

Organised by Air Traffic Department, ED.4, EASA

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## AGENDA

1	Welcome and introduction	4
2	Adoption of the agenda	4
3	Agenda Item 3a: ATM/AMS programming   Update on EPAS 2021-2025 implementation (incl. NPA on Conformity assessment) and draft EPAS 2022-2026 overview	4
	Agenda Item 3b: ATM/ANS programming   Implementation of Art. 140(2) to Regulation (EU) 2018/1139 (i.e. IOP rules and their adaption to EASA Basic regulation)	4
	Agenda Item 3c: ATM/ANS programming   Transitional provisions   application of Art. 139 (2) to Regulation (EU) 2018/1139	5
4	Agenda Item 4.1: Standardisation activities   Standardisation updates	5
	Agenda Item 4.2: Standardisation activities   Contracted activities vs. supplied services (ATM/ANS.OR.B.015)	6
5	Agenda Item 5: Replacement of AIP section by digital data sets & GRF implementation	6
6	Agenda Item 6: Minimum altitudes in the context of specialised operations	7
7	Agenda Item 7: PBN implementation	7
8	Agenda Item 8: Capability of IFPS to mitigate airspace violations	9
9	Agenda Item 9: SESAR development and deployment	9
10	Agenda Item 10.1: Implementation issues (raised by ATM/ANS TeB/NCP SO WG)   Implementation of Art. 3a of Reg. (EU) 2017/373 as amended by Reg. (EU) 2020/469	9
	Agenda Item 10.2: Implementation issues (raised by ATM/ANS TeB/NCP SO WG)   AFIS providers requirements (e.g. compliance monitoring function and contracted activities)	10
	Agenda Item 10.3: Implementation issues (raised by ATM/ANS TeB/NCP SO WG)   FPD implementation	10
	Agenda Item 10.3.bis: Implementation issues (raised by ATM/ANS TeB/NCP SO WG)   Exchange of views / questions on implementation issues	10
	Agenda Item 10.4: Implementation issues (raised by ATM/ANS TeB/NCP SO WG)   IOP IR 1032/2006 Coordination and Transfer	10
11	Agenda Item 11: AOB	11
12	Agenda Item 12: Future meetings	11
13	Agenda Item 13: Closure of the meeting	11
14	List of actions	11

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EASA ATM/ANS TeB NCP SO WG NCP Support



## 1 Welcome and introduction

*Presented by: Jussi MYLLÄRNIEMI (EASA/ATM/ANS TeB chair), Jani LUIRO (Traficom/NCP SO WG chair), Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

The meeting was co-chaired by Jussi Myllärniemi and by Jani Luro, who welcomed the audience and opened the meeting.

## 2 Adoption of the agenda

*Presented by: Jussi MYLLÄRNIEMI (EASA) and Jani LUIRO (Traficom)*

The draft Agenda version 14 was approved.



DP01\_ATM\_ANS TeB WebEx 3-2021 draft meeting agenda v14.pdf

## 3 Agenda Item 3a: ATM/AMS programming | Update on EPAS 2021-2025 implementation (incl. NPA on Conformity assessment) and draft EPAS 2022-2026 overview

*Presented by: Fabio GRASSO (EASA)*

Fabio Grasso presented the status of the EASA ATM/ANS regulatory activities and the evolution of their planning in accordance with the EPAS 2022-2026, which has been recently endorsed by the EASA Management Board and which will be published in early January 2022.

This consistent plan foresees the issuance of 13 deliverables, out of which 4 Opinions. The goal is to ensure the development of the EU regulatory framework in accordance to specified legislative mandates, to smoothly accommodate the conceptual and technological changes in operations and service provision, to consider the feedback from implementation, to finally align with the ICAO framework. EASA will be highly committed to respect the established demanding plan, and counts on the support of its stakeholders, in particular concerning feedback during the regulatory process.

The TeB Members were informed that, upon coordinated decision between EASA and the MAB, as of 2022 any draft Opinion will be submitted to the MAB members for a final revision before publication. This is considered to be beneficial to allow an early awareness of the Member States on the Opinions' content, with benefits for the successive comitology process.

