continued competence" goes beyond this statement and therefore merits further debates.

Moreover, the word "*qualified*" should be avoided considering it is referring to very specific terminology laid down in directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications: France already transposed this directive for some professions.

Thus the following proposed changes to this AMC:

**AMC1-ADR.AR.C.005 – Oversight**

"GENERAL

~~*(a) The competent authority should assess the aerodrome operator and monitor its continued competence to conduct safe operations in compliance with the applicable requirements and the certification basis. Similarly, the competent authority should monitor the continued competence of providers of apron management services. The competent authority should ensure that accountability for assessing and monitoring aerodrome operators as well as providers apron management services is clearly defined. This accountability may be delegated or shared, in whole or in part.*~~

~~*(b) It is essential that the competent authority shall have the full capability to adequately assess the continued competence of an aerodrome operator or a provider of apron management services by ensuring that the whole range of activities is assessed by appropriately qualified trained personnel."*~~

· AMC2-ADR.OR.E.005 – Aerodrome manual

AMC2-ADR.OR.E.005 includes in the aerodrome manual the procedures for apron management. This is not high level provision and strongly needs further debates, because the relevancy of having apron management procedures in the aerodrome manual is not proven.

For instance, it is possible to imagine a system where the providers of apron management service have their own procedures and the aerodrome operator has nothing to do with them. Chapter 16 of part E of the structure of the aerodrome manual is to be deleted.

Note: DGAC also proposes to put the content of this AMC to GM because of the high level of details that doesn't fit to all organization. See comment xx.

**"~~AMC2GM1-ADR.OR.E.00510~~ - Structure of aerodrome manual**

[...]

~~16. Procedures for apron management including:~~

~~16.1 transfer of the aircraft between air traffic control and the apron management unit;~~

~~16.2 allocation of aircraft parking positions;~~

~~16.3 engine start and aircraft push-back;~~

~~16.4 marshalling and follow-me service.~~

[...]"

response

Noted

Technical suggestions are addressed in the relevant sections.

comment

24 ❖

comment by: DGAC Direction Générale de l'aviation civile

**1. Affected paragraphs**

- A. Explanatory Note - EXECUTIVE SUMMARY (p2)
- A. Explanatory Note - II. Process and scope (p5,6): note 1
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB) (p9): (23) (24)
- Draft Commission Regulation (p2-5): §11
- ANNEX II - Part-OR - ADR.OR.D.035 — Record keeping (p55)
- AMC/GM to ANNEX I — Part-AR — GM1-ADR.AR.C.055 — Findings, corrective actions and enforcement measures (p34)
- AMC/GM to ANNEX II — Part-OR — AMC1-ADR.OR.E.005 — Aerodrome manual (p109)
- AMC/GM to ANNEX II — Part-OR — AMC2-ADR.OR.E.005 — Aerodrome manual (p109-114)

**2. Justification and proposed text / comment**

This comment is linked with comment 1078 in book I and 824 in book II. As indicated in the explanatory note (pages 2, 5, 6 and 9), requirements for the certification of aerodrome equipment, as well as for the oversight of designers and producers of safety-critical aerodrome equipment will follow at a later stage jointly with the work to be done for specific ATM systems and constituents. This work will probably help knowing which equipment is ATM and which is aerodrome, knowing that most of it is ATM equipment.

Therefore, the aerodrome equipment should not be part of the aerodrome manual since lots of it is air traffic management equipment. Moreover, the pertinence of having a manual for aerodrome equipment in charge of the aerodrome operator is not proved and merits further debates.

Consequently:

- the first bullet of **GM1-ADR.AR.C.055 is to be deleted**
- Paragraph 4.3 of Part C of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome manual* is to be deleted, all the more that outside the boundaries of the aerodrome, the aerodrome operator is no more competent;
- Paragraph 13 of Part E of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome manual* is to be deleted

**“ADR.OR.D.035 – Record-keeping**

[...]

(d) [...]

(3) ~~manuals of aerodrome equipment or systems employed at the aerodrome, for as long as they are used at the aerodrome~~  
 [...]

