



Terms of Reference

for a rulemaking task

Additional airworthiness specifications for operations: Thermal/acoustic insulation material

RMT.0071 (26.004) — ISSUE 2 — 18.9.2014

Applicability		Process map	
Affected Regulations and Decisions:	Regulation (EC) on Additional Airworthiness Requirements for Operations (Opinion 08/2013) ED Decision 'Requirements for Operations' (CS-26) (draft)	Concept Paper:	No
		Rulemaking group:	No
		RIA type:	Light
		Technical consultation during NPA drafting:	No
Affected stakeholders:	Operators and TC holders of already type-certified large aeroplanes	Publication date of the NPA:	2015/Q3
		Duration of NPA consultation:	3 months
Driver/origin:	Safety	Review group:	No
		Focused consultation:	No
Reference:	See paragraph 2	Publication date of the Opinion:	2016/Q3
		Publication date of the Decision:	2017/Q3



1. Subject:

Additional airworthiness specifications for operations: Thermal/acoustic insulation material

2. Problem/statement of issue and justification; reason for regulatory evolution (regulatory tasks):

a) Definition and history of the issue

Service experience and past accidents of large aeroplanes with in-flight or post-crash related fires suggest that certain flammability characteristics, in particular flame propagation resistance, of thermal/acoustic insulation materials installed in aeroplane fuselage may have contributed to propagation of an in-flight fire through the fuselage.

The most relevant event was the catastrophic accident involving an MD-11 (Swissair Flight 111) aeroplane on 2 September 1998.

After extensive investigation and testing, it appeared that the standards for flame propagation were not sufficient since they did not address real situations with an in-flight fire, its potential ignition sources and means of propagation. There was a need to develop and apply new standards which would improve the flame propagation resistance of thermal/acoustic insulation materials (refer to NPA 2008-13 and related CRD to NPA 2008-13).

It has also been concluded that the same thermal/acoustic insulation material could be used to contribute, through improved flame penetration resistance characteristics, to a better protection of the whole fuselage against penetration by external post-crash fire (burnthrough).

Those new standards (see CS 25.856(a) and (b)) were reflected in CS-25 in Amendment 6 issued in July 2009.

In addition to the amendment of CS-25 (only applicable to new type-certifications and in some cases of significant changes to type design), and as described in ToR 25.006, consideration should be taken of the need for a retroactive requirement. This will be the opportunity to check, depending on the results of the Regulatory Impact Assessment results, if the safety of large aeroplanes already type-certified could be improved by the application of the new standards.

b) Regulatory framework for additional airworthiness specifications for operations and safety improvements

In the JAA system, specific additional airworthiness specifications were covered under JAR-26 (Additional Airworthiness Requirements for Operations); In particular, Subpart B was dedicated to Commercial Air Transport (Aeroplanes). If rendered mandatory by Member States' national laws, they were/are applicable to operators of large aeroplanes operating under commercial air transportation. Further subparts of JAR-26 were reserved for other categories of aircraft and operations, but were not used.

In the framework of rulemaking task 21.039¹, the Agency intends to define a new regulatory framework for the elaboration and adoption of additional airworthiness specifications for a given type of aircraft and type of operation. An initial proposal was made through NPA 2009-01 and the related CRD to NPA

¹ Note: Task 21.039 contains additional subtasks from 21.039 (a) to 21.039 (k) in support of the Operational Suitability Data concept. Please refer to the Rulemaking Programme for details.



2009-01 which was published on 13 May 2011.. As a result of the comments received, the Agency has decided that the most adequate method to introduce additional airworthiness requirements on already certified products will be through dedicated Implementing Rules (IRs) supported by Certification Specifications. This means that a new Regulation with an Annex called 'Part-26' will be created. The high-level requirement, applicability and entry into force will be covered by Part-26. The technical details on how to comply with this high-level requirement will be included in the new Certification Specifications 'CS-26'.

RMT.0110 (previously 21.039(k)) covers the transfer of existing JAR-26 Amendment 3 requirements into the new Part-26 and CS-26. The Agency issued NPA 2012-13², proposing the new Implementing Rule and associated CS. The associated CRD to NPA 2012 13³ has been published on the EASA website, followed by Opinion No 08/2013 which was published on 25 September 2013.

Furthermore, the Agency is also developing additional airworthiness specifications for operations which are identified in the Agency's Rulemaking Programme. RMT.0071 is one of these tasks and proposes requirements that were not previously contained in JAR-26.

3. Objective:

The general objective of this rulemaking task is to reduce the safety risks due to flame penetration and propagation by introducing retroactive specifications based on CS 25.856(a) and (b), applicable to already type-certified large aeroplanes.

4. Specific tasks and interface issues (Deliverables):

- Regulatory Impact Assessment (RIA);
- Notice of Proposed Amendment proposing changes to Part-26 and CS-26;
- Comment-Response Document (CRD), Opinion and Decision

5. Working Methods (in addition to the applicable Agency procedures):

Agency task

6. Time scale, milestones:

NPA to be published 2015/Q3.

Opinion to be published in 2016/Q3.

Decision to be published in 2017/Q3.

² <http://easa.europa.eu/rulemaking/docs/npa/2012/NPA%202012-13.pdf>

³ <http://easa.europa.eu/rulemaking/docs/crd/2012/CRD%202012-13.pdf>

