



TERMS OF REFERENCE

- Task No:** RMT.0460
- Issue:** 2
- Date:** 18 January 2013
- Regulatory reference:** Draft Regulation on Air Operations¹
Annex II Part-ARO, ARO.GEN.200 and ARO.GEN.300
Annex III Part-ORO, ORO.GEN.200
Commission Regulation (EU) No 290/2012: Civil aviation aircrew
Annex VI Part ARA, ARA.GEN.200 and ARA.GEN.300
Annex VII Part ORA, ORA.GEN.200
Draft Acceptable Means of Compliance (AMC) and Guidance Material (GM) on Air Operations, Annexes II and III²
- Reference documents:** ICAO DOC 9974 (advanced edition)
ICAO EUR Doc 019
EASA SIB 2010-17R4
EASA A-NPA 2011-06
EASA CRD 2011-06
EASA Decision 2011/014/R

1. Subject: Guidance Material for development of a safety risk assessment for flight operations with known or forecast volcanic cloud contamination

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

— Following the last major eruptions of European volcanos and considering the

¹ Opinion No 04/2011 of the European Aviation Safety Agency of 1 June 2011 for a Commission Regulation establishing Implementing Rules for air operations. Available under <http://www.easa.europa.eu/agency-measures/opinions.php>. This Regulation is expected to be adopted in the second part of 2012.

² Comment Response Document (CRD), dated 25 November 2010, to Notice of Proposed Amendment (NPA) 2009-02b for an Agency Opinion on a Commission Regulation establishing the Implementing Rules for air operations of Community operators and draft Decision of the Executive Director of the European Aviation Safety Agency on Acceptable Means of Compliance and Guidance Material related to the Implementing Rules for air operations of Community operators. Available under <http://easa.europa.eu/rulemaking/r-archives.php> and <http://easa.europa.eu/rulemaking/comment-response-documents-CRDs-and-review-groups.php>.

consequences of such eruptions on flight operations due to the temporary closure of airspace by Member States, discussion at an ICAO level reached the common position that an operator should not be prevented from operating through, under or over airspace forecast to be contaminated with volcanic ash, provided it has demonstrated its management system, the capability to do so throughout a safety risk assessment that uses the operator's customised safety risk management tools (e.g. risk matrix).

— Based on ICAO IVATF (International Volcanic Ash Task Force) document version 7.0 published in July 2011, ICAO issued in February 2012 an advanced version of DOC 9974 'Risk management of flight operations with known or forecast volcanic ash contamination', which provides guidance material to States to support operators in developing a volcanic ash safety risk assessment (VA SRA), within their management system, covering the volcanic cloud hazard, and to assess these VA SRA.

— The Agency issued an Advance Notice of Proposed Amendment (A-NPA 2011-06³) to support the work of ICAO IVATF Airworthiness Sub-Group AIR04 and to consult stakeholders on the implementation of such guidance material into the European regulatory framework. The feedback provided during such consultation showed that stakeholders consider that rulemaking should be initiated in the short term in order to transpose such guidance material into the European regulatory framework. Following this consultation, Decision 2011/014/R⁴ was then issued on the 12th December 2011, stating that a new rulemaking task RMT.0460 was going to be initiated.

— The draft Regulation on Air Operations proposed to the Commission (the Agency's Opinion No 04/2011) requires in Annex III Part-ORO all commercial operators and non-commercial operators operating complex motor-powered aircraft to implement a management system within their organisation. The same requirements on management system are contained in the Commission Regulation No 290/2012⁵ related to civil aviation aircrew in Part-ORA which is applicable to all ATOs whatever the type of aircraft they operate. This management system should include an identification of all hazards related to the type of operations performed and an assessment of the acceptability of the associated safety risk with the appropriate mitigation procedures.

— Some generic guidance related to safety risk assessment is already included in draft Acceptable Means of Compliance and Guidance Material on Air Operations Annexes II Part-ARO and III Part-ORO and also in AMC/GM to Commission Regulation No 290/2012 Annexes VI Part-ARA and VII Part-ORA, but nevertheless it does not provide yet any specific guidance on SRA related to flight in volcanic ash nor guidance for authorities on the assessment of such VA SRA.

— In the meantime, the Agency has updated SIB 2010-17R4⁶, which provides information and guidance to operators on how to manage operations within airspace contaminated with volcanic ash in order to reduce the safety risk of such operations and also recommends them to develop a VA SRA so that their competent authority may allow them to fly into airspace contaminated with volcanic ash. To support this recommendation, a former version of the ICAO IVATF document is attached to this SIB.

³ Advanced Notice of Proposed Amendment (A-NPA), dated 3 May 2011, for a consultation on the ICAO IVATF paper about the management of flight operations with known or forecast volcanic cloud contamination. Available under <http://easa.europa.eu/rulemaking/r-archives.php>.

⁴ Decision 2011/014/R, dated 12 December 2011, on initiating a rulemaking task RMT.0460 'Guidance material for development of a safety risk assessment for management of flight operations with known or forecast volcanic cloud contamination' to amend EASA regulations. Available under <http://easa.europa.eu/agency-measures/agency-decisions.php>.

⁵ See: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:100:0001:0056:EN:PDF>.

⁶ Safety Information Bulletin 2010-17R4 (SIB), dated 24 May 2011, related to flight in airspace with contamination of Volcanic Ash. Available under <http://ad.easa.europa.eu/ad/2010-17R4>.

— The aim of this Rulemaking task is to produce guidance material for operators on the development of a safety risk assessment for the management of flight operations with known or forecast volcanic cloud contamination and also to States on how to assess these safety risk assessment, based on ICAO Doc 9974.

3. Objective:

To develop Acceptable Means of Compliance and Guidance Material (AMC/GM) to Part-ORO/ORR and Part-ARO/ARA based on the outcome of the ICAO IVATF work:

- to provide operators and ATOs with some additional Guidance Material on VA SRA;
- to provide authorities with guidance on the assessment of operators and ATOs' VA SRA.

4. Specific tasks and interface issues (Deliverables):

— Provide amendments to the AMC and GM associated with the Annexes II and III of the draft proposal to amend the Commission Regulation establishing the Implementing Rules for air operations and to the AMC and GM associated with the Annexes VI and VII of the Commission Regulation related to civil aviation aircrew to include guidance on safety risk assessment for the management of flight operations with known or forecast volcanic cloud contamination and also for States on how to assess these safety risk assessment, based on ICAO Doc 9974.

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

Task to be carried out by the Agency.

This task is considered to be non-complex and non-controversial.

6. Timescale, milestones:

NPA: 2012/Q2

CRD/Decisions: 2013/Q1