**GM1-ADR.AR.C.055 – Findings, corrective actions and enforcement measures**

“CATEGORIES OF FINDINGS – DOCUMENTARY EVIDENCE

Examples of documentary evidence include but is not limited to:

~~aerodrome or equipment manuals;~~

[...]”

**AMC2-GM1-ADR.OR.E.00510 – Structure of the aerodrome manual**

[...]

C. PART C – PARTICULARS OF THE AERODROME SITE

[...]

4.3 ~~a plan showing the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;~~

[...]

E. PART ~~D~~ **E** – PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES ~~OPERATING PROCEDURES OF THE AERODROME, ITS EQUIPMENT AND SAFETY MEASURES~~

[...]

~~13. Maintenance and repair instructions, servicing information, troubleshooting and inspection procedures of aerodrome equipment~~

[...]”

response

Noted

Technical suggestions are addressed in the relevant sections.

comment

35

comment by: Innsbruck Airport Authority - Tiroler Flughafensbetriebsges. mbH

Innsbruck Airport wants to point out the fact that all future rules shall be understood by all the partners who have to use them . Consequently these rules shall be written in the national language of the state an not only in English.

We do not consider the non existence of a German version of all EASA rules to be compliant with article 22 of the Charter of Fundamental Rights

of the European Union (2010/C 83/02) which stipulates the EU respects the linguistic diversity.

response *Noted*

comment 36 comment by: UK CAA

**Page No: 6**

**Paragraph No: 9**

**Comment:** The term "commercial air transport" is used by EASA in this note and in Certification Specifications, but not defined. We assume that EASA is using the definition included in the Cover Regulation for OPS –

'Commercial air transport (CAT) operation' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration.

This definition should be clarified in the appropriate place.

**Justification:** The definition is important because it affects which aerodromes are within scope, for example those which are used exclusively by cargo aircraft (aircraft undertaking cargo operations without passengers). The UK CAA considers clarity on the definition important for the clarity of provisions contained in the NPA, particularly with reference to the levels of RFF cover required for Cargo operations only.

response **Noted**

**Material on the subject has been included in Guidance Material**

comment 39 comment by: IATA

**NPA 2011-20 (A) – Explanatory Note**  
page 6  
Note 1  
Aerodrome equipment has to **be deleted** here or be defined.

It can not mean that every baggage cart in use on an aerodrome has to be certified and thus it is only about safety critical aerodrome equipment, which has to be defined as well as it may be unclear what equipment is meant.

response *Noted*

See responses to comments #2 and #12

comment 42 comment by: Airport Operators Association

**Paragraph 9**

**Comment:** The definition of commercial air transport used by EASA

includes cargo aircraft. This presents difficulties for aerodromes which are served exclusively by cargo aircraft (aircraft undertaking cargo operations without passengers) because the rescue and firefighting service (RFFS) requirements are based exclusively on the size of the aircraft and not on whether it is carrying out passenger or cargo operations. EASA should consider a relaxation of RFFS requirements for aerodromes to permit a lower category in some circumstances for aircraft undertaking cargo operations.

**Justification:** Some aerodromes operate cargo aircraft only at night (usually night mail) or have limited passenger activities. As indicated in ICAO Annex 14 (Section 9.2), the principal objective of the RFFS is to save life. For a cargo aircraft without passengers the lifesaving element is reduced to the need to rescue the flight crew. Therefore, the theoretical and practical critical area can be reduced in size, to cover the cockpit and related areas only, which would facilitate a lower RFFS category but whilst maintaining sufficient rescue capability.

The UK permits a relaxation in RFFS requirements to facilities operations by cargo aircraft. The additional burden of having to apply the full RFFS might result in those aerodromes being unable to survive financially.

response

**Noted**

**Material on the subject has been included in Guidance Material**

**A. Explanatory Note - III. Overview of the rules proposed in this NPA - Comparison with ICAO**

p. 6-8

comment

3

comment by: *Manchester Airport plc*

Paragraph 32: The facility to use a DAAD is welcomed. This will be a useful tool to enable NAAs to transfer existing deviations which do not meet the criteria for ELOS or SC.

response

*Noted*

comment

13

comment by: *Brussels Airport - BRU/EBBR*

I'd like to see the start of a European database with all alternative means of compliance, risk assessments, safety cases and studies that (will) have been approved by the NAA's as well as all the approved Equivalent levels of Safety for all different subjects, so that these can be consulted, used by other aerodrome operators in case they have to make a (safety) case for a similar subject on their own airport.