## Agenda Item 3b: ATM/ANS programming | Implementation of Art. 140(2) to Regulation (EU) 2018/1139 (i.e. IOP rules and their adaption to EASA Basic regulation)

*Presented by: Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

A short presentation was provided by opening the subject with reference to Article 140 (Transitional provision) to EASA Basic Regulation (EU) 2018/1139 that stipulates "not later than 12 September 2023 the implementing rules adopted on the basis of Regulations (EC) No 216/2008 and (EC) No 552/2004 shall be adapted to this Regulation", i.e. to EASA Basic Regulation.

In view of the technological developments, EASA aims to assist stakeholders to fully exploit the current regulatory framework and lift obstacles from accommodating new technologies and operational concepts, while maintaining a high level of safety.

On the short term, the initiative is to review and propose a more harmonised and simplified EASA interoperability framework of rules to enable the use of the airspace and to create a level-playing field to



benefits from the technological developments: reduce the number of Implementing Regulations, and ensure a more harmonised level of requirements and technological developments.

On the longer term, EASA will assist its stakeholders to implement the more harmonised and simplified regulatory framework as well as to benefit from the new conformity assessment framework through the gradual evolution of the ATM/ANS equipment that will be subject to certification or declaration, when there is a need or opportunity to do so.

The regulatory outputs anticipated from the referenced initiative are as follows:

- Establishment of the EU regulatory framework and respective acts for conformity assessment of the ATM/ANS equipment, in order to contribute to the safety and interoperability of the European ATM network operation;
- Review the SES interoperability rules (implementing the repealed Regulation (EC) No 552/2004) to update and adapt them to the EASA framework;
- Establishment of the set of EASA detailed specifications based on the existing interoperability rules and the Community Specifications.

### **Agenda Item 3c: ATM/ANS programming | Transitional provisions | application of Art. 139 (2) to Regulation (EU) 2018/1139**

*Presented by: Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

Regulation (EU) 2018/1139 repealed Regulation (EC) No 552/2004, i.e. the interoperability Regulation (EC) No 552/2004. However, in accordance with Article 139(2), Articles 4, 5, 6, 6a and 7, as well Annexes III and IV in the interoperability Regulation remain applicable for a limited time.

In this context, it was recalled that EASA Guidelines on the issue and use of EC declarations of conformity, suitability for use and verification of systems were presented and disseminated to ATM/ANS TeB in December 2019.

## **4 Agenda Item 4.1: Standardisation activities | Standardisation updates**

*Presented by: Augustin KLUS (EASA)*

### **Highlights from the STD bulletin and update on reporting obligations from MS**

EASA presented the STD activities since the last TeB meeting. This included the publication of STD bulletin with highlighted findings. Furthermore, EASA presented the new approach to reporting obligations of MSs not only for STD purposes but also for the SES. Finally, few slides have been also presented on eCMA.

### **GM (templates) with regard to questions which refer to the ICAO Contracting State's regulatory framework**

Information and request to MSs not to immediately reply to the ICAO questionnaire/survey regarding some aspect of PEL.



## **Agenda Item 4.2: Standardisation activities | Contracted activities vs. supplied services (ATM/ANS.OR.B.015)**

*Presented by: Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

EASA informed that it was brought to its attention that different interpretations by the different competent authorities were made as regards ATM/ANS.OR.B.015 re. contracted activities and highlighted few aspects, e.g. some service providers requiring some sort of an assessment with regard to services like power supply or catering. EASA asked if there are implementation or interpretation issues with this provision and if there is a need for an action from EASA side. During the discussion no major concerns or needs were expressed in this topic. It was mentioned that talks with service providers were held in the relation to the power supply, communication services or ATSEP training. The conclusion was that we have a common understanding that those purchased services, which are not under the scope of the regulation, but have an impact on the functional system, should be assessed accordingly to this impact.

