

MINUTES OF MEETING

Subject SAB C.COM meeting (4/2021)
Date 18 November 9:00-16:15
Location Cologne+Teleconference (Webex)

Organised by Certification Directorate

List of Participants

Attendees	C.COM members/alternates: François DUCLOS, Gilles GARROUSTE, Eric PARELON, Belinda SWAIN, Uwe SCHÜLER, Xavier VERGEZ
	Other participants from EASA: Markus GOERNEMANN, Dominique ROLAND, Anne SENECHAL, Eric DUVIVIER, Julian HALL, Juan ANTON, Grégory LIEVRE, Rodrigo PRIEGO, Youri AUROQUE, Jean-Pierre ARNAUD, Rachel DAESCHLER, Stephen FOY, Charles DENIS

AGENDA

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MoM prepared by	Xavier VERGEZ (C.COM Secretary)	Date 29/11/2021
MoM endorsed by	François DUCLOS (C.COM Chairman)	Date 25/02/2022

1. Opening and Welcome

The meeting was held both in person (in the EASA building in Cologne) and via Webex teleconference. Three C.COM industry members were present in person (François Duclos, Belinda Swain, Eric Parelou). The meeting started at 09:00am.

The Chair François Duclos welcomed the participants and shared the positive impact on the Industry activities of the confirmed re-start of air transport on short and middle range flights. The situation remains difficult for long range flights.

- Approval of the agenda:

The agenda was approved. In addition, the following topics were agreed to be added under request from the Industry: Fees & Charges reserve, Standard development, Digital exchanges.

- Approval of the minutes of last meeting:

The minutes were approved and distributed on 17 November.

- C.COM membership:

It was reminded at the beginning of the meeting that the nomination of the Alternate to Uwe Schüler, i.e. Dr. Patrick Scherrer (Head of Continuing Airworthiness Engineering at Swiss International Air Lines) remained to be approved at SAB level. The approval was then received later in the morning (email from Stuart Anderson, Executive Secretary SAB).

- Next C.COM meetings

The following dates were decided for the next meetings in 2022: 8 March, 19 May, 7 September, 17 November.

2. SMS / ISMS

Presented by: Industry (François Duclos), EASA (Rodrigo Priego, Juan Anton)

SMS:

The Industry presented a summary of the current status following the meetings held during the summer period.

In particular, the following items were discussed:

- Definition of Finding Level 1 for POA and MOA: Industry proposed (3 November) a Guidance Material to clarify the meaning of 'lowers safety';
- Organisation safety governance as detailed in Draft AMC1 21.A.139(c)(2)/239(c)(2): AMC under rework by EASA RMT stakeholders, not yet shared with industry;
- Application of HF principles as detailed in Draft AMC1 21.A.139(c)(1)/239(c)(1): AMC under rework by EASA RMT stakeholders, not yet shared with industry;
- Structure of the control of subcontractors in Draft AMC1 21.A.139(c)(3)/239(c)(3): AMC under rework by EASA RMT stakeholders, not yet shared with industry.

Industry Standard SM-0001 schedule: Two revision approach (rev. B & rev. C):

Rev. B to support EASA rulemaking schedule: available for comments to EASA specialists since end of Sep 2021

- mature draft for ballot: CW 46/2021
- Publishing: Jan. 2022

Rev. C to address any issues from FAA, TCCA or ANAC and all other outstanding topic areas by 09/2022



EASA currently anticipates that the final version of SM-0001 Rev. B may be referred to as an AMC to Part 21 points 21.139(c) and 21.239(c) but it is agreed that the Rev. B to be published will not be suitable as an AMC to the requirements on management system in Part-145.

EASA considers that a future version of the Standard SM-0001 (i.e. Rev C) may be considered as an AMC to the requirements on management system in Part-145, and EASA is willing to continue to support industry during the revision of the standard (i.e. through participation to the standard working group).

ISMS/SMS:

- Rulemaking:

The opinion on a Part-IS is being discussed with EASA Member States in the frame of the EASA Committee. Juan Anton mentioned that an adoption could happen during summer 2022. The date of applicability is not yet decided; it could be 1 year after the entry into force (EIF) as proposed in the Opinion, but the current discussion may lead to a 2-year time.

AMC/GM to Part-IS are being drafted and should be published with an EASA ED Decision when Part-IS will enter into force or slightly later.

