



TERMS OF REFERENCE

Task Nr:	BR.008, 34.002 and 36.006
Issue:	Issue 1
Date:	8 July 2010
Regulatory reference:	<ul style="list-style-type: none">• Regulation (EC) No 216/2008¹ (the Basic Regulation)• Commission Regulation (EC) No 690/2009²• Commission Regulation (EC) No 1702/2003³,• Decision No 2003/1/RM of the Executive Director of the Agency of 17 October 2003⁴• Decision No 2003/3/RM of the Executive Director of the Agency of 17 October 2003⁵• Decision No 2003/4/RM of the Executive Director of the Agency of 17 October 2003⁶
Reference documents:	<ul style="list-style-type: none">• Annex 16 to the Convention on International Civil Aviation, Volumes I and II• ICAO Environmental Technical Manual, Volumes I and II

1. Subject:

Implementation of CAEP/8 amendments

2. Problem/Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

The ICAO Committee on Aviation Environmental Protection (CAEP) held its 8th meeting (CAEP/8) from 1 to 12 February 2010. CAEP/8 recommended that Annex 16 to the Convention of the International Civil Aviation, Volume I (Aircraft Noise) and Volume II (Aircraft Engine Emissions) be amended as documented in the report to that meeting. The

¹ Regulation (EC) No 216/2008 of the European Parliament and of 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), as amended.

² Commission Regulation (EC) No 690/2009 of 30 July 2009 amending Regulation No 216/2008 of the European Parliament and the Council 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 199, 31.7.2009, p. 6).

³ Commission Regulation (EC) No 1702/2003 of 24 September 2003 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 organisations (OJ L 243, 27.9.2003, p. 6), as amended.

⁴ Decision on acceptable means of compliance and guidance material for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ('AMC and GM to Part-21').

⁵ Decision on certification specifications providing for acceptable means of compliance for aircraft engine emissions and fuel venting (CS-34).

⁶ Decision on certification specifications providing for acceptable means of compliance for aircraft noise (CS-36).

Agency envisages that the amendments to Annex 16 (Amendment 10 to Volume I and Amendment 7 to Volume II) will be adopted by the ICAO Council in early 2011. The Agency further expects that these amendments will be applicable in late 2011.

The main purpose for amending Annex 16, Volume I are clarification and simplification of the applicability language, and modifications of evaluation methods for noise certification. All proposals for changes in Annex 16, Volume I are considered stringency neutral. As regards Volume II of Annex 16, the main reason for amending the document is a stringency increase for NO_x to further reduce gaseous emissions. The amendment also addresses a production cut-off for engines, which do not fulfil the previous NO_x standard⁷. By enhancing measures related to aircraft noise and engine emissions, the amendments further minimise the effects of aviation on the environment.

In addition, CAEP/8 developed the recommendation that the ICAO Environmental Technical Manual, Volume I (Procedures for the Noise Certification of Aircraft) and Volume II (Procedures for the Emissions Certification of Aircraft Engines) be published as soon as possible. The Environmental Technical Manual further improves clarification on and provides additional guidance material for aircraft noise and aircraft engine emissions certification.

3. Objective:

- To develop an Agency Opinion for the Commission
 - (1) to amend Article 6(1) of the Basic Regulation to refer to Amendment 10 to Volume I and to Amendment 7 to Volume II of Annex 16; and
 - (2) to amend Commission Regulation (EC) No 1702/2003 to take into consideration the production cut-off for engines not fulfilling the previous NO_x standard⁷, as appropriate.
- To amend Decision No 2003/1/RM to take into consideration the production cut-off for engines not fulfilling the previous NO_x standard⁷, as appropriate.
- To amend Decision No 2003/3/RM to refer to Volume II of the ICAO Environmental Technical Manual.
- To amend Decision No 2003/4/RM to refer to Volume I of the ICAO Environmental Technical Manual.

4. Specific tasks and interface issues (Deliverables):

Draft a proposal to amend the Basic Regulation and Commission Regulation (EC) No 1702/2003, and to provide amendments to AMC and GM to Part-21, to CS-34 and to CS-36.

5. Working Methods (in addition to the applicable Agency procedures):

Tasks to be carried out by the Agency.

6. Time scale, milestones:

NPA: 2011/Q2

CRD: 2011/Q3

Opinion: 2011/Q4

Decision: to be published when the Basic Regulation and Commission Regulation (EC) No 1702/2003 have been amended by the Commission.

⁷ This standard was recommended at the CAEP/6 meeting in February 2004.