In the same way (maybe in the same database) I'd like to see the start of a listing of all approved "Equivalent levels of safety" & "Special conditions" for all kinds of subjects.

This will not only help all aerodrome operators as such, but it will also help the EASA and the NAA's to keep, to maintain the same level of safety of these particular subjects, to have the same qualification of risks (Risk index) of these subjects, to have the 'same' basis to determine whether a

subject has a similar level of safety, for similar subjects, etc. throughout all the aerodromes in different European countries.  
In addition, to include also in a database, the mitigating measures, acceptable to the NAA's, and the resulting Risk Indices, for these subjects.

All this will help in standardization in general. But a database like that will also help during future visits of EASA inspection teams with the NAA, to check if all the NAA's work and approve certain items in the same way, to similar standards.

It will also improve "transparency" for all airport authorities/operators and confidence in the work done by the NAA's & the Agency.

response *Noted*

comment 14 comment by: *SWISS AERODROMES ASSOCIATION*

Para 19 & 20.

The overall lines established as depicted here demonstrate that this NPA goes beyond the initial task as

i) SARPs related to design have been transposed into CSs (which have an indirect binding effect through limited possibilities to derive from it - ELOS or SC) without sufficient distinction between Standards and Recommendations, and

ii) AMCs are described as implying an obligation.

These requirements go too far into a binding system which, in the domain of aerodromes, deserves a more individual approach as in other domains, like manufacturing, crew licensing or maintenance. Aerodromes are neither industrial products nor moving entities; mutual recognition and detailed regulatory level therefore are not necessary to the extent one may expect in personnel licensing or aircraft manufacturing. Aerodromes are firmly located in an environment which is seldom comparable with the one surrounding other aerodromes: this also the reason of detailed AIP publications and/or special conditions for access (briefings, training schemes, PPRs, etc.) enabling users to get familiar with specific issues before using the aerodrome.

Rules will never be simple enough to fit the immense and changing variety of facts. No one knows an airport better than its operator and the competent local authority: within the frame of the existing BR and ERs, both should remain accountable for safety and entitled to decide how safety issues are to be dealt with in a satisfactory way.

response *Noted*

comment 31 comment by: *DGAC Direction Générale de l'aviation civile*

**1. Affected paragraphs**

- BIII - CS-ADR - Book 1 – CS-ADR-DSN.D.260 — Taxiway minimum separation distance (p25-26)

- BIII - CS-ADR - Book 1 - CS-ADR-DSN.D.315 - Width of taxiway strips (p29)
- BIII - CS-ADR - Book 1 - Figure D-1. Rapid exit taxiway (p28)
- BIII - CS-ADR - Book 1 - CS-ADR-DSN.G.400 - Clearance distances on a de-icing/anti-icing pad (p35)
- BIII - CS-ADR - Book 1 - CS-ADR-DSN.Q.840 - Objects to be marked and/or lighted (p146-147)
- BIII - CS-ADR - Book 2 - GM-ADR-DSN.D.260 - Taxiway minimum separation distance
- BIII - CS-ADR - Book 2 - GM-ADR-DSN.D.315 - Width of taxiway strips (p232)
- BIII - CS-ADR - Book 2 - GM-ADR-DSN.G.400 - Clearance distances on a de-icing/anti-icing pad (p239)
- BIII - CS-ADR - Book 2 - GM-ADR-DSN.D.255 - Junction and intersection of taxiways
- Explanatory Note - paragraph 18 (page 8)

## **2. Proposed text / comment**

The figures for taxiway minimum separation distances are intended for design purposes only and can be far less large than indicated: indeed, these figures are no more applied when maintaining taxiways and consequently no more relevant.

No safety concern has been noticed until now on this point.

But above all, verifying that the separation distances between taxiways are applied everywhere on an aerodrome would generate huge costs without any added safety value (as an example, a big aerodrome like Paris-Charles de Gaulle airport has 80km of taxiways).

