

MINUTES OF MEETING

Subject SAB C.COM meeting (2/2021)
Date 5 May 9:30-16:00
Location Teleconference (Webex)

Organised by Certification Directorate

List of Participants

Attendees	<p>C.COM members/alternates: François DUCLOS, Gilles GARROUSTE, Eric PARELON, Belinda SWAIN, Francesco PISANTI, Uwe SCHUELER, Xavier VERGEZ</p> <p>Other participants from EASA: Markus GOERNEMANN, Dominique ROLAND, Anne SENECHAL, Eric DUVIVIER, Julian HALL, Grégory LIEVRE, Rodrigo PRIEGO, Youri AUROQUE, Jean-Pierre ARNAUD, Rachel DAESCHLER, Ludovic ARON, Carl GARVIE, Charles LEBOEUF, Lorenzo PELLEGRINI, Karl SPECHT</p> <p>Other participants from the industry: Cyrille MARCHAND (Thales)</p>
Apologies	N/A

AGENDA

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MoM prepared by	Xavier VERGEZ (C.COM Secretary)	Date 19.05.2021
MoM endorsed by	François DUCLOS (C.COM Chairman)	Date 23.06.2021

1. Opening and Welcome

The meeting was held via Webex teleconference and started at 9:30am.

The Chair François Duclos welcomed the participants and explained that the industry continues to value the opportunity to gather and exchange with EASA during the C.COM meetings, also during this on-going crisis.

- Approval of the agenda:

The agenda was approved without change.

- C.COM membership:

An alternate member to Uwe Schueler has been proposed: Dr. Patrick Scherrer, Head of Continuing Airworthiness Engineering at Swiss International Air Lines. Swiss has a Part 21 department working in cooperation with LTH, and Dr. Scherrer has experience as Head of Part 21 DO. This nomination is approved by the C.COM industry members. EASA has no objection.

It was also mentioned that Markus Goernemann received a request from IAMA (represented by Andreas Gherman) to become an EASA-recognised industry association. This nomination should first be considered at SAB level. There is nevertheless a common perception in the C.COM that the current composition of the C.COM is adequate. Furthermore, a re-organisation of the SAB is to be done in the next months. Therefore, it does not seem opportune to add a member right now.

2. SMS (RMT.0251)

Presented by: Industry (François Duclos)

Presentation by industry (ASD):

The industry reminded the EASA Opinion and the related industry concerns: AltMoc requirement for POA and MOA, definition of Level 1 Finding for POA and MOA.

AMC/GM: The proposal is considered too prescriptive, too “systematic” or not SMS specific.

Review meetings on going between Industry and EASA

- Feeling that all comments raised by Industry for 2 years have not been reviewed yet by EASA
- ASD/GAMA fully engaged in this review with a strong expectation to get AMCs performance/objective based written and industry standard (SM-0001) recognised as a standalone AMC.

14 topics identified by EASA as not yet addressed by the industry standard SM-0001, which impedes its recognition as standalone AMC. Review of these topics completed by ASD/GAMA: outputs being compiled, to be released to EASA soon.

Objective: remove EASA additional topics and recognition of the SMS standard as standalone AMC with SMS requirements.

Update of SM-001: on-going with Industry and Authorities of the CMT, with the following planning:

Rev B to support EASA RMT schedule: ballot in Sept 2021, publication in Jan 2022

Rev C to address issues from other authorities and other outstanding areas: Q3-Q4 2022

EASA comments:

The published CRD to NPA 2019-05 is limited to the review of the comments related to the proposed implementing rules. This was done to expedite the issuance of Opinion 04/2020. Working sessions are being organised in 2021 to handle the comments specific to the AMC/GMs. Another CRD will be published at a later stage to cover the review of those comments.



Since January 2021, the review of the AMC/GMs has started and there are meetings taking place almost every week. The objective is to finish that review by Q1 2022.

Note: All SMS related AMC/GMs proposed in NPA 2019-05 came from the AMC/GMs in the other domains for the sake of “alignment”.

