

## EASA

## Comment Response Tool

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<b>Title</b>	(B.I) Authority, Organisation and Operations Requirements for Aerodromes - Draft Cover Regulation + Implementing Rules
<b>NPA Number</b>	NPA 2011-20 (B.I)

**UK CAA** (European.Affairs@caa.co.uk) has placed **66** unique comments on this NPA:

<b>Cmt</b>	<b>Segment description</b>	<b>Pag</b>	<b>Comment</b>	<b>Attachm</b>
1739	Draft Commission Regulation	2 - 5	<p><b>Page No:</b> 4</p> <p><b>Paragraph No:</b> Recital 6</p> <p><b>Comment:</b> The UK strongly supports the inclusion of the Recommended Practices (RP) in the Certification Specifications (CS).</p> <p><b>Justification:</b> Recital 6 states that "In order to ensure a smooth transition and a high level of civil aviation safety in the European Union, the Implementing Rules should reflect the state of the art and the best practices in the field of aerodromes; take into account the applicable International Civil Aviation Organisation (hereinafter referred to as 'ICAO') Standards and Recommended Practices; ..... and cater for the cases of aerodrome infrastructure which has been developed, prior to the coming into force of this Regulation"</p> <p>This clearly states that Recommended Practices should be included in the CSs as it links the recital to aerodrome infrastructure. This reflects the fact that the structure of Annex 14 is such that the vast majority of the specifications for the aerodrome infrastructure (e.g. slopes, lengths, widths, strength for runways) are contained in the Recommended Practices – in very few cases is there a minimum standard dimension with a maximum or aspirational Recommended Practice.</p> <p>Firstly, it is crucial to the maintenance of a safety objective in place in many Member States (MS) to include the RPs in the CSs. Secondly, to ensure standardisation is effective throughout the EU, the new rules must reflect the best practices employed by most Member States and the inclusion of RPs is essential to achieve this target.</p> <p>There is a concern within industry that the RPs will be binding on them. The Regulatory Impact Assessment describes the application of the CSs and demonstrates the minor negative impact the new rules will have on industry and regulators. EASA could usefully explain further the non-binding prescription of the CSs and the flexible measures available to both MSs and industry during the construction of the Certification Basis.</p>	

			<p>The UK CAA is aware that the rationale for EASA choosing to adopt Recommended Practices into the CS was explained to the rulemaking groups and suggests that the relevant documents could be given wider circulation to aid understanding of the proposals.</p>
1740	Draft Commission Regulation - Article 1 - Subject matter	5 - 6	<p><b>Page No:</b> 5</p> <p><b>Paragraph No:</b> Article 1, paragraph 2(f)</p> <p><b>Comment:</b> The UK CAA assumes that EASA is intending to use the definition of commercial air transport as used in the OPS implementing rule, which includes cargo aircraft. This presents difficulties for aerodromes which are served exclusively by cargo aircraft (aircraft undertaking cargo operations without passengers) because the rescue and firefighting service (RFFS) requirements are based exclusively on the size of the aircraft and not on whether it is carrying out passenger or cargo operations. EASA should consider a relaxation of RFFS requirements for aerodromes to permit a lower category in some circumstances for aircraft undertaking cargo operations. The UK has commented on AMC4-ADR-OPS.B010 to this effect but would also seek confirmation of the principle from EASA.</p> <p><b>Justification:</b> Some aerodromes operate cargo aircraft only at night (usually night mail) or have limited passenger activities. As indicated in ICAO Annex 14 (Section 9.2), the principal objective of the RFFS is to save life. For a cargo aircraft without passengers the lifesaving element is reduced to the need to rescue the flight crew. Therefore, the theoretical and practical critical area can be reduced in size, to cover the cockpit and related areas only, which would facilitate a lower RFFS category but whilst maintaining sufficient rescue capability.</p> <p>The UK permits a relaxation in RFFS requirements to facilitate operations by cargo aircraft. The additional burden of having to apply the full RFFS might result in those aerodromes being unable to survive financially.</p>
1742	Draft Commission Regulation - Article 2 - Definitions	6 - 10	<p><b>Page No:</b> 6</p> <p><b>Paragraph No:</b> Article 2 - Definitions</p> <p><b>Comment:</b> The definitions included do not include many of the definitions agreed by the EASA ADR.003 Rulemaking Group. The UK CAA considers that those definitions developed by the ADR.003 group should be included where a term is used in the proposed regulation and its annexes and would welcome confirmation that this is the case.</p> <p><b>Justification:</b> Consistency and completeness</p>
1742	Draft Commission Regulation - Article 2 - Definitions	6 - 10	<p><b>Page No:</b> 8</p> <p><b>Paragraph No:</b> Article 2 - Definitions</p> <p><b>Comment:</b> Definition of 'Low visibility procedures' does not include normal CAT I.</p>

			<p><b>Justification:</b> Lower than standard CAT I and other than CAT II is defined but normal CAT I is missing.</p> <p><b>Proposed Text:</b> 'Low visibility procedures' means procedures applied at an aerodrome for the purpose of ensuring safe operations during lower than Standard Category I, Category I, other than Standard Category II, Category II and III conditions.</p>
1744	Draft Commission Regulation - Article 7 - Deviations from Certification Specifications	13	<p><b>Page No:</b> 13</p> <p><b>Paragraph No:</b> Article 7</p> <p><b>Comment:</b> The UK strongly supports the inclusion of the Deviations Acceptance and Action Document required by Article 7.</p> <p><b>Justification:</b> Many aerodromes have features that are not compliant with the draft rules, which could not be adequately addressed by the equivalent level of safety of special conditions, yet which may be accepted without adverse safety impact.</p>
1745	Draft Commission Regulation - Article 8 - Obstacles — Objects	14	<p><b>Page No:</b> 14</p> <p><b>Paragraph No:</b> Articles 8, 9 and 10</p> <p><b>Comment:</b> The proposal includes provisions on safeguarding related to obstacles and objects, sources of lights and land use planning. It also imposes duties on the competent authority which, due to the construction of the draft IR, can only be the authority which issues the certificate (the CAA in this case). The CAA does not consider that these articles and related provisions in the annex correctly reflect the provisions of Regulation (EC) No 216/2008 ("Basic EASA Regulation").</p> <p><b>Justification:</b> Safeguarding is not mentioned in the measures to be adopted under article 8a.5 of the Basic Regulation. Article 8a.3 makes it clear that it is for Member States and not the Commission to adopt the necessary measures for this. Article 8a.4 of the Basic Regulation specifically requires aerodrome operators to monitor activities for safeguarding purposes. The implementing measures under the Basic Regulation should not therefore require Member States to designate a competent authority for these purposes.</p> <p>A specific reference to including in the IRs related measures to be taken by competent authorities was deleted from the original Commission proposal during negotiations, because Member States argued that EASA should not set rules or monitor activities that in Member States may be outside the scope of aviation authorities. For example, in the UK many of the responsibilities assigned by this proposal to the "aviation" competent authority currently fall within government/local planning authority.</p> <p><b>Proposed Text:</b> Delete Articles 8, 9 and 10.</p>