## **5 Agenda Item 5: Replacement of AIP section by digital data sets & GRF implementation**

*Presented by: Emmanouil VARDAKIS (EASA) and Augustin KLUS (EASA)*

EASA presented the activities and evolutions since the last TeB meeting in relation to GRF implementation. This included the publication of:

- Regulation 2021/1338 which, amongst others, replaced the SNOWTAM format and solved the various inconsistencies pertaining to the related instructions;
- SIB 2021-11 regarding the content and structure of certain parts of the AIP, including the relevant regulatory plans, but also other issues which have been identified and for which relevant proposals have been submitted to ICAO;
- SIB 2021-12, regarding the use of ATIS for GRF purposes, including other inconsistencies which have been identified and for which relevant work is ongoing;
- SIB 2021-15, concerning the origination and issuance of SNOWTAM, in accordance with the applicable provisions.

In addition, this presentation included practical examples of the support provided to the EASA stakeholders.

EASA gave a presentation concerning the issue of the possible future omission of certain AIP sections if digital data sets are made available by the responsible AIS provider. It was explained that the stimulus for this was the concerns that had been raised by data services providers, for which the EASA is the competent authority. EASA presented the EU regulatory framework and requested the TeB members to provide their view on the issue, such as potential implications for AIP users, need for coordination between the State and the AIS provider, need for a harmonised EU-wide approach on the issue, and need for a regulatory action in this area. It was agreed that the requested feedback from the TeB members is to be provided by the end of January 2022.

Moreover, EASA provided a presentation regarding the implementation of article 3 paragraph 5 of Regulation 2017/373, and given that this issue concerns the States themselves, requested feedback from the TeB members, in particular if they consider there is a need for guidance supporting its implementation. Italy and Belgium responded that some guidance may be helpful, while additional feedback is expected to be provided by the other TeB Members.



## **6 Agenda Item 6: Minimum altitudes in the context of specialised operations**

*Presented by: Zsafia BEHNKE (EASA) and Eric BENNETT (EASA)*

EASA presented examples of specialised operations, which require to go below altitude typical of a VFR cruise. For such operations, a permission from the competent authority is required. The process of granting permissions might cause administrative burden, be cumbersome and differ from country to country. Therefore, harmonisation has been proposed in BIS. During the discussion TeB Members shared their practices and opinions in the matter. TeB Members are also welcomed to share their feedback post-meeting.

## **7 Agenda Item 7: PBN implementation**

*Presented by: Raúl SÁNCHEZ (EASA)*

EASA started by presenting some data regarding the implementation status of Regulation (EU) 2018/1048 on PBN. Statistics focused on the mandate to have the 3 lines of minima implemented by 2 December 2020. Globally, the data taken from the EUROCONTROL PBN Map Tool show that, in November 2021, only 175 RWYs (27%) of the runways targeted by the Regulation (646 RWYs) had met the referred to mandate. EASA has taken into account that, in some cases, the transition considers the use of derogations contemplated in the Annex to the PBN Regulation, which would justify why the implementation of some minima is not possible in some cases (134 more RWYs, 21%). The PBN Map Tool is being updated with data taken from draft and approved transition plans, so derogations referred to in a draft transition plan would need to be confirmed once the plan is approved.

A more detailed analysis per line of minima was provided, together with the annual progress of the implementation, following the year of adoption of the Regulation. To facilitate the interpretation of the data presented, EASA explained that, at the end of the year, any plans not met are moved to the following year, i.e., the PBN Map Tool performs a carry-over of plans not met in previous years, which explains why 2019 and 2020 do not show any planned implementations and why 2021 depicts a big number of planned implementations.

EASA presented its conclusions to the data analysis, which were complemented with concrete recommendations that advocate the urgent review of plans, where and as necessary, to ensure data completeness and accelerate the slow rate of implementation. Participants welcomed the data analysis and did not challenge the conclusions, nor the recommendations.