EASA intends to use an accelerated procedure for the consultation. The SAB does not support this method and wishes to have an NPA publication. EASA took note of this position and will review it before deciding on the way forward. Publishing an NPA would probably require to delay the EIF of the Part-IS regulation.

In general, EASA and the Industry need to get prepared for a change in the way the oversight of approved organisations is performed. A risk based approach has to be implemented that takes into account both safety and security risks. Training of staff on both sides has to be planned.

- Pilot Projects:

EASA briefed the Industry on the intended selection of organisations for the pilot projects. The final list will be provided before the end of the year. EASA thanks the Industry for the received recommendations.

3. Abstraction layer

Presented by Anne Senechal and Eric Duvivier

The Task Force (TF) final report on the Abstraction Layer (AL) was issued as planned in June 2021 to EASA and FAA management.

The TF made 3 recommendations:

- 1: Allow the trial of use of AL criteria on the automotive standard ISO 26262: the Industry is writing some ToR. It is envisaged to open the Group to other Industry groups and TCCA, ANAC Brazil.
- 2: Publish the AL and define the usage context of the AL
- 3: Framework for recognition of alternate standards assessed using the AL, for use into Avionics certification projects

The COB meeting in Sept 2021 agreed to expand recommendation 1 to other bilateral partners (ANAC and TCCA). Strong support was provided to move forward with the 3 recommendations:

- Agreement to trial the AL on ISO 26262 as a first evaluation before making it publicly available,
- Agreement to start with the recommendation 2 already during the work of recommendation 1.

Recommendation 1: Terms of reference (Industry led working group (WG), 1 year duration) were drafted by Industry members of the TF and have been agreed by the AL TF. Industry (ASD & GAMA) now has to approve



them. ToR to be then endorsed by the COB before 2022. Kick Off meeting target is Jan 2022. Reporting should be done to the AL TF EASA&FAA chairmen / Task under the COB.

Recommendation 2: Three phases are identified for this task:

1. Internal Authorities brainstorm and discussion on future plans for AL material
2. Authorities to present the proposed “future plans” to management and industry + collect feedback
3. TF WG to update the AL and finalise the report for publication

It is proposed to have phases 1 & 2 concurrent to recommendation 1 activities.

Reporting will be done to COB.

Recommendation 3:

The AL TF WG will define the framework to assess alternate standards.

The AL TF WG will consider the approach to address the identified gaps.

Authorities will define best format to recognise the alternate standards into the regulatory framework and collect feedback from the AL TF WG.

Timing constraint : it depends on the results from recommendation 1 activities, and on resource management aspects.

Reporting will be done to COB.

Schedule: refer to the EASA presentation showing the overall schedule. A work plan has to be drafted in coordination with the FAA members of the TF, to be then endorsed by the COB.

The Industry commented that they are satisfied with the progress made and the proposed working method. The schedule looks ambitious though.

Some support is sought by ASD beyond the Industry usual major players, because some workload issues may trigger in 2022.

4. EASA Form 1 (from maintenance organisations) - spare parts of dual use (civil and military)

Presented by: EASA (Julian Hall, Juan Anton)

EASA reminded that this topic has been discussed for a long time.

EASA CT and FS are coordinating their efforts to address as far as possible the identified concerns as reported by the Industry. The following solutions were mentioned:

- 1) Opt-in by a Member State to the Basic Regulation (under Article 2(6)), in particular for products and equipment used to carry military activities
- 2) Use the flexibility provided under AMC2 145.A.50(d), paragraph 2.8: this may be used to deal with parts removed from a military aircraft and then installed on a civil aircraft
- 3) The TC holder may provide a procedure in the ICA (e.g. Service Bulletin) describing how to move a part from a military aircraft to a civil aircraft.
- 4) Establish a military Bilateral Agreement

Industry mentioned an example of issue related to engines: the case of an engine used on a governmental aircraft (under military registration) for which a non-EASA State (e.g. Canada) prevents the engine TC holder to release the engine to the spare part system.

EASA has not yet extended this discussion to Bilateral partners, but this could be raised within CMT Authorities.



5. International cooperation update

Presented by: EASA (Grégory Lièvre) and Industry (François duclos)

China

An escalation diagram has been agreed between CAAC and EASA to solve issues that cannot be solved at technical level.

A common list of FAQ was published on 15 October 2021.

A process was agreed with CAAC for the update of CAAC validated TCDS when it is impacted by automatically accepted design changes.