1746	ANNEX I - Part AR - ADR.AR.A.010 — Oversight documentation REV	16	<p><b>Page No:</b> 16</p> <p><b>Paragraph No:</b> ADR.AR.A.010</p> <p><b>Comment:</b> The requirements differ from the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.115 and ARO.GEN.115, in that the phrase “shall make available” is used instead of “shall provide” and an additional requirement is added to make the documentation available to stakeholders. These differences should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA considers that identical provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a requirement in one area and not in another suggests a difference of intent. In this case, the phrase “make available” seems to be used because of the additional requirement which reflects the ICAO audit question “Are the primary aviation legislation and the associated operating regulations and rules available to all users”. In this respect “make available” is the better term. However, the UK CAA wonders why it is thought necessary to include this requirement here and not in the earlier IRs and whether the implication, legally, is that such documentation need or should not be made available to licensing and operation stakeholders.</p> <p><b>Proposed Text:</b> Align with ARA.GEN.115 and ARO.GEN.115.</p>	
1747	ANNEX I - Part AR - ADR.AR.A.015 — Means of compliance REV	16 - 17	<p><b>Page No:</b> 16</p> <p><b>Paragraph No:</b> ADR.AR.A.015 (c )</p> <p><b>Comment:</b> The inclusion of providers of apron management services in this paragraph does not distinguish between those subject to an approval process and those subject to a declaration process under a Member State derogation, as allowed in Article 8a of the Basic EASA Regulation. It should not be assumed that those subject to a declaration are required to provide the competent authority with a list of alternative means of compliance used in accordance with ADR.OR.060(a)(2). The UK CAA does not support this requirement.</p> <p><b>Justification:</b> The declaration process should simply ensure that the provider acknowledges its responsibilities, notifies the NAA of its existence and provides sufficient information to enable the NAA to exercise enforcement activities as it thinks proper. The UK CAA has maintained this position in commenting on the proposals for declarations from NCC operators.</p> <p>Requiring all declared providers to notify NAAs when they use alternative means of compliance takes the process too far towards a certification regime. The UK CAA suggests that submission of alternative means of compliance and any assessment thereof should depend on a request from</p>	

			<p>the competent authority where it assesses the need to do so in accordance with its risk-based oversight programme. This would allow proportionate and targeted oversight of declared organisations. The UK CAA suggests that the text in this provision be deleted but additional text added to ADR.AR.C.050, consistent with proposals made with respect to NCC provisions, to empower the competent authority to request providers to submit a list of AMCs used.</p> <p><b>Proposed Text:</b> Amend to “or providers of apron management services that are not subject to a declaration process”</p>	
1749	ANNEX I - Part AR - ADR.AR.A.015 — Means of compliance REV	16 - 17	<p><b>Page No:</b> 17</p> <p><b>Paragraph No:</b> ADR.AR.A.015 (d)(3)</p> <p><b>Comment:</b> The UK CAA recognises that the requirement for each competent authority to inform other Member States about alternative means of compliance replicates equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.120 and ARO.GEN.120. However, the burden that this would impose on each competent authority was recognised during the discussion of these provisions and the Agency undertook to provide a centralised mechanism for promulgating this information. UK CAA would welcome information on when this mechanism will be in place.</p> <p><b>Justification:</b> As the scope of the EASA system expands the number of alternative AMCs will also increase with associated burdens on competent authorities. Assurance that a centralised system will soon be in place is desirable before agreement to such an increased burden can be accepted.</p>	
1750	ANNEX I - Part AR - ADR.AR.A.025 — Information to the Agency	17	<p><b>Page No:</b> 17</p> <p><b>Paragraph No:</b> ADR.AR.A.025 (a)</p> <p><b>Comment:</b> The requirement to notify in case of <b>any</b> problems is too wide.</p> <p><b>Justification:</b> Consistency with requirements already agreed for Aircrew and Operations Authority Requirements – see ARA.GEN.125 (a) and ARO.GEN.125 (a).</p> <p><b>Proposed Text:</b> “(a) The competent authority.....notify the Agency in case of any <b>significant</b> problems....”</p>	
1752	ANNEX I - Part-AR - ADR.AR.A.030 — Immediate reaction to a safety problem	17 - 18	<p><b>Page No:</b> 17-18</p> <p><b>Paragraph No:</b> ADR.AR.A.030 (b)</p> <p><b>Comment:</b> The requirement to analyse <b>any</b> safety information is too wide</p> <p><b>Justification:</b> Consistency with requirements already agreed for Aircrew and Operations Authority Requirements – see ARA.GEN.125 (a) and ARO.GEN.125 (a).</p>	

			<p><b>Proposed Text:</b> “(b) The Agency shall implement a system to appropriately analyse any <b>relevant</b> safety information...”</p>
1754	ANNEX I - Part-AR - ADR.AR.A.030 — Immediate reaction to a safety problem	17 - 18	<p><b>Page No:</b> 17-18</p> <p><b>Paragraph No:</b> ADR.AR.A.030 (c)</p> <p><b>Comment:</b> The requirements in ADR.AR.A.025 exactly repeat the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.135 and ARO.GEN.135, except for the addition in (c) of the words “including the issue of safety directives in accordance with ADR.AR.A.040” This difference should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA considers that identical provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a requirement in one area and not in another suggests a difference of intent. In this instance a requirement to issue safety directives here, where there is no similar requirement in the aircrew and operations field, calls into question whether competent authorities wishing to take adequate measures to address safety problems in those other areas, are prevented from issuing safety directives. If this is true, but the use of safety directives is considered to be a useful tool for competent authorities, action should be taken to amend the requirements in ARA.GEN.135 and ARO.GEN.135 at the earliest opportunity.</p> <p>The UK CAA also notes that the flexibility provisions of Article 14 of the EASA Basic Regulation have provided at 14.1 that a Member State can react immediately to a safety problem and wonders whether there is an implication that this provision has not been thought sufficient until now to allow the use of safety directives.</p>
1755	ANNEX I - Part-AR - ADR.AR.A.040 — Safety directives	18 - 19	<p><b>Page No:</b> 18</p> <p><b>Paragraph No:</b> ADR.AR.A.040</p> <p><b>Comment:</b> As noted in the comment on ADR.AR.A.025(c) the requirement to issue safety directives is a new provision not used in the authority requirements already agreed for Aircrew and Operations. This difference should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. In this instance a requirement to issue safety directives here, where there is no similar requirement in the aircrew and operations field, calls into question whether competent authorities wishing to take adequate measures to address safety problems in those other areas, are prevented from issuing safety directives. If this is true, but the use of safety directives is considered to be a useful tool for competent authorities,</p>

