

European Aviation Safety Agency

Assessment Report N° IFTSS/2017/001/FI (2) on the deviation from CS FTL-1 as approved by Finland, in accordance with ARO.OPS.235 (d) of Regulation (EU) No 965/2012

A) BACKGROUND

Based on the EASA positive evaluation (Report No IFTSS/2017/001/FI/20.03.2017), the individual flight time specification scheme of the operator - NORDIC REGIONAL AIRLINES Plc ('NoRRA') for a reduced rest operation was approved by the Finnish competent authority ('TRAFI') on 24 March 2017, for the purpose of scientific study and data collection and between 1.04.2017 and 30.06.2017.

In accordance with ARO.OPS.235 (d) an approved deviation shall be subject, after being applied, to an independent assessment by the competent authority and EASA to determine whether such deviation may be confirmed or amended. For that purpose, the operator must collect data and analyse it using scientific methods with a view to assessing the effects of the deviation on aircrew fatigue (ORO.FTL.125 (d)). Such analysis needs be provided in the form of a report to the competent authority.

On 20.06.2017 TRAFI issued a temporary approval for continuation of the reduced rest scheme on the basis of interim scientific study data, subject to a subsequent assessment by EASA and TRAFI's final approval.

After the trial period elapsed, on 06.07.2017 TRAFI submitted the final version of NoRRA's Safety Case updated to reflect the whole test period and scientific data report.

B) LEGAL FRAMEWORK

ARO.OPS.235 of Regulation (EU) 965/2012 states the following:

1. *The competent authority shall approve flight time specification schemes proposed by CAT operators if the operator demonstrates compliance with Regulation (EC) No 216/2008 and Subpart FTL of Annex III to this Regulation.*
2. *Whenever a flight time specification scheme proposed by an operator deviates from the applicable certification specifications issued by the Agency, the competent authority shall apply the procedure described in Article 22(2) of Regulation (EC) No 216/2008.*
3. *Whenever a flight time specification scheme proposed by an operator derogates from applicable implementing rules, the competent authority shall apply the procedure described in Article 14(6) of Regulation (EC) No 216/2008.*
4. *Approved deviations or derogations shall be subject, after being applied, to an assessment to determine whether such deviations or derogations should be confirmed or amended. The competent authority and the Agency shall conduct an independent assessment based on information provided by the operator. The assessment shall be proportionate, transparent and based on scientific principles and knowledge.*



C) EVALUATION

The Agency reviewed the results of the trial period, assisted by a panel of independent experts¹. The experts were provided in advance with the documents submitted by TRAFI and were invited to comment in writing. All comments and questions were forwarded to TRAFI. The case was further discussed during a WebEx meeting on 14 September 2017 with the participation of a representative from TRAFI.

Following the examination of the documents submitted by TRAFI, the panel concluded that:

- NoRRA's report is comprehensive as it contains objective and subjective medical and operational data. The data demonstrate that the mitigations introduced by NoRRA (such as: prioritisation of the flights with reduced rest; hotel and transportation arrangements; postponement of morning check-in time, if necessary, in order to get sufficient rest period and sleep opportunity during the layover; reduced rest during crew members' WOCL; limited number of sectors before and after the reduced rest; rest before the sequence includes a local night; monitoring crew members' fatigue and alertness levels) have been effective.
- NoRRA should provide an updated risk assessment in order to demonstrate the risks have been mitigated to an acceptable level and that all barriers have been effective.
- NoRRA should remind cabin crew members about their unconditional right to reduce on-board service due to a meal break, if needed.
- NoRRA should provide an update of the FDM data with comparable values.
- NoRRA should establish performance indicators to monitor cumulative fatigue more specifically of crew members that have been rostered twice on the reduced rest rotation.

An updated risk assessment and FDM data as well as information on nutrition and performance indicators on cumulative fatigue have been provided to EASA and the panel on 26.10.2017.

D) CONCLUSION

Having reviewed the scientific results presented by TRAFI and the additional updated evidence, EASA considers that NoRRA's individual reduced rest scheme together with the accompanying mitigation measures ensures an equivalent level of protection to that attained by the application of CS FTL-1 and supports TRAFI's decision to confirm it.

Signed on 8/11-17


Jesper Rasmussen
Flight Standards Director

¹ Panel composition IFTSS 2017/001/FI published on Circabc