Finally, NPA 2011-20 Explanatory Note states that "some Recommended Practices may be more appropriate as GM, particularly for those provisions for which compliance cannot be measured" (paragraph 18 page 8). This is the case for this specification.

Two possibilities could be chosen:

- (i) either the certification specification gives only the objective of having sufficient taxiways separation distances in particular to prevent from aircraft collision, and the figures are in guidance material.
- (ii) or the figures are kept in the CS but specifying each time that they should be met "where practicable" and the CS gives the objective of having sufficient taxiways separation distances in particular to prevent from aircraft collision.

The option (i) is proposed by DGAC because less confusing and far clearer, and therefore more appropriate for a regulation and for future standardization. This is a critical point for DGAC.

All CSs referring to figures in table D-1 are to be changed consequently: their provisions corresponding to such distance should be move to GM, except for CS-ADR-DSN.Q.840 - *Objects to be marked and/or lighted* because the objective is marking and/or lighting thus is quite different and it is proposed to add the figures of table D-1 in this CS as Table Q-3 - *Taxiway minimum marking and/or lighting distances*.

This option (i) and the consequences on CS referring to table D-1 are detailed below:

**CS-ADR-DSN.D.260 – Taxiway minimum separation distance**

*"The separation distance between the centre line of a taxiway and the centre line of a runway, the centre line of a parallel taxiway or an object should ~~not~~ be sufficient for safe aircraft operations, in particular to prevent from aircraft collision less than the appropriate dimension specified in Table D-1, except that it may be permissible to operate with lower separation distances at an existing aerodrome if an aeronautical study indicates that such lower separation distances would not adversely affect the safety or significantly affect the regularity of operations of aeroplanes.*

*[...]*

*Table D-1. Taxiway minimum separation distances"*

**GM-ADR-DSN.D.260 – Taxiway minimum separation distance**

*"[...] (c) The separation distance between the centre line of a taxiway and the centre line of a runway, the centre line of a parallel taxiway or an object should not be less than the appropriate dimension specified in Table D-1, except that it may be permissible to operate with lower separation distances at an existing aerodrome if an aeronautical study indicates that such lower separation distances would not adversely affect the safety or significantly affect the regularity of operations of aeroplanes.*

*[...]*

*Table GM-D-1. Taxiway minimum separation distances*

*(d) The separation distances of ~~Book 1~~, Table GM-D-1, column 10, do not necessarily provide the capability of making a normal turn from one taxiway to another parallel taxiway. Guidance for this condition is given in the Aerodrome Design Manual (ICAO, Doc 9157, Part 2).*

*(~~d~~)(e) The separation distance between the centre line of an aircraft stand taxilane and an object shown in ~~Book 1~~, Table GM-D-1, column 12, may need to be increased when jet exhaust wake velocity may cause hazardous conditions for ground servicing."*

**CS-ADR-DSN.D.315 – Width of taxiway strips**

*"A taxiway strip should extend symmetrically on each side of the centre line of the taxiway throughout the length of the taxiway to at least the distance from the centre line given in Table ADR-D-1, column 11."*

**GM-ADR-DSN.D.315 – Width of taxiway strips**

*"A taxiway strip may extend symmetrically on each side of the centre line of the taxiway throughout the length of the taxiway to at least the distance from the centre line given in Table GM-D-1, column 11."*

**CS-ADR-DSN.G.400 Clearance distances on a de-icing/anti-icing pad**

*"[...] (b) ~~If the pad layout is such as to include bypass configuration, the minimum separation distances specified in Table D-1, column (12) should be provided.~~*

*(c) ~~Where the de-icing/anti-icing facility is located adjoining a regular taxiway, the taxiway minimum separation distance specified in Table D-1, column (11) should be provided. (See Figure G-1.)~~*

*Figure G-1 Minimum separation distance on a de-icing/anti-icing facility"*

**GM-ADR-DSN.G.400 Clearance distances on a de-icing/anti-icing pad**

*"[...] (d) ~~If the pad layout is such as to include bypass configuration, the minimum separation distances specified in Table D-1, column (12) should be provided.~~*

(e) Where the de-icing/anti-icing facility is located adjoining a regular taxiway, the taxiway minimum separation distance specified in Table D-1, column (11) should be provided. (See Figure G-1.)  
Figure GM-G-1 Minimum separation distance on a de-icing/anti-icing facility”

**CS-ADR-DSN.Q.840 – Objects to be marked and/or lighted p146**

“[...] (g) All obstacles within the distance specified in Table D-1 Q-3, from the centre line of a taxiway, an apron taxiway or aircraft stand taxilane should be marked and, if the taxiway, apron taxiway or aircraft stand taxilane is used at night, lighted.