			<p>action should be taken to amend the requirements in ARA.GEN.135 and ARO.GEN.135 at the earliest opportunity.</p> <p>The UK CAA also notes that the flexibility provisions of Article 14 of the EASA Basic Regulation have provided at 14.1 that a Member State can react immediately to a safety problem and wonders whether there is an implication that this provision has not been thought sufficient until now to allow the use of safety directives. What is the relationship with Article 14.1?</p>	
1756	ANNEX I - Part-AR - ADR.AR.B.005 — Management system REV	20	<p><b>Page No:</b> 20</p> <p><b>Paragraph No:</b> ADR.AR.B.005</p> <p><b>Comment:</b> UK CAA fully supports the provision setting down the need to have a management system, which fully reflects the provisions for organisations in aircrew and air operations domains.</p> <p><b>Justification:</b> Total system approach.</p>	
1757	ANNEX I - Part-AR - ADR.AR.B.010 — Allocation of tasks REV	21	<p><b>Page No:</b> 21</p> <p><b>Paragraph No:</b> ADR.AR.B.010</p> <p><b>Comment:</b> The requirements in ADR.AR.B.010 follow closely the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.205 and ARO.GEN.205, except for a number of differences, namely:</p> <p>The text “to qualified entities” is missing from the title;</p> <p>The phrase “to a natural or legal person” is used in (a) instead of “only to qualified entities”;</p> <p>The phrase “to a natural or legal person” is used in (a)(2) instead of “the qualified entity”;</p> <p>Extra text is added to (a)(1) at (i) to (iii) which is not deemed necessary in the Aircrew and Operations AR provisions, and indeed seems only to repeat aspects of Annex V to Regulation (EC) No 216/2008 which is already referenced in (iv).</p> <p>These differences should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a requirement in one area and not in another suggests a difference of intent.</p> <p><b>Proposed Text:</b> Align with ARA.GEN.205 and ARO.GEN.205</p>	
1758	ANNEX I - Part-AR - ADR.AR.B.020 — Record- keeping	22	<p><b>Page No:</b> 22</p> <p><b>Paragraph No:</b> ADR.AR.B.020 (a)(6)</p> <p><b>Comment:</b> The requirements in ADR.AR.B.020 (a)(6)</p>	

			<p>follow closely the equivalent requirements in IRs already agreed for Operations, namely ARO.GEN.220 (a)(9), except for the inclusion of a reference to “providers of apron management services” which are subject to a declaration process.</p> <p>The inclusion of providers of apron management services in this paragraph does not distinguish between those subject to an approval process and those subject to a declaration process under a Member State derogation, as allowed in Article 8a of the Basic EASA Regulation. It should not be assumed that those subject to a declaration are required to provide the competent authority with a list of alternative means of compliance used in accordance with ADR.OR.060(a)(2).</p> <p><b>Justification:</b> Clarity and consistency.</p> <p><b>Proposed Text:</b> Amend to read “<b>and providers of apron management services that are not subject to a declaration process .</b>”</p>	
1759	ANNEX I - Part-AR - ADR.AR.B.020 — Record- keeping	22	<p><b>Page No:</b> 22</p> <p><b>Paragraph No:</b> ADR.AR.B.020 (c)</p> <p><b>Comment:</b> The requirements in ADR.AR.B.020(c) follow closely the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.220 (c) and ARO.GEN.220 (c), except for the requirement to keep records relating training and qualification of the personnel of the competent authority in (c) (2). This difference should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA considers that identical provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a requirement in one area and not in another suggests a difference of intent. For sake of clarity and consistency this additional text should be deleted.</p> <p><b>Proposed Text:</b> Delete subparagraph (2).</p>	
1760	ANNEX I - Part-AR - ADR.AR.C.005 — Oversight	23	<p><b>Page No:</b> 23</p> <p><b>Paragraph No:</b> ADR.AR.C.005</p> <p><b>Comment:</b> The requirements in ADR.AR.C.005 follow closely the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.300 and ARO.GEN.300, except that the requirement to collect and process information, found at ARA.GEN.300 (f) and ARO.GEN.300 (f) is omitted. This difference should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a requirement in one area and not in another suggests a difference of intent. For sake of clarity and consistency the</p>	

			<p>missing text should be inserted, except for the reference to ramp inspections which is not relevant.</p> <p><b>Proposed Text:</b> Add new text "(d) The competent authority shall collect and process any information deemed useful for oversight, including for unannounced inspections".</p>	
1762	ANNEX I - Part-AR - ADR.AR.C.010 — Oversight programme	23 - 24	<p><b>Page No:</b> 23</p> <p><b>Paragraph No:</b> ADR.AR.C.010(c)</p> <p><b>Comment:</b> The UK CAA supports the oversight planning cycle being set at 48 months.</p> <p><b>Justification:</b> The requirements in ADR.AR.C.010 on the oversight programme follow closely the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.305 and ARO.GEN.305, except with regards to paragraph (c), where material in those earlier requirements have been moved to an AMC (AMC1-ADR.AR.C.010 (c). The UK CAA considers that this particular difference can be justified. It reflects the existing UK practice which has been demonstrated to achieve an appropriate level of safety, and enables the competent authority to utilise a risk-based approach to aerodrome oversight.</p>	
1762	ANNEX I - Part-AR - ADR.AR.C.015 — Initiation of certification process	24	<p><b>Page No:</b> 24</p> <p><b>Paragraph No:</b> ADR.AR.C.015 (c)</p> <p><b>Comment:</b> The UK CAA asks whether paragraph (c) is a transition provision that might more appropriately be found in the Cover Regulation or at least referenced there.</p> <p><b>Justification:</b> Consistency with placement of transitional measures in Aircrew and Operations Implementing Rules.</p> <p><b>Proposed Text:</b> Either delete sub-paragraph (c) and move to draft Cover Regulation, or provide a cross-reference in Cover Regulation.</p>	
1764	ANNEX I - Part-AR - ADR.AR.C.040 — Changes	26 - 27	<p><b>Page No:</b> 26</p> <p><b>Paragraph No:</b> ADR.AR.C.040 (a) (1) and (1)(i) and (1)(ii)</p> <p><b>Comment:</b> The proposed change submitted by the aerodrome operator should be accompanied by the relevant Certification Specifications (CS) applicable to the change. Suggest delete paragraphs ADR.AR.C.040 (a) (1) and (1)(i) (ii). Paragraphs ADR.AR.C.040 (a) (2) and (3) become Paragraphs (a) (1) and (2).</p> <p><b>Justification:</b> It should not be the responsibility of the competent authority to identify those CSs. This would impact on the competent authorities' resources and would relieve the aerodrome operator of the need to fully analyse the impact of the change.</p>	

			<p><b>Proposed Text:</b> Delete paragraphs ADR.AR.C.040 (a) (1) and (1)(i) (ii). Paragraphs ADR.AR.C.040 (a) (2) and (3) become paragraphs (a) (1) and (2) as follows:</p> <p>“(a) Upon receiving an application for a change, in accordance with ADR.OR.B.040, that requires prior approval, the competent authority shall assess the application and notify the aerodrome operator of:</p> <p style="padding-left: 40px;"><b>(1) any other Certification Specification issued by the Agency that the competent authority finds is directly related to the proposed change;</b></p> <p style="padding-left: 40px;"><b>(2) any special condition, and amendment to special conditions, prescribed by the competent authority in accordance with Article ADR.AR.C.025, that the competent authority finds is necessary.”</b></p>	
1766	ANNEX I - Part-AR - ADR.AR.C.040 — Changes	26 - 27	<p><b>Page No:</b> 26</p> <p><b>Paragraph No:</b> ADR.AR.C.040</p> <p><b>Comment:</b> In a total system approach we look for consistency and compatibility over the provisions governing SMS, including the management of change. This is particularly difficult in this domain because aerodrome operators are often entwined with ANSPs which are currently subject to rules inherited from the SES environment. It will be important to consider how processes in these areas can best be aligned or made compatible with each other, together with those of other organisations active at aerodromes, such as air operators and ground handlers, to ensure a total system approach to oversight.</p> <p><b>Justification:</b> Commonality and standardisation of processes.</p>	
1767	ANNEX I - Part-AR - ADR.AR.C.045 — Change of aerodrome operator	27	<p><b>Page No:</b> 27</p> <p><b>Paragraph No:</b> ADR.AR.C.045</p> <p><b>Comment:</b> The wording of (a) only makes sense in cases where there are two separate certificates, one for the aerodrome and one for the aerodrome operator. At least in the case of only one certificate, the first sentence in AMC1-ADR.AR.C.045(a); (b) should be elevated to this IR and it would simplify drafting to make this a first step in any approval process.</p> <p><b>Justification:</b> The need to ensure that the new operator complies with the applicable requirements prior to the competent authority issuing either a new single certificate or amending existing operator certificates where there are two certificates should be a non-negotiable requirement. It should also be the first step in the approval process. The text needs clarifying to provide for these different circumstances.</p> <p><b>Proposed Text:</b></p>	