EASA continued to address the outcome of a preliminary review of the transition plans. It requested clarification on the status of some plans in some EASA Member States, in particular, confirmation of the approval and the number of pending plans. Italy's rep explained that the Italian plan had been recently approved and would be delivered in the coming days (EASA has already acknowledged receipt). Based on the outcome of the review of plans, which was summarised in the discussion paper, EASA foresees that many plans need to be updated (also to meet the 2024 requirements), so it proposed some deadlines to process their approval (by Q4 2022) and subsequent submission to EASA (by Q2 2023). These deadlines were not challenged, so pending further feedback, they are considered agreed.

EASA asked whether common criteria would be necessary to define what a significant update of the plan is, as significant updates require approval by the Competent Authority. EASA also proposed the publication of replies to frequently asked questions about PBN implementation and asked whether Members would support such an initiative. Belgium, Serbia and Romania agreed to have guidance on significant changes and also to have replies to FAQ. EASA will proceed to publish replies to the set of FAQs listed in Section 5 of the discussion paper and invites Members to provide additional questions for publication on EASA website. As for the common criteria



to define what a significant update is, EASA welcomes any suggestions and opens the door to a discussion at the next TeB meeting.

A number of other topics that usually require clarification were briefly introduced (see the paper and the presentation for more details) and feedback was requested. In this regard, Spain has sent feedback by email on the use of hybrid approaches after the 2030 deadline, which is being analysed by EASA.

EDA intervened to highlight that an on-going work had been launched on the military side to understand PBN implementation plans from a Military Airspace Users' perspective. EDA also asked clarification on EASA's interpretation of what it means for a military ANSP providing services to GAT flights that has to ensure an equivalent level of safety and interoperability. EASA replied that the means to ensure an equivalent level of safety and interoperability would require an evaluation of the specific needs of the GAT traffic in the local environment, in particular, to ensure the safety benefits that result from 3D approaches.

A number of questions were asked through the WebEx chat. Below there is a list with answers that elaborate the preliminary responses given by the EASA presenter:

- ✓ (from Niclas Andersson) In Sweden we have issued exceptions to three minima requirement for small airports, where they are not required to implement LNAV/VNAV-minima for a limited time. We had indications from earlier TeB meeting that a work is ongoing for a more general change to this rule. Is this correct? Status?

Answer: the exemptions recently submitted by Sweden are under analysis before EASA produces a recommendation, as per the Basic Regulation. As explained at the meeting, the impact assessment of a potential amendment to the Regulation is expected to start in the coming weeks. However, a potential amendment should not delay the implementation of the required procedures, as any amendment needs to be assessed and confirmed.

- ✓ (from Marcus Palmqvist) Regarding LPV minima, has the requirement to define additional mitigations to utilize the EGNOS-services with the current signal performance been considered as a factor that could potentially slow down the implementation rate?

Answer: the performance of EGNOS services has triggered similar questions, but failure to meet the ICAO Annex 10 continuity requirements should not impede the publication of approach procedures based on SBAS if the necessary mitigations are adopted to meet the safety objectives. This is the approach expressed in the EASA GM and the EGNOS Safety of Life Service Definition Document, where deviations from the ICAO Annex 10 performance requirements are recognised. Regulators were aware of these deviations at the time the Regulation was adopted, and it was an obstacle to promote PBN approaches based on SBAS.

- ✓ (from Niclas Andersson) Are non instrument FATOs with PinS procedures covered by (EU) 2018/48?

Answer: landing surfaces other than instrument runways are not addressed by the Regulation, so there is no requirement to publish PinS procedures at such locations. Hence, EASA has asked whether these procedures should be considered in a potential amendment of the Regulation (impact assessment), as PinS procedures are perfect to improve access to heliports without instrument procedures.

- ✓ (from Andrei Bzovii) Should the IAP based on conventional systems (VOR/DME, ILS CAT I) that may be used as contingency measures (as per Art 6 of 2018/1048) remain published in AIP after 06.06.2030? In this case should these IAP be somehow identified as a secondary (contingency IAP)? In order to ensure the functionality of these systems it should be ensured their periodical flight inspection, which will continue to involve some costs.