Table Q-3 – Taxiway minimum marking and/or lighting distances”

**GM-ADR-DSN.D.255 – Junction and intersection of taxiways**

“(e) The separation distances of Book 1, Table GM-D-1, column 10, do not necessarily provide the capability of making a normal turn from one taxiway to another parallel taxiway. Guidance for this condition is given in the Aerodrome Design Manual (ICAO, Doc 9157, Part 2).

(f) The separation distance between the centre line of an aircraft stand taxilane and an object shown in Book 1, Table GM-D-1, column 12, may need to be increased when jet exhaust wake velocity may cause hazardous conditions for ground servicing.”

response

Noted

Technical suggestions are addressed in the relevant sections.

comment

33 comment by: Bavarian Ministry of Economic Affairs, Infrastructure, Transport and Technology

**Re. Recital 20:**

Since all European Member States are equally contracting states of ICAO and thus bound to the ICAO convention and its annexes, a European system for aerodromes should respect the worldwide agreed principles of ICAO and refrain from creating special European conditions which jeopardize the competitiveness of the European aviation industry compared to other ICAO members. **Therefore, the differentiating between Standards and Recommended Practices is of utmost importance. As this principle is not fully reflected (EASA: “The structure of European rules, however, does not come with a tool exactly mirroring the character of an ICAO recommendation”), we strongly advise that the NPA be changed/amended accordingly, e.g. by shifting all ICAO Recommended Practices from CS ADR DSN to GM!**

response

Noted

comment

37

comment by: UK CAA

**Page No:** 7

**Paragraph No:** 16. Second Bullet

**Comment:** As an Alternative Means of Compliance can be proposed by an

operator it should be for the competent authority to accept it and notify the agency.

**Justification:** The acceptance of an alternative Means of Compliance where proposed by an aerodrome operator should follow a process that includes the assessment of that alternative by the competent authority before it is submitted to the agency.

**Proposed Text:** In the final sentence change "...uses.." to "...uses or accepts..."

response *Noted*

The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

<b>A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB)</b>	p. 8-9
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comment 6 comment by: *SWISS AERODROMES ASSOCIATION*

Para 26.:

The "and" after ELOS has to be deleted as i) the the SCs might meet the ERs without reaching an ELOS and ii) the ELOS is a quantitative value which in the domain of aerodromes must be understood as an ALOS, Acceptable Level Of Safety.

response *Noted*

The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

comment 8 comment by: *KLM*

**Deemed obsolete and delete.**

Every aerodrome has to be designed and built in accordance with the ICAO regulations and same goes for these regulations. There can be no unsafe features or every aerodrome is unsafe because of obstacles etc.

response *Noted*

comment 9 comment by: *Brussels Airport - BRU/EBBR*

Points 25. & 27.

Both points should be more clear. Only 1 point should be used.

Suggested text : "The certificate will be issued for an unlimited duration and will normally remain in force unless suspended or revoked by the competent authority (NAA). It may be issued for a limited period depending on the procedures employed by the NAA."

response

*Noted*

The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

comment

22

comment by: *DGAC Direction Générale de l'aviation civile*

### **1. Affected paragraphs**

- Draft Commission Regulation - Article 7 - Deviations from Certification Specifications (p13)
- ANNEX I - Part-AR - ADR.AR.C.035- Issuance of certificate - Paragraph (f) (p25)
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB) - Paragraph 25 (p9)
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Conversion and acceptance measures - Paragraph 32 (p10)

### **2. Justification and proposed text / comment**

This comment is linked with comment with comment 994 in book I  
Naming the document in which are compiled the evidence supporting the conditions described in this article will considerably ease the comprehension and the use of it in practice. DGAC proposes the name used in the explanatory note: "*Deviations Acceptance and Action Document*" and proposes to introduce this name in article 7 of the regulation.