			<p>(a) Upon receiving an application for the change of the operator of an aerodrome, in accordance with Article ADR.OR.B.055, the competent authority shall:</p> <ol style="list-style-type: none"> <li>(1) ensure that the new operator complies with the applicable requirements;</li> <li>(2) in cases where two separate certificates are prescribed, issue a new certificate for the aerodrome concerned and either amend any existing aerodrome operator certificate held by or issue a new aerodrome operator certificate to the new operator of the aerodrome concerned;</li> <li>(3) in cases where a single certificate is prescribed issue a new certificate; and</li> <li>(4) revoke previous certificates as necessary.</li> </ol>
1768	ANNEX I - Part-AR - ADR.AR.C.050 — Declarations of providers of apron management services	27 - 28	<p><b>Page No:</b> 27</p> <p><b>Paragraph No:</b> ADR.AR.C.050</p> <p><b>Comment:</b> UK CAA considers that it should be made clear that this provision only applies when a Member State has decided to derogate from the requirement to hold a certificate, in accordance with Article 8a.1(e) of the basic EASA Regulation.</p> <p>In such cases a declared organisations should not be required to notify all alternative means of compliance used (see comments on ADR.AR.A.015 (c) and ADR.OR.B.060(a) (2)) but that provision should be made for the competent authority to request the declared organisation to submit a list of alternative AMCs where it assesses the need to do so in accordance with its risk-based oversight programme.</p> <p><b>Justification:</b> First, there must be clarity about the restricted applicability of this requirement.</p> <p>Second, if used, the declaration process should simply ensure that the provider acknowledges its responsibilities, notifies the NAA of its existence and provides sufficient information to enable the NAA to exercise enforcement activities as it thinks proper. The UK CAA has maintained this position in commenting on the proposals for declarations from NCC operators.</p> <p>Requiring all declared providers to notify NAAs when they use alternative means of compliance takes the process too far towards a certification regime. The UK CAA suggests that submission of alternative means of compliance and any assessment thereof should depend on a request from the competent authority where it assesses the need to do so in accordance with its risk-based oversight programme. This would allow proportionate and targeted oversight of</p>

			<p>declared organisations.</p> <p><b>Proposed Text:</b></p> <p>Amend heading to read <b>“Declarations of providers of apron management services in Member States deciding to derogate from requirement for certificate”</b></p> <p>Insert new (aa) <b><i>The competent authority may, in accordance with the scope of oversight established under ADR.AR.C.010, request that the organisation submits a list of any alternative means of compliance used.</i></b></p> <p><b><i>(b) If the declaration does not contain the required information, or if either the declaration or a list of alternative means of compliance requested by the competent authority contains information that indicates non-compliance with applicable requirements,.....”</i></b></p>	
1769	ANNEX I - Part AR - ADR.AR.C.055 — Findings, observations, corrective actions and enforcement measures	28 - 29	<p><b>Page No:</b> 28 and 29</p> <p><b>Paragraph No:</b> ADR.AR.C.055 Findings, observations, corrective actions and enforcement measures - Title and paragraph (e)</p> <p><b>Comment:</b> The requirements in ADR.AR.C.055 follow closely the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ARA.GEN.350 and ARO.GEN.350, except that the title refers to “observations” and paragraph (e) provides that “The competent authority may issue observations”. The UK CAA considers the difference can be justified.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a provision in one area and not in another suggests a difference of intent.</p> <p>However, the UK CAA suggests that audit and inspection techniques are evolving in line with a more risk and performance-based approach to regulatory oversight. It should now be possible to make observations in addition to findings and it supports the inclusion of this possibility in the rule. If so, the UK CAA considers that action should be taken to ensure that the same possibility is available for aircrew and operations oversight activities and consideration given to how best to achieve that possibility.</p>	
1770	ANNEX I - Part AR - ADR.AR.C.055 — Findings, observations, corrective actions and enforcement measures	28 - 29	<p><b>Page No:</b> 28</p> <p><b>Paragraph No:</b> ADR.AR.C.055 (c)</p> <p><b>Comment:</b> The text “with the aerodrome operators or the providers of apron management services procedures and manuals” is unclear because it fails to distinguish between providers of apron management services subject to</p>	

			<p>declarations and those which are not.</p> <p><b>Justification</b> There is no requirement on the provider of apron management services subject to a declaration to have its own manual(s), only that it should provide services in line with the aerodrome manual (see ADR.OR.B.060. There is no clarity about such providers who are not subject to a declaration but it is assumed they will be subject to the aerodrome manual. The aerodrome manual and those referenced therein are the manuals that relate directly to aerodrome operations.</p> <p><b>Proposed Text:</b></p> <p>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the certification basis of the aerodrome, the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules, with;</p> <ul style="list-style-type: none"> <li>(i) the aerodrome operator's <b>procedures and aerodrome manual,</b></li> <li>(ii) the providers of apron management services procedures and their notified manuals,</li> <li>(iii) with the terms of a certificate, or</li> <li>(iv) with the content of a declaration which could lower or possibly hazard safety.</li> </ul>	
1771	ANNEX I - Part AR - ADR.AR.C.055 — Findings, observations, corrective actions and enforcement measures	28 - 29	<p><b>Page No:</b> 29</p> <p><b>Paragraph No:</b> ADR.AR.C.055 (d) (2)(i)</p> <p><b>Comment:</b> The UK supports there being no provisions limiting or controlling the length of the corrective action implementation period, unlike those found in the equivalent requirements in IRs already agreed for Aircrew and Operations, (ARA.GEN.350 and ARO.GEN.350). In this case, the UK CAA considers the difference is justified.</p> <p><b>Justification:</b> Although the UK CAA supports consistency in the provisions used in Authority Requirements across all domains, in this case, the UK CAA considers that there is a difference in the nature of the oversight of aerodromes. In the aerodrome world, often findings occur with the infrastructure – these can take months or years to rectify, at great cost and often cannot be rectified within a 3-month timescale. What is important is that a corrective action plan is immediately commenced and that appropriate liaison takes place between the aerodrome operator and the competent authority to implement effective corrective action. This could usefully be examined as to its suitability for other domains.</p> <p><b>Proposed Text:</b> Keep IR text as written.</p>	
1772	ANNEX I - Part AR - ADR.AR.C.055 — Findings, observations,	28 - 29	<p><b>Page No:</b> 29</p> <p><b>Paragraph No:</b> ADR.AR.C.055 (e)</p> <p><b>Comment:</b> The UK supports the ability for the competent</p>	

