



**European Aviation Safety Agency
Rulemaking Directorate**

EXPLANATORY NOTE

AMC & GM to Part 21

1. GENERAL

Executive Director Decision 2009/011/R amends Decision No 2003/01/RM of 17 October 2003 (AMC & GM to Part 21 Initial Issue) as last amended by Executive Director Decision 2007/012/R of 22 November 2007. It represents output from the following EASA rulemaking tasks:

Rulemaking Task No.	TITLE	NPA No.
21.027	Repair and design changes to European Technical Standard Order (ETSO)	2008-12
25.056(b)	Fuel Tank Flammability Reduction	2008-19

Each Notice of Proposed Amendment (NPA) has been subject to consultation in accordance with Article 52(1)(c) of the Basic Regulation and articles 5(3) and 6 of the Rulemaking Procedure established by the Management Board¹.

2. RULEMAKING TASK 21.027

The Agency has widely consulted interested parties on the proposed amendment to Part 21 and related AMC/GM in the NPA 2008-12 "Repair and design changes to European Technical Standard Order (ETSO)".

This NPA contained two issues i.e. "Minor changes or repair to ETSO" and "Repair to Auxiliary Power Units (APU)". The Agency concluded from the consultation of this NPA that only the part of the NPA addressing "Repair to Auxiliary Power Units (APU)" receives support that justifies adoption in an Agencies future Opinion. The proposal for "Minor changes or repair to ETSO" was not supported and will not be carried forward. The consultation on this issue, however, also showed that there was possibly a limited awareness of the existing option to apply for a minor change to an ETSO as part of a specific TC or STC. New GM was therefore proposed in the response to comments in the CRD. This decision introduces this GM to Part 21.

¹ Regulation (EC) No 690/2009 of the European Parliament and Council of 30 July 2009 amending Regulation (EC) 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)

² Management Board decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ("Rulemaking Procedure"), EASA MB 08-2007-03, 13.6.2007.

3. RULEMAKING TASK 25.056(b)

For detailed information on the proposed change of task 25.056(b) and the justification please consult the above NPA which is available on the Agency's website. The Agency has addressed and responded to the comments received on this NPA in a comment-response document (CRD 2008-19) which is also available on the Agency's web-site.

4. CRD REACTIONS

- The Agency received no substantive reactions in response to the proposed GM in CRD 2008-12 that clarifies the existing option to apply for a minor change to an ETSO as part of a specific TC or STC.
- In response to the CRD 2008-19, the Agency received the following substantive reaction related to the proposed Decision on AMC & GM to Part 21 (new AMC 21A.3(a) Collection, investigation and analysis of data related to Flammability Reduction Means (FRM) reliability), which is reproduced below together with the Agency's responses:

CRD Comment No.	Commenter	Reaction	EASA Response
28	Air Safety Group	ASG reaction: It is still not clear what is required to be presented. If EASA wants to receive meaningful data arising from the introduction of a new type of system, specific instructions should be proposed so that a common approach can be achieved by all operators. However, harmonisation with the FAA does not seem to be sufficient reason for introducing a new kind of reporting.	The objective is to ensure that holders of a type certificate, restricted type certificate, supplemental type certificate and of any other relevant approval deemed to have been issued under Part 21 (Annex to Commission Regulation (EC) 1702/2003) which have included a FRM in their design will monitor the reliability of their FRM system to ensure it actually meets the average flammability exposure required by chapter M25.1 of the new CS-25 Appendix M; this is justified by the fact that we have no in service experience from FRM system. This means that an adequate collection system must be demonstrated, and a regular reporting shall be done during the first years. The details of the report content are to be determined by the certificate holder and to be agreed with the Agency; this will be adapted to the design of the concerned FRM system as well as to any practical maintenance constraints. Of course

			<p>Operators should be involved and informed in this process so that they understand the required monitoring and reporting actions.</p> <p>The corresponding specific instructions will be developed by certificate holders as required by Part 21 chapter 21A.61 "Instructions for continued airworthiness".</p> <p>Then these instructions will be provided to Operators and incorporated in their aircraft maintenance programmes as required in Part-M (Annex to Commission Regulation (EC) 2042/2003); in particular this is required in chapter M.A.302 "Aircraft Maintenance Programme" and in chapter M.A.401 "Maintenance data".</p>
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