Moreover, the DAAD can be, on some points, unlimited in time (see Explanatory Note - paragraph 32: "*the DAAD action plan is not time-bound*"). Moreover, the Explanatory Note - paragraph 25 states that the certificate can have a limited duration: it should be detailed here.

Consequently DGAC proposes the following amendments to **article 7**:

*"The competent authority shall compile the evidence supporting the conditions above in a **the Deviations Acceptance and Action Document**. This document shall not form part of the certification basis. The competent authority shall specify the period of acceptance of such deviations, **which may be unlimited in time**, and inform the Agency of all such documents it has issued."*

Furthermore, as the DAAD is clearly part of the aerodrome certificate, even if it is not part of the certification basis, there is a strong need to give more specifications on how to use it with regards to the certificate and so to include it in some provisions.

DGAC proposes to add a reference to it in paragraph (f) of **ADR.AR.C.035**, to detail that the DAAD is attached to the certificate (as explained in the Explanatory Note paragraph 32):

*"(f) The certificate is considered to include:*

*- the applicable certification basis with which the competent authority records compliance and any other conditions or limitations prescribed in the applicable Certification Specifications and requirements and*

*- if relevant, the deviation acceptance and action document, attached to it, which compiles the evidence supporting the conditions described in article 7 - paragraph 1 of this regulation."*

response

*Noted*

Technical suggestions are addressed in the relevant sections.

comment

24 ❖

comment by: *DGAC Direction Générale de l'aviation civile*

### **1. Affected paragraphs**

- A. Explanatory Note - EXECUTIVE SUMMARY (p2)
- A. Explanatory Note - II. Process and scope (p5,6): note 1
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB) (p9): (23) (24)
- Draft Commission Regulation (p2-5): §11
- ANNEX II - Part-OR - ADR.OR.D.035 — Record keeping (p55)
- AMC/GM to ANNEX I — Part-AR — GM1-ADR.AR.C.055 — Findings, corrective actions and enforcement measures (p34)
- AMC/GM to ANNEX II — Part-OR — AMC1-ADR.OR.E.005 — Aerodrome manual (p109)
- AMC/GM to ANNEX II — Part-OR — AMC2-ADR.OR.E.005 — Aerodrome manual (p109-114)

### **2. Justification and proposed text / comment**

This comment is linked with comment 1078 in book I and 824 in book II. As indicated in the explanatory note (pages 2, 5, 6 and 9), requirements for the certification of aerodrome equipment, as well as for the oversight of designers and producers of safety-critical aerodrome equipment will follow at a later stage jointly with the work to be done for specific ATM systems and constituents. This work will probably help knowing which equipment is ATM and which is aerodrome, knowing that most of it is ATM equipment.

Therefore, the aerodrome equipment should not be part of the aerodrome manual since lots of it is air traffic management equipment. Moreover, the pertinence of having a manual for aerodrome equipment in charge of the aerodrome operator is not proved and merits further debates.

Consequently:

- the first bullet of **GM1-ADR.AR.C.055 is to be deleted**
- Paragraph 4.3 of Part C of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome manual* is to be deleted, all the more that outside the boundaries of the aerodrome, the aerodrome operator is no more competent;
- Paragraph 13 of Part E of the content of the aerodrome manual of the proposed GM1-ADR.OR.E.010 — *Structure of the aerodrome manual* is to be deleted

### **"ADR.OR.D.035 – Record-keeping**

[...]

(d) [...]

~~(3) manuals of aerodrome equipment or systems employed at the aerodrome, for as long as they are used at the aerodrome~~

[...]”

**GM1-ADR.AR.C.055 – Findings, corrective actions and enforcement measures**

“CATEGORIES OF FINDINGS – DOCUMENTARY EVIDENCE

Examples of documentary evidence include but is not limited to:

– aerodrome or equipment manuals;

[...]”

**AMC2-GM1-ADR.OR.E.00510 – Structure of the Aerodrome manual**

[...]”

C. PART C – PARTICULARS OF THE AERODROME SITE

[...]

4.3 a plan showing the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;

[...]

~~E. PART D~~ **E – PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES OPERATING PROCEDURES OF THE AERODROME, ITS EQUIPMENT AND SAFETY MEASURES**

[...]