	corrective actions and enforcement measures	<p>authority to make observations.</p> <p><b>Justification:</b> The CAA notes that this option is not included in the parallel AR rules already agreed for Aircrew and Operations: the UK CAA considers the difference can be justified. The UK CAA suggests that audit and inspection techniques are evolving in line with a more risk and performance-based approach to regulatory oversight. It should now be possible to make observations in addition to findings and it supports its inclusion in the rule. UK aerodromes welcome CAA observations and our aerodromes (ADR) and air traffic (ATM) teams consider that this option should be retained and will continue to use observations under the EASA regime. Also, the UK CAA considers that action should be taken to ensure that the same possibility is available for aircrew and operations oversight activities and consideration given to how best to achieve that possibility.</p> <p>This could usefully be applied to the Aircrew and Operations domains.</p> <p><b>Proposed Text:</b> Keep text on observations.</p>	
1773	ANNEX I - Part AR - ADR.AR.C.055 — Findings, observations, corrective actions and enforcement measures	<p>28 - 29</p> <p><b>Page No:</b> 28-29</p> <p><b>Paragraph No:</b> ADR.AR.C.055</p> <p><b>Comment:</b> The only specific provisions we could find related to the competent authority being able to suspend, limit or revoke the certificate are directly related to Level 1 findings or assessment of changes. There does not appear to be provision for the competent authority to suspend, limit or revoke the certificate for other reasons (e.g. safety). There should be a new clause in ADR.AR.C.055 to cover this.</p> <p><b>Justification:</b> It is important for powers to be provided to enable the certificate to be suspended, limited or revoked. As currently written, the implementing rules link enforcement powers to non-compliance with the requirements under the rule. This does not address the circumstances where adverse trends are identified, or circumstances arise without warning and where action is required, but which do not necessarily result in a non-compliance or finding.</p> <p>Examples of such situations may include:</p> <ol style="list-style-type: none"> <li>a) An immediate safety hazard outside the scope of an audit;</li> <li>b) Significant incidents, together with a failure to investigate properly and deal with the root causes;</li> <li>c) An increasing number of incidents, indicating an underlying systemic failure;</li> <li>d) Poor management attitude to compliance;</li> <li>e) A management that prefers solutions that simply address the detail of the finding and that is unwilling or</li> </ol>	

			<p>unable to put measures in place that address the root cause of non-compliances;</p> <p>f) Unstable/ineffective management. Instability can be caused by changes in structure, personnel, or both.</p> <p>g) Financial weakness resulting in a failure to address safety deficiencies or provide safety improvements.</p> <p><b>Proposed Text:</b> New ADR.AR.C.055 (g) "The competent authority may revoke, suspend or vary (as appropriate in the circumstances) any certificate, in whole or in part, if it is satisfied that the aerodrome operator has ceased to operate the aerodrome in accordance with the terms of approval of the certificate."</p>	
1774	ANNEX I - Part AR - ADR.AR.C.060 — Wildlife management	29	<p><b>Page No:</b> 29</p> <p><b>Paragraph No:</b> ADR.AR.C.060(b),</p> <p><b>Comment:</b> . These provisions impose duties on the competent authority which the UK CAA does not consider correctly reflect the provisions of Regulation (EC) No 216/2008 ("Basic EASA Regulation") . Under safety management principles the onus for the elimination (or preventing the establishment) of a wildlife hazard lies with the aerodrome NOT the competent authority.</p> <p><b>Justification:</b> Under safety management principles the onus for the elimination (or preventing the establishment) of a wildlife hazard on the aerodrome and for monitoring activities outside the aerodrome lies with the aerodrome not the competent authority. As part of its oversight of the aerodrome operator, he competent authority will consider whether the aerodrome operator has considered all these matters in its assessment of risks etc as part of its safety management system. Arrangements for the prevention of sources and consultation on land use are already contained in the provisions of Regulation (EC) No 216/2008 ("Basic EASA Regulation").</p> <p><b>Proposed Text:</b> Revised title: "Wildlife Management Reporting"</p> <p>Delete ADR.AR.C.060 (b).</p>	
1776	ANNEX I - Part AR - ADR.AR.C.065 — Obstacles — Objects	30	<p><b>Page No:</b> 30-31</p> <p><b>Paragraph No:</b> ADR.AR.C.065,.070,.075 and .080</p> <p><b>Comment:</b> These provisions impose duties on the competent authority which the UK CAA does not consider correctly reflect the provisions of Regulation (EC) No 216/2008 ("Basic EASA Regulation") , as also commented in respect to articles 8,9 and 10 of the draft Cover Regulation.</p> <p><b>Justification:</b> Safeguarding is not mentioned in the measures to be adopted under article 8a.5 of the Basic Regulation. Article 8a.3 makes it clear that it is for Member</p>	