EASA is committed to review all concerns mentioned by the industry, but acknowledges that this substantial effort takes time. A collaborative approach is sought. This includes the recognition of SM.0001 revision B after the identified gaps have been addressed. This will be done in conjunction with the review of the AMC/GMs. It was also reminded that the EASA AMCs constitute one set of MoCs and that SM.0001 will constitute another set of MoC to the SMS requirements for Part 21 approved production and design organisations.

3. Abstraction layer

Presented by: Joint EASA-Industry presentation, presented by Eric Duvivier

Status of the work:

Task 1 Develop criteria

- ✓ Drafting of the criteria completed, ready for review
- ✓ Consolidation and homogeneity check: completed (Significant number of internal comments addressed)
- ✓ Relationship Criteria & Development Assurance Level (Task 1.2.5): completed. To be imported in each criteria and related evaluation items
- ✓ Formal review with respect to usability with actual standards/methodologies: to be finalised in May 2021.

➤ Task 2 - Identify standards or methodologies that could be evaluated (against the criteria defined in 1) as potential alternatives

- ✓ Completed : Industry working group identified Automotive development standard (ISO 26262 and related documents) as first candidate for evaluation, and some other standards as second priority.

➤ Task 3 (T3) - Highlight any recommendations to improve upon the concepts identified in DO-178 and DO-254

- ✓ Are identified along the drafting phase, limited time allocated to this task so far
- ✓ Specific work scheduled in May

Draft of the final report is started, internal review by the group is on-going.

COB meeting 19/4/21 – proposed recommendations:

For task 2: proposal to test the use of the AL on the ISO 26262 automotive standard.

Working Group composition proposal: TF members + other members, with EU & US industry chairs, with participation from authorities (extended to ANAC and TCCA).

Estimated time: 8 months. Deliverable: evaluation report on ISO 26262, feedback on the AL criteria.

Eric Parelou suggested to include a representative from the industry automotive. This would bring the benefit from the experience on the use of the standard.

After that, EASA & FAA will consider the feedback and update the TF AL report. The TF will have to agree on the final abstraction layer, to support the decision for co-publication by FAA & EASA.

Industry TF members agreement is needed on this recommendation.



Feedback from COB:

EASA full support on the proposed next step which could be initiated now.

FAA: need to wait the completion of the TF first step before moving to the next step (management view).

Discussion on the next steps:

Final report targeted in June 2021, presentation at C.COM Sept 2021 and COB.

Industry thinks that the FAA may recognise an ASTM standard in 2022 before completion of the AL TF work, as it seems that ASTM is progressing quicker. Industry in favour of accelerating as much as possible.

EASA clarified that the AL will be available in July but this does not prevent to make other assessments.

Industry stressed that in the end the TF should make a recommendation on what to do after the report, e.g. rulemaking action. EASA reminded that this is not specified in the three tasks of the TF.

4. International cooperation update

Presented by: EASA (Grégory Lièvre)

EASA presented an update on the cooperation with the UK.

TIP negotiations are concluded.

Certification Oversight Board (COB) meeting planned for 17 May 2021.

TIP will be signed and adopted during the first COB meeting between EASA and CAA-UK.

TIP will be made available on the EASA website then.

Online information session envisaged for EU industry

→ Opportunity to raise questions

→ Date: 18 May 2021

→ Invitation to follow

EASA contact person: Stephan Baertges (Stephan.BAERTGES@easa.europa.eu)

5. Non-Installed Equipment (NIE)

Presented by: EASA (Carl Garvie) and Industry

Industry reminded their presentation sent to EASA end of March proposing a way forward (ASD).

EASA presentation:

EASA presented their legal analysis of the proposal from the industry.

This included explanations of the Basic Regulation provisions related to NIE.

EASA explained why the ASD entails some legal issues, e.g. with regard to the legal basis allowing to issue a delegated act establishing the conditions for certification or declaration of NIE.

