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Title	Aircraft Continuing Airworthiness Monitoring
NPA Number	NPA 2011-19

UK CAA (European.Affairs@caa.co.uk) has placed 4 unique comments on this NPA:

Cmt	Segment description	Page	Comment	Attachment
64	A. Explanatory Note - IV. Content of the draft Opinion and draft Decision - In-flight surveys	7	<p>Page No: 7 (& 17)</p> <p>Paragraph No: <u>Section IV, paragraph 17 In-flight surveys (AMC M.B.303(b)2(c))</u></p> <p>Comment: The Agency invited comments on the deletion from AMC M.B.303(b)1(c) of in-flight surveys as deemed necessary by the competent authority as an element of ACAM. We question the basis given in Section IV paragraph 17 for this proposal and believe that the quoted benefits resulting from this are consequently debatable, and that the reference to in-flight surveys should consequently be reinstated.</p> <p>Justification: The NPA states that "In respect of the existing provisions on operational flight inspections for the initial certification and oversight of AOC holders (EU-OPS and future EASA ARO.OPS) and considering that requesting such in-flight survey in response to serious ACAM findings would not be the adequate response under Part-M ...". We suggest however, based on our experience, that in-flight surveys are, fundamentally, not a "response to serious ACAM findings" but more an opportunity to carry out an audit of a complete aircraft, and also of the controlled environment in which its continued airworthiness is managed. The benefit of this approach in the UK has frequently resulted in the identification of dormant failures and significant airworthiness shortcomings that were not identified in normal operation, nor during ground inspections.</p> <p>As a result, it is suggested that an in-flight survey is an important constituent of the continued airworthiness programme and should continue to be available to the competent authority to consider as part of its oversight function. To ensure a standardised approach across member</p>	

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			<p>states, the Agency should also provide a common interpretation and definitive guidance on the criteria to be used to determine when an in-flight survey programme would be appropriate.</p> <p>Proposed Text: Retain AMC M.B.303(b) Aircraft continuing airworthiness monitoring 2(c):</p> <p>2. <i>Sample product surveys of aircraft include:</i></p> <p>(a) <i>in depth surveys carried out during extensive maintenance that fully encompass selected aspects of an aircraft's airworthiness,</i></p> <p>(b) <i>ramp surveys carried out during aircraft operations to monitor the apparent condition of an aircraft's airworthiness.</i></p> <p><u>(c) in-flight surveys, as deemed necessary by the competent authority.</u></p>	
66	A. Explanatory Note - IV. Content of the draft Opinion and draft Decision - In-flight surveys	7	<p>Page No: 7 (& 17)</p> <p>Paragraph No: Section IV, Paragraph 17, Regulation of airworthiness check flights (AMC M.B.303(b)2(c))</p> <p>Comment: The Agency invited comments on the need to regulate further the performance of airworthiness check flights by the competent authority.</p> <p>This opportunity is welcomed, since there has been a definite need for guidance from the Agency in this area. It has never published any guidance material to indicate what it would accept as the content and frequency of in-flight surveys since Part-M was first published. This has remained the case despite Part-M requiring each Competent Authority to establish procedures and implementation policy detailing how compliance with Part-M will be accomplished [M.B.102].</p> <p>As mentioned in the UK CAA comment on Section IV, paragraph 17 In-flight surveys (AMC M.B.303(b)2(c)), airworthiness check flights are an important tool in the assessment of continued airworthiness standards by the competent authority. To enable a standardised implementation of airworthiness check flights across member</p>	

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			<p>states guidance material is needed to cover:</p> <ul style="list-style-type: none"> · Responsibilities of the competent authority and the operator; · Criteria for check flight sampling, e.g. frequency, use of KREs and past surveillance knowledge; · Procedures for the conduct of check flights, including the reporting of findings, findings analysis, closure actions and recommendations. <p>Not only is it particularly important that the findings found during individual check flights are resolved before the aircraft is returned to service, it is also important to recognise that the collation of findings from all check flights on a given type and across different ACAMs will provide important additional fleet-wide impressions of the continued and continuing airworthiness state of the type and of the ACAM itself.</p> <p>The above additional aspects could easily be assimilated into the existing requirements in Part-M.</p> <p>Other aspects, such as crew qualifications, training, experience and currency requirements for check flights could usefully adopt the measures being developed by rulemaking task RMT.0393 (MDM.097(a)) and RMT.0394 (MDM.097(b)) 'Airworthiness and operational aspects for maintenance check flights' since the disciplines required for airworthiness check flights are the same.</p> <p>Justification: A check flight is an important element of the continuing airworthiness management process and is an efficient method of assuring compliance with the typical inspection items identified in, for example, B.2 of the revised KREs of Appendix III to GM 1 M.B. 303(b). To assure a consistent interpretation of check flight frequency, competent authorities need the guidance material that has so far been lacking from Part-M.</p> <p>The new guidance will need to be developed with inputs from specialists in this area, with experience that has been</p>	