			<p>States and not the Commission to adopt the necessary measures for this. Article 8a.4 of the Basic Regulation specifically requires aerodrome operators to monitor activities for safeguarding purposes.</p> <p>The implementing measures under the Basic Regulation should not therefore require the competent authority to carry out the activities set down in these provisions.</p> <p><b>Proposed Text:</b> Delete ADR.AR.C.065, .070, .075 and .080.</p>											
178	ANNEX I - Part AR - APPENDIX I	32 - 33	<p><b>Page No:</b> 33</p> <p><b>Paragraph No:</b> ANNEX I – Part-AR APPENDIX I</p> <p><b>Comment:</b> The Terms of Approval are too prescriptive to be used as the main basis for changes requiring competent authority approval. It should be changed to include only those subjects that describe the physical characteristics and operation of the aerodrome that would require competent authority approval prior to any change. Therefore, the following changes are suggested:</p> <p>(a) The form should include a reference to the CB to allow the competent authority to manage the changes to the physical characteristics.</p> <p>(b) It should not include nominated persons other than the accountable manager – aerodromes should be free to determine the management structure that meets their needs. Additionally, in other domains specific titles are included, as they usually are linked to specific qualifications or licences that are required for those posts. This is not the case in the aerodrome domain.</p> <p>(c) It should not include fuel provision as certification is not dependent on fuel being provided.</p> <p><b>Justification:</b> The Terms of Approval sheet is a record of those subjects that require competent authority approval prior to any change. It should not be confused with information included in the AIP. Failure to include approval for changes to physical characteristics could compromise aerodrome safety.</p> <p><b>Proposed Text:</b> Text on fuel provision should be DELETED. On other changes, we have used *** to highlight the differences.</p> <table border="1" data-bbox="488 1760 1294 2085"> <thead> <tr> <th colspan="2">TERMS OF APPROVAL</th> </tr> </thead> <tbody> <tr> <td><b>Certificate reference:</b> [STATE CODE] : xxxxx</td> <td>[MEMBER STATE]</td> </tr> <tr> <td><b>Aerodrome name – Location indicator:</b></td> <td>xxxxxx</td> </tr> <tr> <td></td> <td><i>Day</i></td> </tr> <tr> <td><b>Operating conditions:</b></td> <td><i>Night</i></td> </tr> </tbody> </table>	TERMS OF APPROVAL		<b>Certificate reference:</b> [STATE CODE] : xxxxx	[MEMBER STATE]	<b>Aerodrome name – Location indicator:</b>	xxxxxx		<i>Day</i>	<b>Operating conditions:</b>	<i>Night</i>	
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	ADR.OR.B.015 — Application for a certificate	40	<p><b>Paragraph No:</b> ADR.OR.B.015(b)(4)</p> <p><b>Comment:</b> Missing a subject.</p> <p><b>Justification:</b> Clarity.</p> <p><b>Proposed Text:</b> “information showing adequacy of resources....”</p>	
1786	ANNEX II - Part-OR - ADR.OR.B.015 — Application for a certificate	39 - 40	<p><b>Page No:</b> 40</p> <p><b>Paragraph No:</b> ADR.OR.B.015(b)(5)</p> <p><b>Comment:</b> This provision requires submission of a document showing the relationship of the applicant with the aerodrome owner and/or the land owner. There is no indication of what kind of document is required (a legal document?) nor what a competent authority is to do with such a document. The CAA believes that the rule should require evidence but not specify how this is achieved.</p> <p><b>Justification:</b> The competent authority will not issue the certificate until it has received confirmation and is assured that the aerodrome operator has the right to operate the aerodrome.</p> <p><b>Proposed Text:</b> (5) <b>evidence</b> showing the relationship of the applicant with the aerodrome owner and/or the land owner.</p>	
1794	ANNEX II - Part-OR - ADR.OR.B.015 — Application for a certificate	39 - 40	<p><b>Page No:</b> 40</p> <p><b>Paragraph No:</b> ADR.OR.B.015(b)(7)</p> <p><b>Comment:</b> The application does not need to include qualifications and experience for any of the nominated persons required.</p> <p><b>Justification:</b> The UK CAA considers that consistent provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. In this case, the UK CAA considers that the approach followed for other organisations, in domains where specific roles have been long established often together with recognised qualifications, may not be relevant. The variety in sizes and types of aerodromes covered by this regulation suggest that a more flexible approach is desirable; what matters is overall competence rather individual qualifications and experience. Competence will be assessed during the certification process.</p> <p><b>Proposed Text:</b> DELETE “together with their qualifications and experience”.</p>	
1795	ANNEX II - Part-OR - ADR.OR.B.015 — Application for a certificate	39 - 40	<p><b>Page No:</b> 40</p> <p><b>Paragraph No:</b> ADR.OR.B.015 (c)</p> <p><b>Comment:</b> The requirements in ADR.OR.B.015 are similar to those found in IRs already agreed for Aircrew and Operations, in particular ORA.GEN.115 and ORO.GEN.115,</p>	

			<p>but the provision that information may be provided at a later stage is new. Additionally, it is suggested that its nature (the words “if appropriate” and “may” suggest that it need not be a rule. This difference should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. It is noted that (a) and (b) do not specify the stages or timing of when information should be provided so it seems unnecessary to state in the rule that a competent authority <b>may</b> determine the provision of information “at a later stage”. The UK CAA asks that consideration be given to moving this either to Guidance Material or AMC and if so, to consider whether GM or AMC for Aircrew and Operations needs to reflect the same advice.</p> <p><b>Proposed Text:</b> Delete (c) and move it to AMC or GM.</p>	
1796	ANNEX II - Part-OR - ADR.OR.B.025 — Compliance	40	<p><b>Page No:</b> 40 and 59-60</p> <p><b>Paragraph No:</b> ADR.OR.B.025(a)(3) and Appendix I to Annex II</p> <p><b>Comment:</b> The UK CAA does not see any need for an aerodrome operator to have to make a declaration of its compliance, and this requirement risks confusion with the declarations that may be required of providers of apron management services.</p> <p><b>Justification:</b> A declaration serves no practical purpose and is only relevant on the day it is signed. The Competent Authority confirms that the applicable requirements have been met and that the ADR is safe by the issue of an aerodrome certificate. There is no corresponding provision for organisations covered by the aircrew or operations OR.GEB requirements. Moreover a declaration of this kind is not a requirement of the Basic Regulation and risks confusion with declarations that may be required of providers of apron management services.</p> <p><b>Proposed Text:</b> Delete ADR.OR.B.025(a)(3) and Appendix I to Annex II.</p>	
1798	ANNEX II - Part-OR - ADR.OR.B.040 — Changes	41 - 42	<p><b>Page No:</b> 41</p> <p><b>Paragraph No:</b> ADR.OR.B.040 (a)</p> <p><b>Comment:</b> Changes requiring prior approval must include those that alter the Certification Basis or the aerodrome infrastructure/physical characteristics (facilities, installations, equipment and their location within the aerodrome boundary).</p> <p>Additionally, the need for the competent authority to approve the aerodrome operator’s management changes undermines the operator’s SMS and creates unnecessary work for both the competent authority and the operator. The only change to the management system that would</p>	

		<p>require competent authority approval involves the accountable manager.</p> <p><b>Justification:</b> The UK CAA considers that the text as currently written allows the aerodrome to make major infrastructure changes and changes to the certification basis of the aerodrome without prior approval, or even without notifying the competent authority. This has potential safety implications, as the competent authority would no longer have oversight of changes to the physical characteristics of an aerodrome (e.g. runway extension, a new air traffic control tower) which often need very close coordination, communication and oversight in order to avoid safety hazards brought about by the changes.</p> <p>It should be specified beyond doubt that the competent authority must be notified of (and approve, where necessary) changes to infrastructure and the certification basis at an aerodrome. Should changes to the aerodrome infrastructure/physical characteristics not require prior approval, and only need to be notified to the competent authority, it may result in non-compliant changes being introduced which may lead to future findings and punitive actions by the competent authority.</p> <p>Additionally, management system functions can be managed by the operator's SMS and periodically checked during the audit process so there is no need to grant prior approval of changes to the operator's SMS and management structure.</p> <p><b>Proposed Text:</b></p> <p>(a) Any change affecting:</p> <ol style="list-style-type: none"> <li>(1) the terms of approval, <b>including the certification basis, and any other infrastructure changes as required to be approved by the competent authority;</b> or</li> <li>(2) <b>the accountable manager role or post holder; or</b></li> <li>(3) any additional elements notified to the competent authority in accordance with paragraph (c) but found necessary to be approved by the competent authority,</li> </ol> <p><b>shall require prior approval by the competent authority.</b></p>	
180	ANNEX II - Part-OR - ADR.OR.B.040 — Changes	<p>41 - 42</p> <p><b>Page No:</b> 41</p> <p><b>Paragraph No:</b> ADR.OR.B.040</p> <p><b>Comment: Changes.</b> In a total system approach we look for consistency and compatibility over the provisions governing SMS, including the management of change. This is particularly difficult in this domain because aerodrome operators are often entwined with ANSPs which are currently subject to rules inherited from the SES environment. It will be important to consider how</p>	