Only those categories of NIE that have been specifically identified in the delegated acts adopted under Article 19(1) will require certification or a declaration of design compliance (not all NIE requires certification or a declaration of design compliance).



EASA does not see a legal basis to establish detailed rules on the establishment of a Certification Basis (CS) for NIE under Article 31 of the Basic Regulation and the related Air Ops Regulation;

The most appropriate place for defining the conditions for the design certification or design compliance assessment of NIE without issuance of certificate is Regulation (EU) 748/2012 (Part 21) on the airworthiness and environmental certification.

Discussion:

Industry took note of this evaluation. Industry explained that they are interested by NIE as they can bring safety benefit. They nevertheless wish to avoid creating a burden on the industry for the approval of NIE, e.g. operational approval. A proportionate solution should be found. Items requiring a certificate should be limited as much as possible. Some principles of the ASD proposal may still be considered.

If necessary, a focused consultation working group (FC WG) may be created to gather industry support to the EASA RMT.

EASA may first draft a proposal that would then be presented to a FC WG. EASA would take into account the ASD proposal elements.

Status of the action 2020-8: regarding the organisation of a workshop EASA/Industry dedicated to NIE rulemaking: such workshop could be organised as soon as EASA has a mature draft proposal. It is not opportune at this stage.

Industry recommended to include Operators in the discussion.

EASA estimates that a concept paper could be drafted by end of June.

6. EASA 'Net Safety Benefit'

Presented by: EASA (Hette Hoekema)

Industry needs some clarifications on the scope of the 'Net Safety Benefit' initiative (reference to the EASA CM).

Presentation by EASA:

The objective is to reduce the number of fatal accidents in GA and recreational use of light rotorcraft. The intent is to facilitate the introduction of new safety enhancing technologies on GA aircraft (light aeroplanes and light rotorcraft), in particular on the old aircraft.

Four major areas identified in the EPAS: Staying in control, Managing the flight, Preventing Mid-Air Collisions and Coping with weather.

The cost of installation is often a problem for aircraft owners, thereby limiting the installation of new electronic equipment of these ageing aircraft.

The idea is to give credit to operational safety when determining DAL levels. Reduction of DAL by one level is envisaged (DAL B to C or DAL C to D).

EASA explained that it is not envisaged to expand the policy to other categories of aircraft.

For the time being, the policy is applied at aircraft level. No alleviations is envisaged on ETSO equipment.

Industry invited EASA to consider using such policy also for other ageing aircraft, including commercial large aeroplanes.

EASA re-explained that the primary goal is to prevent GA fatalities, therefore no extension of the scope is envisaged.



7. ASD AWC Network of Experts – DOA WG

Presented by: EASA (Julian Hall) and Industry

Discussion on the terms of reference (ToR) and cooperation with EASA.

EASA is concerned that the ToR could imply a duplication of activities. EASA needs to use resources in the most efficient way.

EASA is happy to discuss in the C.COM topics not already addressed in existing rulemaking or other working groups. But when a group exists, the input should be provided to or by this group.

Industry: the DOA WG does not require a permanent EASA member, but rather a point of contact for ad hoc coordination. EASA may participate from time to time to a meeting. No overlap with existing group activities was intended.

Expertise from the DOA department is requested by industry.

Volume is about 3-4 questions per year.

EASA indicated that in these conditions, EASA would probably support the discussion, and the request for support should be sent to Julian Hall.

8. EASA Form 1 (from maintenance organisations)

Presented by: EASA (Lorenzo Pellegrini, Karl Specht)

Release of Form 1 for parts on military and governmental aircraft.

Industry explanation:

This topic was raised few years ago, it is not new. It is now reminded by Airbus D&S.

Aircraft with dual use civil/military (Example: A330 MRTT, CASA 295): it would be practical if parts could be released by MO with an EASA Form 1 also for use on military operated aircraft.

Commonality of spare parts is often used. Sometime, the organisation releases a part without knowing in advance the end user.