~~13. Maintenance and repair instructions, servicing information, troubleshooting and inspection procedures of aerodrome equipment~~

[...]”

response

*Noted*

Technical suggestions are addressed in the relevant sections.

comment

26

comment by: *Brussels Airport*

Explanatory note :

25. & 27.

Both points should be more clear. Only 1 point should be used

Suggested text : “The certificate will be issued for an unlimited duration and will normally remain in force unless suspended or revoked by the competent authority (NAA). It may be issued for a limited period depending on the procedures employed by the NAA.”

response

*Noted*

The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

comment

32

comment by: *East Midlands Airport - EMA/EGNX*

Paragraph 32: The facility to use a DAAD is welcomed. This will be a useful tool to enable NAAs to transfer existing deviations which do not meet criteria for ELoS or SC.

response

*Noted*

comment

40

comment by: *IATA*

**NPA 2011-20 (A) – Explanatory Note**

page 9 "the aerodrome has no features or characteristics making it unsafe for operation"

**Deemed obsolete and delete.**

Every aerodrome has to be designed and built in accordance with the ICAO regulations and same goes for these regulations.  
There can be no unsafe features or every aerodrome is unsafe because of obstacles etc

response *Noted*

The text referred to reflects text of the Basic Regulation. The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.

**A. Explanatory Note - III. Overview of the rules proposed in this NPA - Conversion and acceptance measures**

p. 10

comment

22 ❖

comment by: *DGAC Direction Générale de l'aviation civile*

**1. Affected paragraphs**

- Draft Commission Regulation - Article 7 - Deviations from Certification Specifications (p13)
- ANNEX I - Part-AR - ADR.AR.C.035- Issuance of certificate - Paragraph (f) (p25)
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Certification process including the establishment of the certification basis (CB) – Paragraph 25 (p9)
- A. Explanatory Note - III. Overview of the rules proposed in this NPA - Conversion and acceptance measures – Paragraph 32 (p10)

**2. Justification and proposed text / comment**

This comment is linked with comment with comment 994 in book I Naming the document in which are compiled the evidence supporting the conditions described in this article will considerably ease the comprehension and the use of it in practice. DGAC proposes the name used in the explanatory note: "*Deviations Acceptance and Action Document*" and proposes to introduce this name in article 7 of the regulation.

Moreover, the DAAD can be, on some points, unlimited in time (see Explanatory Note – paragraph 32: "*the DAAD action plan is not time-bound*"). Moreover, the Explanatory Note – paragraph 25 states that the certificate can have a limited duration: it should be detailed here.

Consequently DGAC proposes the following amendments to **article 7**:

*"The competent authority shall compile the evidence supporting the conditions above in a the Deviations Acceptance and Action Document. This document shall not form part of the certification basis. The competent authority shall specify the period of acceptance of such deviations, which may be unlimited in time, and inform the Agency of all such documents it has issued."*

Furthermore, as the DAAD is clearly part of the aerodrome certificate,

even if it is not part of the certification basis, there is a strong need to give more specifications on how to use it with regards to the certificate and so to include it in some provisions.

DGAC proposes to add a reference to it in paragraph (f) of **ADR.AR.C.035**, to detail that the DAAD is attached to the certificate (as explained in the Explanatory Note paragraph 32):

"(f) *The certificate is considered to include:*

- *the applicable certification basis with which the competent authority records compliance and any other conditions or limitations prescribed in the applicable Certification Specifications and requirements and*

- *if relevant, the deviation acceptance and action document, attached to it, which compiles the evidence supporting the conditions described in article 7 – paragraph 1 of this regulation."*

response *Noted*

Technical suggestions are addressed in the relevant sections.