Some figures were also indicated on the recent activities: 3 ETSOA and 6 STC (non significant) validated by CAAC, and the figures on the pending validation projects were shown.

Several engine projects are blocked. They should be subject to automatic acceptance under the BASA provisions although these projects started before EIF. CAAC is working on them to find a solution.

Two aeroplane projects are currently going through the escalation process: ATR 42 and Falcon 7X. Dassault is considering the option to terminate their project and re-apply under the new TIP to benefit from automatic acceptance, as the current delays could lead to the loss of business opportunities.

Airbus: A350: 3 deliveries are blocked. Airbus appreciates EASA's support for the A321 but highlights the need to solve the issue for the A350. New problems appear with the A330.

Thales has three applications ready to be sent and is reviewing the timing for launching the applications.

Jet fuel agreement: not yet fully implemented.

The Industry thanked EASA for the continuous support and commitment in the difficult relations with CAAC.

Russia

ASD approached the EC to propose the idea of establishing a Bilateral Agreement with Russia. The EC denied this idea. The EC was also surprised by the fact that Industry currently faces difficulties in their validation activities with Russia.

UK

ASD approached the EC to propose establishing a new annex on maintenance. ADS (the UK trade association) also approached the UK government on the maintenance annex. Both the UK government and the EC replied with a clear no-go.

Industry highlighted that the coordination with UK CAA is important, for example on SMS and ISMS.

CMT & FAA

In the framework of on-going discussions (1) with the FAA about a future EASA-FAA VIR and (2) within CMT about the future CMT strategic priorities, EASA would welcome Industry's input regarding the top 5 priorities for the relations with the FAA and for the coordination with the CMT. Input have to be provided by the end of Jan 2022.



6. Non-Installed Equipment (NIE)

Presented by: Industry (François Duclos) and EASA (Rodrigo Priego)

Industry raised that they are missing background information on the motivation behind the NIE change introduced in the Basic regulation. Industry would nevertheless be concerned if EASA would decide to select Option 0 'Do nothing'. Some safety concerns are indeed identified by the Industry. Two examples were mentioned to illustrate that:

- The use of containers which can negate the efforts done in term of crashworthiness during certification of the aircraft,
- The use of Google Glasses by some pilots.

EASA is currently exploring the possibility to expand the scope of the ETSOA system to address NIEs. Some current ETSO articles already comply with the definition of NIE. The Industry acknowledges this idea. EASA will present the status of this analysis at the next CCOM meeting in 2022.

7. Standards development

Presented by: Industry (Belinda Swain)

Industry asked whether EASA is currently reviewing which standards groups it supports and reducing the overall level of support. In particular EASA was asked to review the decision to no longer support the AIA Rotor Integrity Steering Committee (RISC). This multi-national industry and regulators committee was formed following a major accident and has been instrumental in improving regulatory guidance over many years with still more to do. The EASA standard of expertise in this area is excellent, and their involvement helps ensure the quality of this important guidance.

EASA understands the Industry position, but EASA needs to focus its resources on standard development activities related to its strategic priorities and cannot be present in every standard development projects. EASA is reviewing their process for deciding which standards groups to support based priority allocation. Those present during the C.COM meeting were not aware of the specific circumstances related to the AIA RISC. In light of the importance of the AIA RISC, including the fact that integrity of the engine critical parts must be a priority, Industry reiterated the request for EASA to reverse the decision not to support this group. Industry noted that ASD has set up a working group which aims to identify which standards industry will support, to avoid duplication and make sure important groups are well supported. Industry believes that more co-ordination between the EASA Standards Steering Committee and the Industry one would be beneficial, ensuring common priorities are adequately addressed, and asked EASA to reconsider a previous decision not to allow the Chair of the ASD Standards Group to attend EASA IISC meetings (or some parts of them).

Post meeting note: the chair of the Industry committee has received an invitation to attend a meeting. A date has not been agreed at the time of writing these minutes of meeting.

8. Update of the EASA rulemaking procedure

Presented by: EASA (Michael Gerhard)

The EASA rulemaking procedure will be amended to make it more efficient, effective and flexible.

The background and the status of the project were presented at the SAB plenary meeting held on 16th and 17th November 2022. .

The presentation was distributed to the C.COM Industry before the meeting.

Michael Gerhard provided more detailed explanations.