			<p>processes in these areas can best be aligned or made compatible with each other, together with those of other organisations active at aerodromes, such as air operators and ground handlers, to ensure a total system approach to oversight</p> <p><b>Justification:</b> Commonality and standardisation of processes.</p>	
1803	ANNEX II - Part-OR - ADR.OR.B.045 — Assessment of changes	42 - 43	<p><b>Page No:</b> 42</p> <p><b>Paragraph No:</b> ADR.OR.B.045 (b)</p> <p><b>Comment:</b> The text is not clear about what is required. It infers that everything and all organisations on the aerodrome should be included, which would not be the case.</p> <p><b>Justification:</b> It is necessary to clarify that this covers only those areas and organisations affected by the change. For example, a change to taxiway infrastructure or activity need not be coordinated with users limited to apron areas only.</p> <p><b>Proposed Text:</b> Revised paragraph: "An aerodrome operator shall ensure that the scope of the assessment includes <b>those interactions and organisations that would be affected by the change</b>".</p>	
1804	ANNEX II - Part-OR - ADR.OR.B.050 — Continuing compliance with the Agency's Certification Specifications	43	<p><b>Page No:</b> 43</p> <p><b>Paragraph No:</b> ADR.OR.B.050</p> <p><b>Comment:</b> This IR places an obligation on an aerodrome operator which is not required as it is a task that should be carried out by the competent authority. Therefore, it should be removed to AMC and replaced by a new IR in the Authority Requirements.</p> <p><b>Justification:</b> Changes to certification specifications should be managed nationally through the Competent Authority, which will oversee implementation and ensure consistency across its aerodromes. This is the process undertaken when ICAO SARPs change – changes are initiated by a States Letter, with the SARPs then being implemented by member states; by so doing a consistent application can be promoted.</p> <p><b>Proposed Text:</b> New: "<b>ADR.AR.C.085 – Continuing Compliance with the Agency's Certification Specifications.</b></p> <p><b>Following an amendment of the Certification Specifications established by the Agency, the competent authority shall implement a process to ensure that the Certification Specifications are implemented as applicable at aerodromes in its member state</b>".</p>	

			<p>New: <b>“AMC.ADR.OR.B.050 — Continuing compliance with the Agency’s Certification Specifications</b></p> <p><b>An aerodrome operator, following an amendment of the Certification Specifications established by the Agency, and promulgated by the competent authority, should:</b></p> <p><b>(a) perform a review to identify any Certification Specifications which are applicable to the aerodrome; and</b></p> <p><b>(b) if relevant, initiate a change process in accordance with ADR.OR.B.040 and implement the necessary changes at the aerodrome. ”</b></p>
1806	ANNEX II - Part-OR - ADR.OR.B.060 — Declaration of providers of apron management services	43 - 44	<p><b>Page No:</b> 43</p> <p><b>Paragraph No:</b> ADR.OR.B.060</p> <p><b>Comment:</b> UK CAA considers that it should be made clear that this provision only applies when a Member State has decided to derogate from the requirement to hold a certificate, in accordance with Article 8a.1(e) of the basic EASA Regulation.</p> <p>The UK CAA considers that it is disproportionate to require a declared organisation to provide the competent authority with a list of alternative means of compliance.</p> <p><b>Justification:</b> The declaration process should simply ensure that the provider acknowledges its responsibilities, notifies the NAA of its existence and provides sufficient information to enable the NAA to exercise enforcement activities as it thinks proper. The UK CAA has maintained this position in commenting on the proposals for declarations from NCC operators.</p> <p>Requiring all declared providers to notify NAAs when they use alternative means of compliance takes the process too far towards a certification regime. The UK CAA suggests that submission of alternative means of compliance and any assessment thereof should depend on a request from the competent authority where it assesses the need to do so in accordance with its risk-based oversight programme. This would allow proportionate and targeted oversight of declared organisations. The UK CAA suggests that the text in this provision be amended and additional text added to ADR.AR.C.050, consistent with proposals made with respect to NCC provisions, to empower the competent authority to request providers to submit a list of AMCs used.</p> <p><b>Proposed Text:</b> Amend heading to read <b>“Declarations of providers of apron management services in Member States deciding to derogate from requirement for certificate”</b></p>

			<p>Amend:</p> <p>“(a)(2) <b>if so requested</b>, provide the competent authority with a list of the alternative means of compliance used”.</p> <p>“(a)(5) provide its services in accordance with the aerodrome <b>operator’s</b> manual and....”</p>	
1807	ANNEX II - Part-OR - ADR.OR.C.005 — Operator responsibilities	45	<p><b>Page No:</b> 45</p> <p><b>Paragraph No:</b> ADR.OR.C.005 (a)(4)</p> <p><b>Comment:</b> The aerodrome should not be operated in accordance with (4) “any other manual for the aerodrome equipment available at the aerodrome, as applicable”.</p> <p><b>Justification:</b> The aerodrome manual details the operating processes and systems at the aerodrome and so it is sufficient for the aerodrome operator to operate the aerodrome in accordance with that manual alone. The aerodrome manual may refer to other manuals if deemed necessary by the competent authority. Paragraph (a)(4) relates specifically to equipment, not the operation and maintenance of the aerodrome. It should, therefore, be deleted.</p> <p><b>Proposed Text:</b> Delete ADR.OR.C.005 (a)(4).</p>	
1809	ANNEX II - Part-OR - ADR.OR.C.005 — Operator responsibilities	45	<p><b>Page No:</b> 45</p> <p><b>Paragraph No:</b> ADR.OR.C.005 (c)</p> <p><b>Comment:</b> Some of the information listed in (c) should be published only where deemed necessary. The IR would impose the requirement to <b>publish</b> information that should only need to be reflected in the aerodrome manual.</p> <p><b>Justification:</b> As an example, an equivalent level of safety (ELOS) should be recorded in the aerodrome manual but need not be published – what matters is whether limitations are applied and what they are (information relevant to aircrew and aerodrome users). It may not be necessary to publish information other than in the aerodrome manual.</p> <p>Taking an aerodrome example, many aerodromes have tall control towers that infringe the inner horizontal surface. These should be safety assessed to assure that they represent an ELOS and details for this would be contained in the aerodrome manual via the certification basis. However, all that needs to be published elsewhere is the inclusion of the control tower as an obstacle in the aerodrome aeronautical information publication entry.</p> <p><b>Proposed Text:</b> (c) An aerodrome operator shall coordinate with the competent authority to ensure that relevant information for the safety of aircraft <b>is contained in the aerodrome manual, and is published where appropriate</b>. This shall include:</p>	

			<p>(1) exemptions or derogations granted from the applicable requirements;</p> <p>(2) provisions for which an equivalent level of safety was accepted by the competent authority as part of the certification basis; and</p> <p>(3) special conditions and limitations with regard to the use of the aerodrome.</p>	
181	ANNEX II - Part-OR - ADR.OR.C.015 — Access	46	<p><b>Page No:</b> 46</p> <p><b>Paragraph No:</b> ADR.OR.C.015(b)</p> <p><b>Comment:</b> The requirements in ADR.OR.C.015 are similar to those found in IRs already agreed for Aircrew and Operations, in particular ORA.GEN.140 and ORO.GEN.140, but the text at (b) is new. This difference should be justified or resolved. The UK supports this clause but asks why it has been included here but not in other domains, and so seeks to understand why similar text has not been included in other domains.</p> <p><b>Justification:</b> The UK CAA supports using consistent provisions in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified.</p>	
181	ANNEX II - Part-OR - ADR.OR.C.040 — Prevention of fire	48	<p><b>Page No:</b> 48</p> <p><b>Paragraph No:</b> ADR.OR.C.040(a)</p> <p><b>Comment:</b> This cannot be implemented as currently written.</p> <p><b>Justification:</b> To make it viable, it should require the aerodrome operator to have procedures in place to prevent smoking. This would require local notices to place obligations on individual companies to manage compliance by their employees. The IR should not make the aerodrome operator directly responsible for the actions of individuals.</p> <p><b>Proposed Text:</b> “An aerodrome operator shall <b>have procedures to:</b></p> <p>(a) <b>prohibit smoking</b> within the movement area of the aerodrome; and</p> <p>(b) <b>prohibit the use of an open flame or other activity</b> within the movement area of the aerodrome that would create a fire hazard, unless authorised by the aerodrome operator”.</p>	
181	ANNEX II - Part-OR - ADR.OR.C.045 — Use of alcohol and illicit or prescribed substances	48	<p><b>Page No:</b> 48</p> <p><b>Paragraph No:</b> ADR.OR.C.045</p> <p><b>Comment:</b> ADR.OR.C.045 refers to “alcohol and illicit or prescribed substances”. Part CAT refers to “psychoactive substances or alcohol”, which is also the term used in the</p>	