**A. Explanatory Note - III. Overview of the rules proposed in this NPA - p. 11-12**  
**Structure of rules**

comment 34 comment by: *Bavarian Ministry of Economic Affairs, Infrastructure, Transport and Technology*

Re. Recital 38:

Rules of Part-AR that refer to the authorities' management organization or to administrative procedures must be deleted, or be shifted to GM at least, as EASA/COM do not have any legal competence to create such detailed binding rules which would interfere with the Member States' sovereignty. EASA/COM are bound to the fundamental EC principles of subsidiarity and proportionality (Art. 5 EC Treaty). Furthermore, Art. 8a para 5 of the Basic Regulation (BR) does not contain any authorization to standardize the Member States authorities' internal management systems and administrative procedures. The Basic Regulation only authorizes EASA/COM to further establish substantive law provisions amending non-essential elements of the requirements set forth under Art. 8a BR. For example, EASA/COM may establish rules prescribing the conditions / prerequisites for the issuance of aerodrome certificates but they may not establish detailed binding procedural rules on how to handle the issuance process! Instead of deleting the draft organizational / procedural rules, EASA/COM may decide that those rules be shifted to GM at least in order to allow for the necessary flexibility for customized compliance as required by Art. 8a para 6 subpara (e) BR.

response **Noted**

**A. Explanatory Note - IV. Regulatory Impact Assessment summary 7 - p. 13**  
**Challenges**

comment	10	comment by: <i>Brussels Airport - BRU/EBBR</i>
	Typing mistake in footnote.  The text says : "Note : 605 aerodromes ..., and a minimum of <b>151</b> aerodromes are under this threshold <sup>8</sup> , ..." In footnote n° 8 at the bottom of the page, it reads 159 i.s.o. 151 aerodromes : "These <b>159</b> aerodromes ...".	
response	<i>Noted</i>  The text of the Explanatory Note to the NPA will not be changed and will not form part of future regulatory material.	

comment	20	comment by: <i>SWISS AERODROMES ASSOCIATION</i>
	The formulation of the challenge  <i>"standardised interpretation of ICAO Annex 14 requirements and other technical requirements to maintain the current high safety level at airports with the future increase of airlines traffic"</i>  is of interest and is worth being discussed:  a) speaking of "current high safety level at airports" demonstrates that the present implementation of the ICAO requirements satisfies the need for Safety.  b) the goal of maintaining this existing level of Safety with the increase of airlines traffic underlines the necessity to exempt the business and general aviation sectors of new regulations.  c) standardised interpretation of requirements does not need to raise the degree of requirement such as making CSs out of ICAO recommendations  d) the challenge must take into account the provisions for flexibility and customized compliance required by the Basic Regulation, which do not only apply to the conversion of national certificates!	
response	<i>Noted</i>	

**A. Explanatory Note - IV. Regulatory Impact Assessment summary 7 - Objective**

p. 13

comment	21	comment by: <i>SWISS AERODROMES ASSOCIATION</i>
	See comment above, related to the challenge	
response	<i>Noted</i>	

**A. Explanatory Note - IV. Regulatory Impact Assessment summary 7 -  
Applied methodology**

p. 14

comment 16 comment by: *SWISS AERODROMES ASSOCIATION*  
We regret that EASA did not assess the impact of the options of possible rulemaking approaches - including "option 0" - before entering into the rulemaking process. The RIA conducted in this domain much more assessed some selected examples of the present implementation of ICAO SARPs. This is different.

response *Noted*

comment 45 comment by: *Airport St. Gallen-Altenrhein - ACH/LSZR*  
As a participant in the RIA we were very disappointed in the method used. Having no rules or instructions on how the rules were to be applied, it was not possible for us to assess to any degree the impact the regulations will have.

response *Noted*

**A. Explanatory Note - VII. Next steps**

p. 19

comment 18 comment by: *SWISS AERODROMES ASSOCIATION*  
This NPA is not just like another technical one: it prepares the implementation of a new, european-wide layer of regulation applicable to the aerodromes in a domain which has been regulated by States for about 90 years and by ICAO since 1944!  
Such a step requires an adequate participation of the aerodrome community. A participation has been granted to a certain extent in the Rulemaking process and would be of advantage in the further stages of reviewing the NPA after the consultation.  
According to the comments made during the consultation process, corrective action is expected in a quite extended scope in order to ensure proportionality, to prevent from overregulation and to reflect the need for more flexibility, and customized compliance, especially for smaller aerodromes.  
Our Association, in cooperation with ERAC, European regional Aerodromes Community, would welcome a common analysis of all comments before the issuance of the CRD and further regulatory steps.

response *Noted*