Answer: yes, such procedures must remain published in the AIP. There is room in the AIP to explain that clearances to use conventional IAP will only be granted in the event of PBN contingencies, e.g., in AD 2; thus, when describing the local procedures at the aerodrome, after 2030, the AIP should explain that clearances to fly conventional approach procedures will only be granted under PBN contingency modes, while PBN is the normal means of navigation.





Finally, EASA reminded EASA States about the obligation to disseminate information about the implementation through aeronautical information circulars (AICs) and asked specific questions to define the scope of a potential amendment of the Regulation and enable the accomplishment of the impact assessment.

## **8 Agenda Item 8: Capability of IFPS to mitigate airspace violations**

*Presented by: Zsofia BEHNKE (EASA) and Ivan FERENCZ (EASA)*

EASA delivered the presentation tackling the cases of accepting by the Integrated Initial Flight Plan Processing System IFR Flight Plans even when conflicting with applicable airspace restrictions. It was underlined that there is no practical way to authoritatively determine before flight if a restricted area is or will become active. To better understand the matter, a detailed explanation about the functioning of the IFPS has been presented. IFPS can only take into account the criteria specified by the relevant member states, against which they require flight plan messages to be checked by the IFPS. As a result, successful processing by the IFPS cannot guarantee that a processed message is fully in accordance with each Member State's requirements, where they are not known to the NM Central Airspace and Capacity Database. Moreover, applicable rules do not require the IFPS to check compliance with airspace restrictions. As a conclusion, the successful IFPS validation shall not be interpreted as evidence of compliance of the flight plan with all applicable airspace restrictions. In every case, the provisions of SERA.2010 apply. This topic is closely coordinated with EASA's GA team.

## **9 Agenda Item 9: SESAR development and deployment**

*Presented by: Bryan JOLLY (EASA)*

EASA presented the enhanced role of the Agency in the SESAR Programme and current activities, supporting its development and deployment. The actions are taken as the support to the SESAR Joint Undertaking in development of SESAR and technical support to the EC in the area of deployment of Common Project 1.

## **10 Agenda Item 10.1: Implementation issues (raised by ATM/ANS TeB/NCP SO WG) | Implementation of Art. 3a of Reg. (EU) 2017/373 as amended by Reg. (EU) 2020/469**

*Presented by: Ērika NEIMANE (CAA LV)*

Ērika Neimane (CAA LV) delivered a presentation highlighting the issues regarding the application of Article 3a of Regulation 2017/373 as amended by Regulation 2020/469, concerning the determination of the need for ATS and the selection of the appropriate ATS at aerodromes. Main concerns are for the identification of an appropriate procedure for such determination, the identification of organisation involved, their decision making roles, and the appropriate consideration of costs vs safety, in particular with regard to the need to meet the targets of the Performance Scheme.

EASA clarified that such a requirement is derived directly from an identical Standard in ICAO Annex 11, which is applicable for Member States since many years both under the Chicago Convention and the EU regulatory framework. While recalling that safety should be the primary driver for such decision, and the key role ATS play in this regard, EASA confirmed that the decision making is a state responsibility to determine the arrangement(s) by which such a determination is to be made, including the identification of the responsibility for the final decision making. In principle, such arrangement(s) should ensure due consideration of the various aspects and actors involved (e.g. competent authority, relevant ministries, ATS provider, other ANS providers, aerodrome operator, etc.).



### **Agenda Item 10.2: Implementation issues (raised by ATM/ANS TeB/NCP SO WG) | AFIS providers requirements (e.g. compliance monitoring function and contracted activities)**

*Presented by: Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

In response to a query received from the ATM/ANS TeB, EASA provided clarifications on the intent of the provisions related to compliance monitoring and contracted activities by the AFIS providers.