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70	B. Draft Opinion and Decision - I. Draft Opinion Part-M - 1. M.B.303 Aircraft continuing airworthiness monitoring	14	<p>derived both from elective and mandated check flight activities.</p> <p>Proposed Text: To be developed by EASA.</p> <hr/> <p>Page No: 14</p> <p>Paragraph No: M.B.303(c) Past Surveillance Activities</p> <p>Comment: The demotion, from requirement to AMC, to the reference for competent authorities to account for 'past surveillance activities' in their continued airworthiness monitoring survey programme is not discussed in the NPA in any detail, but in any case it seems to be a retrograde step and should not be adopted.</p> <p>Justification: Any knowledge gained by a competent authority through its various oversight activities can only help it to make key strategic decisions to make its future oversight function more focused. This can only be good practice. Indeed, the Agency itself makes use of its knowledge of "past standardisation results" in its Regulatory Impact Assessment in this NPA (on page 11, Section V, paragraph 2.2), so it would be a useful, legitimate means which competent authorities could have at their disposal to fulfil their objectives.</p> <p>Proposed Text: Retain the current reference to past surveillance activities in M.B.303:</p> <p style="text-align: center;"><i>M.B.303 Aircraft continuing airworthiness monitoring</i></p> <p style="text-align: center;"><i>(c) The programme shall be developed on a risk based approach taking into account the number of aircraft on the register, the diversity of aircraft types, local knowledge and the results of past surveillance activities.</i></p>	
72	B. Draft Opinion and Decision - II. Draft Decision Part-M - 13. Appendix III to GM 1 M.B.303(b) - Previous KRE ref.	19	<p>Page No: 19 & 24</p> <p>Paragraph No: Appendix III to GM 1 M.B.303(b) Scope of Surveys</p> <p>Comment: The scope of the continuing airworthiness programme as defined by the revised list of KREs should include a periodic assessment of the aircraft against</p>	

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			<p>its aeroplane flight manual, focusing particularly on its performance.</p> <p>Justification: Appendix III to GM1 M.B.303(b) B.2 Aircraft Flight Manual already recognises that:</p> <p><i>The Aircraft Flight Manual needs to reflect the current status/configuration of the aircraft. When it does not, it may provide flight crew members with wrong information.</i></p> <p><i>This may lead to errors and/or to override limitations that may result in hazardous/catastrophic events.</i></p> <p>An in-flight assessment that the aircraft conforms with its Aircraft Flight Manual seems a reasonable response to this Key Risk Element. Indeed, a periodic in-flight assessment of the aircraft against its flight manual provides a degree of quality assurance upon which the operation of the aircraft can be based. There are aspects of both an aircraft's airworthiness (e.g. handling and control characteristics and performance) that cannot be evaluated during normal operations, and of its emergency systems serviceability that cannot normally be proven to be satisfactory, either through ground-maintenance checks or normal flight operations.</p> <p>For example, this is particularly relevant with regard to performance. The ability of an individual aircraft to achieve the scheduled performance in its flight manual becomes an increasingly important safety factor under limiting conditions of weight, temperature and airfield characteristics. A performance shortfall might remain undetected so long as operations are confined to relatively light weights at non-limiting airfields. The renewal or revalidation of a Certificate of Airworthiness or an Airworthiness Review Certificate is intended to be a declaration of confidence in the condition of the aircraft and this should imply a similar degree of confidence that the aircraft meets its performance criteria. It follows therefore that a periodic confirmation that an aircraft can deliver its scheduled performance should form an integral part of this process.</p>	

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			<p>This philosophy is justified by the investigation into a recent fatal accident which resulted in a safety recommendation (2008-051) being made to EASA by the UK Air Accidents Investigation Branch recommending that EASA amends that part of the Regulations dealing with Continuing Airworthiness so that aircraft under their jurisdiction will require a periodic performance assessment.</p> <p>Proposed Text: Add an additional item to the Typical Inspection Items as follows:</p> <ol style="list-style-type: none"> 1. <i>Check the conformity of the AFM (latest issue) with aircraft configuration, including modification status, (AD, SB, STC etc.).</i> 2. <i>Check:</i> <ul style="list-style-type: none"> - <i>The AFM approval, revision control, Supplement to AFM The impact of modification status on noise and weight & balance,</i> - <i>Additional required manuals (QRH/FCOM/OM-B etc.),</i> - <i>AFM limitation.</i> 3. <u>An in-flight survey to verify the information in the Aircraft Flight manual should be considered.</u> 	