



European Powered Flying Union

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EPFU News Flash No. 49, October 2017

Dear Readers

The publication of the Agency's European Plan for Aviation Safety (EPAS) 2018-2022 and the Europe Air Sports Presidents and Technical Officers Conference on 22/9/2017 are contributing greatly to the content of this News Flash. For these two reasons you will find an overview presenting the actual state of the work in progress in different areas.

8.33 kHz: Anything clear?

Well, yes: Commission Implementing Regulation (EU) No 1079/2012 of 16 November 2012 was published in the Official Journal of the European Union L 320 from page 14 onwards. That is when the problem started and things became unclear: Deadlines were fixed, exemptions proposed, e.g. for state aircraft like in article 9, paragraph 4: "Member states may allow non-compliance with paragraph 3 due to

- a) Compelling technical or budgetary constraints.
- b) Procurement constraints."

Or in article 14, Exemptions, as per paragraph 2, "Member States may take local measures granting exemptions from the compliance with articles 4(5), 5(4) and 6(10) for cases having limited impact on the network when the 8.33 kHz channel spacing is not available."

As we all have budgetary constraints as well as procurement constraints the situation around "1079/2012" is in no way a surprise to me. On the one hand, we are "the state", on the other "1079/2012" most probably was very difficult to prepare as 9 different regulations had to be considered (549/2004, 550/2004, 552/2004, 730/2006, 1032/2006, 1265/2007, 216/2008, 691/2010, 677/2011, plus an important number of technical publications.

The only thing we can do: We have to check the officially available information as precisely as we always do before every flight to find out what is in place where, this to avoid surprises, be there 18 or 24 or 36 notified exemptions.

Where are we?

"Where are we with this and that rulemaking task's result as per today?" I was recently asked. The reason for this: Very often preparing Regulations, Decisions, Acceptable Means of Compliance (AMC) and Guidance Material (GM) is timeconsuming. This is, according to collected information, the best possible answer today per Rulemaking Task (RMT) number:

RMT.0135 B2L and L Licences, NPA 2012-15 of 4/10/2017

Opinion 05/2015 on this subject was published on 22/6/2015, a draft Commission Regulation is available, however at the last two EASA Committee Meetings no vote was held. According to latest information from the Commission there is a chance for adoption during the 4th quarter of 2017 or the 1st quarter of 2018.



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RMT.0464 ATM/ANS>>>Aerodrome Flight Information Services, NPA 2016-09 (A)(B) of 14/9/2016

The Terms of Reference (ToR) for this RMT have been published on 9/7/2014, the NPA has followed as stated above. On 28 and 29/6/2017 a workshop has taken place at Cologne where all stakeholders discussed the feasibility of more widespread AFIS at smaller aerodromes where pure ATC not necessarily is required. As Regulations 550/2004, 216/2008, 923/2012 and 2017/373 are to be looked and considering the fact that we are waiting for a new or adjusted “Basic Regulation” the outcome of the work related to RMT.0464 is not easily predictable. One point seems to be clear to me: For regional aerodromes cheaper solutions than “legacy ATC” must urgently be found as soon as possible. These days the Agency is preparing an “Opinion” on Part-ATS. The publication was planned for the second quarter of 2017, but this did not happen according to my checks today. Most probably publication date planned for the decision will also slip slightly...

RMT.0547 Part-ML, or Part-M light, NPA 2015-08 of 9/7/2015

Opinion 05/2016 was published on 13/4/2016 on this subject. Also here a draft Commission Regulation is available, however at the last two EASA Committee Meetings no vote was held, legal services disagreed on the texts. According to latest information from the Commission there is a chance for adoption during the 4th quarter of 2017 or the 1st quarter of 2018.

RMT.0609, RMT.0610 SERA Part C, NPA 2014-05 of 18/2/2014

Opinion 04/2014 has been published on 16/12/2014. Approval followed in May 2016, first part's implementation in August 2016. The last part enters into application on 12 October 2017. Relevant bits for us:

- 1) States can allow shorter VFR flight plan filing times;
- 2) Transponder use mandatory always (if fitted and operational an electric power is available – otherwise only in TMZ). Use Alt unATS tells otherwise;
- 3) ICAO phraseology added (mostly in AMC);
- 4) Compulsory English use **at largest** international airports;
- 5) Handsigns from the flightdeck to the marshalls.

Please refer to your local/national publications for full clarity.

RMT.0639 Performance-based Navigation (PBN) for Instrument Flight Rules (IFR) NPA 2015-01 of 19/1/2015

Opinion 10/2016 has been published on 2/8/2016. If legal scrutiny is finished in time, a vote in October 2017 is possible. There will be a staggered introduction:

- 1) Non-precision approach runways, all new ones and all en-route by 2020;
- 2) Precision approach runways, SIDs, STARs by 2024;
- 3) Rationalising of traditional approaches by 2030.