In the next steps, further discussion is planned with the SAB TF. The industry will provide its global and detailed feedback to EASA in the frame of this SAB TF. During the C.COM, the Industry emphasized the need to clearly identify the expected safety benefit when launching a new rulemaking activity.

EASA intends to conclude the consultation of MAB and SAB in Q1/2022 and afterwards present to the MB for adoption.



9. B737 MAX lessons learnt

Presented by: EASA (Stephen Foy and Charles Denis (for WP1)), Industry (François Duclos)

EASA presentation:

EASA presented the individual objectives and updated status of the different EASA work packages (WP).

WP.1: Functional Hazard Assessment (FHA)/ System Safety Analysis (SSA) processes and addressing Human Factors in Functional Hazard Assessments:

Comprehensive work-plan developed that includes the publication of a Certification Memo (CM), internal training and checklists for EASA system experts, discussions with bilateral partners and is supported by knowledge management activity.

Draft CM based on Lessons learned and project feedbacks finalised internally (Sept 2021).

Draft CM shared with the FAA and the SAHF group with a proposals to engage discussions (Nov 2021).

Initial contact established with the SAHF after agreement of the EASA Steering Committee (Nov 2021).

Join the future working group initiated to discuss changes in standards under (EUROCAE/SAE) (Dec 2021).

The CM public consultation is targeted to be initiated in June 2022.

WP.2: Better integration of Human Factors in CAW process.

Improve methodologies, regulatory requirements and processes to improve capturing crew behaviours in CAW not consistent with IAW assumptions and identify corrective actions in design, procedures and/or training.

A change in the task's lead coordinator was announced from Mark Kieft within Certification to Nabil Ben Mami (Safety Risk Management Section Manager) of the Strategy & Safety Management Directorate. It was clarified however that the control of the task remains within the Certification Directorate.

Status: Definition Phase ongoing.

WP.3: Application and Oversight of Development Assurance (DA) Process

Objective 1: Develop & provide visibility on the Agency's position w.r.t. applicability of Development Assurance on all products.

CRI for modification on CS-25/CS-29/CS-23 Class IV shared with ASD and discussed in a meeting. Slight changes to be performed following the ASD feedback. (Q4 2021)

CRI for modification on CS-E products, is being reviewed internally (Q4 2021)

Update of AMC 25.1309 & AMC 27/29.1309 on-going, draft will be shared with ASD before NPA publication. (Q2 2022)

Certification Memorandum to provide visibility on all products on-going. (Q2 2022)

Objective 2: Update LOI strategy

Internal definition of DOA performance criteria for Development Assurance on-going, draft will be shared with ASD. (Q2 2022)

Update of the LOI Certification Memorandum CM-21.A/21.B-001. (Q4 2022).

It was noted that the team has been very proactive with respect to the task, and their engagement with ASD.

WP.4: Change Product Rule.



Framework: CPR IWG

CMT authorities (FAA, EASA, TCCA, ANAC) + CAAC & JCAB.

Objective: harmonized approach to address gaps in the process of issuing Amended TC for derivative aircraft, as identified in various reports issued in the frame of the B737 MAX accidents investigations, and ultimately in the ACSA act.

The overall schedule was presented (see EASA presentation). The task is currently within Stage 1 (Review & Consultation phase) and the workplan and sequence for this stage was discussed. A draft recommendation report for this phase is targeted for Q2/2022.

Industry presentation:

François Duclos presented the status of work initiated by the ASD. 4 working groups have been launched; mirroring EASA work packages breakdown.

Safety Assessment & HF Bridge ASD Working Group

KoM held 24 September 2021

- Share our understanding of the applicable recommendations and expected activities for our working group
- agree on the ToR content (technical and WoW)

Plenary meeting#2 - 22d October 2021

- Share REX on HF-Safety bridge evolutions
- Define the participation of each team member to the 4 substreams

Plenary meeting#3 - planned 3d Dec 2021 - at Airbus premises

Objective: share the plan of activities in each sub-stream, considering the following participation agreed at meeting#2

ASD-AWC Change Product Rule Working Group

3 meetings held

- Terms of Reference agreed
- CPR Feed-back from each organization reviewed, synthesized and compared with EASA inputs
- Coordination set-up with International Industry CPR WG (to avoid duplication of activities while protecting ASD WG capacity to work on all the subjects down selected by this group)
- Monthly exchange and alignment ensured with Ludovic Aron

Development Assurance

EASA/Industry workshop planned for 27th January 2022

ASD WG activity is planned to align with EASA's development assurance programme

- Develop and provide visibility of the agency's position with respect to applicability of development assurance on all products
- Improve coordination with DOA
- Update LOI strategy

Concern that EASA activity is EASA only, not working with bilateral partners.