### **Agenda Item 10.3: Implementation issues (raised by ATM/ANS TeB/NCP SO WG) | FPD implementation**

*Presented by: Anastasiya TERZIEVA (EASA/ATM/ANS TeB Secretary)*

In response to queries received from the ATM/ANS TeB, EASA clarified that:

- **Contingency plans** (ATM/ANS.OR.A.070) provision is applicable to FPD providers and its demonstration of compliance could be achieved by e.g. business continuity plan.
- **Liability** (ATM/ANS.OR.D.020) is part of Subpart D to Part-ATM/ANS, which does not apply to FPD providers, i.e. there is no need for demonstration of compliance.
- **As from 27 January 2022**, Regulation (EU) 2020/469 amending Regulation (EU) 2017/373 applies, i.e. FPD providers should be certified to be eligible to provide FPD services.

### **Agenda Item 10.3.bis: Implementation issues (raised by ATM/ANS TeB/NCP SO WG) | Exchange of views / questions on implementation issues**

*Presented by: Jani LUIRO (Traficom/NCP SO WG chair)*

Jani Luirö (on behalf of Traficom) delivered a presentation highlighting specific implementation aspects for Regulation 2020/469. One concerned the role of the competent authority vis-à-vis the interpretation and implementation of AMCs. Another aspect was related to the handling of emergencies and priorities in the SERA and Part-ATS regulatory context, and in particular with regard to emergency handling in SERA.11001 and certain AMCs to ATS.TR.210(a)(3) addressing priority for approach sequence and landing.

EASA clarified that emergencies shall take priorities over other flights, as stipulated in SERA.11001, and also underlined the consideration to flexible ATS actions in the handling of emergencies, for which detailed actions may not always be established in check lists. Concerning the aforementioned AMCs, EASA confirmed that the scenarios are listed in order of priority, as by common sense such order reflects the potential negative outcome for each scenario. As a general principle, it is expected that the ATCO applies his/her judgement to the peculiar situation.

### **Agenda Item 10.4: Implementation issues (raised by ATM/ANS TeB/NCP SO WG) | IOP IR 1032/2006 Coordination and Transfer**

*Presented by: Antoine VINCENT (CAA BE)*

Antoine Vincent (CAA BE) presented the topic of IR 1032/2006 and its application in Belgium. After explaining the requirements, the current operational implementation has been presented, including ABI and ACT messages with adjacent ACCs. Among the implementation challenges it has been highlighted that despite many ATM systems across the applicability area are capable of processing most OLDI messages, often their operational introduction is pending on the signing of an agreement between neighbouring ACCs. EASA



acknowledged the relevance of the presentation and it will be taken into account during the assessment of the IOP rules.

## 11 Agenda Item 11: AOB

*Presented by: Augustin KLUS (EASA) and Jani LUIRO (Traficom/NCP SO WG chair)*

### a) ATCO training duration survey

EASA announced that a similar survey to the unit training will be also launched for the initial training.

### b) NCP SO WG issues

No additional issues discussed. Jani Luro invited the TeB Members to propose issues for the next meetings via email.

## 12 Agenda Item 12: Future meetings

*Presented by: Jussi MYLLÄRNIEMI (EASA), Jani LUIRO (Traficom)*

Tentatively, the meetings in 2022 are scheduled as follows:

- ATM/ANS TeB 1-2022: 05-06 May 2022,
- ATM/ANS TeB 2-2022: 13-14 December 2022 (as altered post-meeting upon request).

## 13 Agenda Item 13: Closure of the meeting

*Presented by: Jussi MYLLÄRNIEMI (EASA), Jani LUIRO (Traficom)*

The co-chairs thanked the audience for their active participation and contributions.

## 14 List of actions

Item	Action	Responsible	Deadline/Status
#1	ENAC to submit a Working Paper on their experience with Frequency Monitoring Code (FMC) implementation.	ENAC	tbc.
#2	TeB Members to provide feedback via email regarding the issue of the potential future omission of AIP sections, as a result of availability of respective digital data sets.	TeB Members	completed
#3	TeB Members to provide feedback via email as to the need to of guidance material concerning article 3 paragraph 5.	TeB Members	completed
#4	TeB Members to provide feedback via email on granting the permissions for specialised VFR operations below minimum altitudes.	TeB Members	before the next meeting
#5	TeB Members to provide feedback via email on the questions formulated in the PBN discussion paper.	TeB Members	completed