RMT.0657 Training outside Approved Training Organisations (i.e. at Declared Training Organisation...) NPA 2015-20 of 18/12/2015

Opinion 11/2016 has been published on 7/9/2016, discussion were held during EASA Committee Meetings, the latest information available states that the written voting procedure is envisaged. Member states were generally supportive. The legal services agreement should be imminent, vote planned for October 2017 we should get final information. The transition period will last until 2019 according to information available today, but a question mark remains...



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RMT.0679 Revision of surveillance performance and interoperability

This RMT was published on 18/3/2016 and led these results of the Cost-benefit Analysis (CBA) according to a report of Michel Rocca, member of the Board of Europe Air Sports:

Assumptions:

- The IFR fleet to be equipped by 2024 in classes A to E
- The VFR fleet to be equipped by 2027 in classes B and C

Resulting figures are:

- Capital and operating costs 850 M€ / 1450 M€
- Benefits (enroute surveillance) 550 M€ / 550 M€
- Total (Benefit minus Costs) -330 M€ / -900 M€

This negative CBA plus some uncertainties (about radio spectrum usage, no change of separation minima, limited rationalisation of radar stations, EU ADS-B considered unable to replace SSR) lead to EASA decision:

«No NPA on a revised SPI will be issued».

Next to come:

- EASA will not propose any change to the existing compliance dates to the Commission;
- EASA will propose a minor amendment to the existing mandate (i.e. Implementing Rules on No 1207/2011 SPI and 1206/2011 ACID) without issuing a NPA;
- Contents of the amendment will be about retrofit requirements and exemptions;
- However, EASA will not propose a suspension of the ADS-B mandate;
- EASA will start to work on a CNS strategy.

“European Plan for Aviation Safety” (EPAS), rulemaking programme for 2018 to 2022

The draft document contains

| | |
|-----------------------------------|--|
| ✍ Focused oversight actions (FOT) | 2 of 6 of relevance to us |
| ✍ Member States actions (MST) | 2 of 20 |
| ✍ Research (RES) | 1 of 5 |
| ✍ Rulemaking Tasks (RMT) | 57 of 150 (electric propulsion incl.) |
| ✍ Safety Promotion actions (SPT) | 9 of 23 |
| Totals | 71 of 204 with relevance to General Aviation. |

So in all not much of “cool down” at first sight for us, I have, however, to take a more profound look at what “Safety Promotion Task” means, what workload on the community it produces. For this reason I did not send comments on the EPAS when I was invited to do so by 15 September 2017. By experience, the plan will enter into force next January. I shall establish a plan containing all relevant details and make it available to you as soon as possible after adoption of EPAS, this plan will be available on request as draft from week 40.

NPA 2017-05 (A)(B) Introduction of a regulatory framework for the operation of drones — Unmanned aircraft system operations in the open and specific category (RMT.0230)

After co-ordination with Europe Air Sports, European Model Flying Union and with a number of national aero-modellers associations I only submitted a general comment supporting the concept of clearly separating aero-models and drones/UAV/UAS/RPAS whatever name the latter carry. In total more than



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3000 comments have been submitted, controversial ones, asking on the one hand for liberal national rules, on the other for uniform European provisions applicable in all Member States. I shall follow the outcome of this process and do all I can to avoid restrictions on use of airspace and to avoid any installation of any new equipment at our expense facilitating in the end the operation of drones/UAV/UAS/RPAS.

NPA 2017-10 Software assurance level requirements for safety assessment of changes to air traffic management/air navigation services functional systems (RMT.0469), additional element in para. 2 Repetition

was published on 28 June 2017, with a deadline of **30 November 2017**. This NPA requires attention, I believe, as it is connected with NPA 2013-08, NPA 2014-07, NPA 2014-13 as well as with several EU Regulations. Furthermore, software aspects for Aeronautical Information Services (AIS) are included, thus what we do within RMT.0464 looking at Aerodrome Flight Information Services (AFIS) should be integrated in the outcome of RMT.0469.

In my opinion, in the very near future many of the aerodromes with limited IFR traffic will have to switch from ATC to AFIS because of the cost of ATC, Grenchen (LSZG) will be one of the first, possible already very early in 2018. The most difficult task: How and where do we find future Flight Information Service Officers (FISO)?

NPA 2017-15 Non-ETOPS operations using performance class A aeroplanes with a maximum operational passenger seating configuration of 19 or less

was published a few days ago, the deadline for submission of comments is 3 January 2018. I think this is not exactly the core area of our flying, but I shall read the text and keep you informed about my next steps. This is the «link» to the document:

<http://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2017-15>

Kind regards

René Meier

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Distribution

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