Continued Airworthiness / HF/OSD

1st meeting held on 6th October 2021 to share information, common understanding and general objectives of the WS2 issue :



- Identify precisely methodologies, regulatory requirements and processes to improve capturing crew behaviours in CAW not consistent with IAW assumptions,
- Identify corrective actions in design, procedures and/or training

Next meeting planned for 19th and 26th November 2021.

Deliverables will be defined in the next meetings.

In addition the WS2 group propose to plan a meeting with EASA (e.g. in December) to share and align our common objectives on this subject.

10. Destination Future Proof (DFP) Initial Airworthiness (IAW) project

Presented by: EASA (Dominique Roland, Alain Leroy)

EASA first reminded the challenges identified in the next decade for both the industry and EASA.

To improve our capacity to face these challenges, 7 workstreams are put in place:

- Pre application
- Eligibility: improved policy to cater for different levels of maturity of applicants
- Task allocation tailored to required level of expertise
- Development of knowledge management center (IAW)
- Roles and responsibilities adapted to the new processes
- Agile workforce management
- Optimise CRI/CM process and workflow from initiation to publication

First major milestones in Q1 2022. Full initiative will last until 2023.

Then EASA described the pre application process (PAP) (WS1). The PAP will provided several incentives to applicants:

- Increased certainty compared to TACs thanks to the de-risking of applications for novel designs through the early definition of the technical specifications (separates the pre-industrialisation and certification phases).
- More efficient and smoother subsequent certification project.
- Early policy/rulemaking activities potentially led by the industry.
- Common application for different companies possible, reduced cost.
- Involvement of EASA Senior Technical Staff (e.g. chief and senior experts for CT)
- Easier transfer of technical knowledge among experts and projects

It should:

- facilitate establishing certainties on novel requirements directly re-usable in other projects.
- allow an early cross-directorate coordination, common understanding of regulatory needs
- reduce the pressure on the final certification phase
- provide an efficiency gain on the use of EASA resources and reduce the time for cert.basis identification
- facilitate internal standardisation.

Industry welcomes this initiative.



11. Fees and charges reserve

Presented by: Industry (Gilles Garrouste)

Industry shared the presentation made at the SAB plenary meeting (16-17 November 2021).

The main general comments raised by the Industry are the following:

- The fees and charges (F&C) regulation shall be revised to avoid a continuous increase of the F&C reserve
- The principle of F&C investment projects is supported, when it is aligned with the goals and topics identified and agreed with the Industry
- For being consistent with the origin of the F&C revenue, financed projects related to manufacturers activities shall represent up to 70% of the financed global amount
- Manufacturers support a review of activities which are financed by the F&C.

Regarding the projects proposed by EASA, the position of the Industry is:

- D4S is supported in the sake of continuity of the 2017 decision, with a SAB representative nominated as a member of the D4S Steering Board
- ECCAIRS2 project is weakly related to manufacturers activities, but could be supported
- Enlarging the scope of the CZ platform, not a priority for manufacturers, is not supported

Industry considers that the planned involvement of EASA experts in Research & Technological Developments (RTD) is not sufficient. Industry recommended to consider investing at least 10 M€ over the next 3 years in:

- The clean aviation program
- Certification methodology improvements in relation with the lessons learnt from the B737MAX
- Certification methodology in relation with Artificial Intelligence.

EASA will take into account these positions.

12. Digital exchanges with EASA

Presented by: Industry (Gilles Garrouste)

Industry shared the presentation made at the SAB plenary meeting (16-17 November 2021).

This topic was raised during the last C.COM meeting after the Industry commented that they lacked visibility on where EASA wants to go with digital exchanges performed with the Industry. It was recommended that the topic should be coordinated at SAB level, like already done at MAB level.

Industry therefore initiated this action at SAB level. A preliminary list of activities with corresponding stakeholders and features was presented.

The SAB decided to create groups that will be coordinated by Gilles Garrouste.

EASA welcomes this initiative and looks forward to a fruitful cooperation.

13. 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.



14. Closure of the meeting and next meetings

The meeting and the teleconference were closed at around 16:15.

The next C.COM meeting is scheduled on **8 March 2022**.