EASA presentation:

EASA reminded the content of the EASA policy dated 2013 on 'maintenance release of aircraft not covered by the Basic Regulation' (forwarded to Industry after the meeting).

Combined Non-civil/civil application:

The component P/N is eligible for installation on a civil aircraft, but used for military/government aircraft.

The Part 145 AMO can be approved by EASA for the maintenance.

EASA Form 1 can be issued without limitation.

However, when the component or part is removed from a non BR aircraft, AMC2 145.A.50(d) para. 2.8 applies (due care should be taken by the AMO before acceptance of such components for maintenance).

The treatment of removed parts depends on the knowledge and records available (i.e. airworthiness data) when the part was used on a non-civil aircraft.

Non-civil application only:

The component P/N is only eligible for military/government aircraft (e.g. TP400 engine) which has however an EASA TC.

The part 145 AMO can be approved by EASA for the maintenance.

EASA Form 1 can only be issued with limitation in block 12.



A statement must be included referring to the National military airworthiness authority recognising the EASA Part 145 rules and the EASA Part 145 organisation approval.

EASA informed the industry that an action has been launched internally within the Agency to review this topic (coordination between CT, FS, and military cooperation).

This will be followed up.

9. Review of Opened actions

Presented by: All

A status was made for all opened actions. Please refer to the distributed updated Excel spreadsheet.

10. B737 MAX follow up

Presented by: EASA (Rachel Daeschler, Ludovic Aron)

EASA update:

EASA informed the industry on the status of the identified activities that were presented at the last C.COM meeting:

- Work toward a more robust system safety assessment process during certification of large aeroplanes (incl. propulsion system interfaces) (EASA leading expert is Emilie Marchais):
This activity should be handled in the frame of the CMT/CATA. A paper has been submitted to the CMTS so as to formalise the tasking to the CMT/CATA. CMT approval is awaited.
EASA is working on:
 - o introduction of new AMC material,
 - o determination of EASA LOI,
 - o generic CRI and CAI,
 - o a CM to introduce the EASA policy
- Work on in-service large aeroplanes continuing airworthiness: improve the integration of human factors (HF) and crew training requirements during continuing airworthiness. (EASA leading expert is Mark Kieft)
Review certification assumptions taking into account experience gathered in service. Flight data analysis is considered as a tool that could help supporting this task.
EASA would to engage with the European industry (operators and manufacturers).
FAA seems willing to cooperate on this topic. They refer to bridging SMS between manufacturers and operators.
- Work on the development assurance (EASA leading expert is Nicolas Chevillard):
EASA is considering different options: AMC 25.1309 development, link with CPR.
- Changed product rules (EASA leading expert is Ludovic Aron):
FAA is in the lead for the drafting of the Charter. Regular CMT meetings are on going. EASA recommended an international Authorities working group to be created; this has not yet been launched. (Note: the Chinese authority was also invited to join, but they have not yet confirmed their participation). European coordination is envisaged with industry via the C.COM.

Next C.COM meeting: a technical presentation, with more details provided by task owners, could be made by EASA.

Industry update:



Industry does not wish to stay in 'waiting mode' before reacting, but rather envisages a proactive role.

Since last July, industry endeavours to improve safety in particular in the area of better taking into account HF in design activities.

Industry envisages a solution to improve the processes based on their own initiative. Different industry initiatives exist, e.g. Airbus but also others. Industry is not yet ready to share the details, but industry may contact soon authorities to come up with proposals.

EASA reminded the responsibilities and mandate of FAA and EASA in this context, and therefore the need for authorities to ensure a critical view on the content of the proposals.

11. Briefing to EASA Certification Director Rachel Daeschler

Presented by: François Duclos

François Duclos presented a summary of the discussions of this meeting to Rachel Daeschler.

12. Closure of the meeting and next meetings

The teleconference was closed at around 16:00.

The next C.COM meeting (most probably via Webex teleconference) is scheduled on 7 September 2021.