			<p>essential requirements. The ATCO licensing regulation uses the term “psychoactive substance or medicine”.</p> <p><b>Justification:</b> There should be consistency in the use of terminology across the different EASA requirements. The text should use terms already in place in ERs.</p> <p><b>Proposed Text:</b> e.g. “Use of psychoactive substances or medicine.”</p>	
1818	ANNEX II - Part-OR - ADR.OR.D.005 — Management	49 - 50	<p><b>Page No:</b> 49-50</p> <p><b>Paragraph No:</b> ADR.OR.D.005</p> <p><b>Comment:</b> The requirements in ADR.OR.D.005 on management follow to some extent the equivalent requirements in IRs already agreed for Aircrew and Operations, namely ORA.GEN.200 and ORO.GEN.200, but there are a number of differences. The balance between IR and AMC material is also different. These differences should be justified or resolved.</p> <p><b>Justification:</b> The UK CAA considers that consistent provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. UK CAA asks that EASA consider aligning this provision more closely with provisions already agreed, and justifies any remaining differences. The UK believes that any provisions required in excess of the requirements in ORA and ORO.GEN should be included as AMC, not as IRs.</p>	
1820	ANNEX II - Part-OR - ADR.OR.D.005 — Management	49 - 50	<p><b>Page No:</b> 50</p> <p><b>Paragraph No:</b> ADR.OR.D.005.(f)</p> <p><b>Comment:</b> add word “also” in line 1.</p> <p><b>Justification:</b> Clarification</p> <p><b>Proposed Text:</b> “ In the case that the aerodrome operator <b>also</b> holds a certificate to provide air navigation services,”</p>	
1822	ANNEX II - Part-OR - ADR.OR.D.007 — Management of aeronautical data and aeronautical information	50 - 51	<p><b>Page No:</b> 50</p> <p><b>Paragraph No:</b> ADR.OR.D.007 — Management of aeronautical data and aeronautical information.</p> <p><b>Comment:</b> The European Commission adopted on 26 January 2010 the Regulation EC 73/2010 laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky. The overall objective of this rule is to achieve aeronautical information of sufficient quality, accuracy, timeliness and granularity as a key enabler of the European ATM Network.</p> <p>Working Group comment against cross reference to EC 73/2010 states that there is no proposal and the article was added by the agency. EC member states are currently working towards implementation of the</p>	

			<p>requirements by July 2013.</p> <p>It is of critical concern that this regulation has not been considered when developing the NPA in respect of the Management of aeronautical data and aeronautical information.</p> <p>Immediate action is required to address this oversight and ensure harmonisation of the Authority, Organisation and Operations Requirements for Aerodromes with EC 73/2010.</p> <p>Additional sections of the NPA affect by this anomaly are listed below. This is not intended to be an comprehensive list and the entire NPA should be assessed in respect of all references to data management within document:</p> <p style="padding-left: 40px;">The draft Commission Regulation NPA 2011-20 (B.I)</p> <ul style="list-style-type: none"> <li>a. ADR.OPS.A.005 (page 63) – Aeronautical Data</li> <li>b. ADR.OPS.A.010 (page 63) – Data quality requirements</li> <li>c. ADR-OPS.A.015 (page 64) – Co-ordination between Aerodrome</li> </ul>	
1824	ANNEX II - Part-OR - ADR.OR.D.015 — Personnel requirements	51 - 52	<p><b>Page No:</b> 51</p> <p><b>Paragraph No:</b> ADR.OR.D.015(b)(1)</p> <p><b>Comment:</b> The IR is too prescriptive and should not include individual roles as they may not be relevant at all aerodromes.</p> <p><b>Justification:</b> The safety management approach to this is to allow the aerodrome operator to determine a suitable structure and management team, to cover operations and maintenance, which could be done by one or more individuals. The size of the aerodrome should drive whether individual or combined roles are required.</p> <p><b>Proposed Text:</b> (b) “The aerodrome operator shall nominate:</p> <p style="padding-left: 40px;">(1) <b>a person or group of persons for the management of the operational services and maintenance of the aerodrome”.</b></p> <p>No change to (b)(2).</p>	
1826	ANNEX II - Part-OR - ADR.OR.D.015 — Personnel requirements	51 - 52	<p><b>Page No:</b> 51</p> <p><b>Paragraph No:</b> ADR.OR.D.015(c)</p> <p><b>Comment:</b> The requirement at (c) is not found in the equivalent provisions relating to aircrew and operations, namely ORA/ORA.GEN.200, and is not needed here.</p>	

			<p><b>Justification:</b> The UK CAA considers that identical provisions should be used in Authority Requirements across all domains unless new or amended requirements, specific to a particular domain, can be justified. Moreover, the existence of a provision in one area and not in another suggests a difference of intent. If needed, this provision should only be Acceptable Means of Compliance. The requirement for an operator to have a safety management system is included in ADR.OR.D.005 (a). Additionally, in OR.D.005(b) the requirements is included for the management system to include lines of responsibility and accountability, which addresses the proposed IR at OR.D.015(c), so this can be included as an Acceptable Means of Compliance.</p> <p><b>Proposed Text:</b> Delete (c) and, if necessary, replace with AMC and consider including the same AMC in other domains.</p> <p>New: <b>AMC2-ADR.OR.D.015(c):</b> "The aerodrome operator may choose to nominate a person or group of persons to oversee the development, maintenance and day-to-day management of the safety management system. <b>Those persons should have</b> direct access to the accountable manager and appropriate management for safety matters."</p>	
1828	ANNEX II - Part-OR - ADR.OR.D.030 — Safety reporting system	53 - 54	<p><b>Page No:</b> 54</p> <p><b>Paragraph No:</b> ADR.OR.D.030(d)(5)</p> <p><b>Comment:</b> This should not be included as an Implementing Rule.</p> <p><b>Justification:</b> Blame may alternatively be considered as "fault", "responsibility", "culpability". When an accident or incident occurs it is important to understand where fault and responsibility lies, so that lessons may be properly learned and changes made. What is important is to avoid punishment (other than in cases of wilful negligence).</p> <p><b>Proposed Text:</b> Delete ADR.OR.D.030(d)(5) and replace with Acceptable Means of Compliance:</p> <p>"When an investigation determines persons responsible for an accident or incident, any actions taken should be in accordance with just culture principles".</p>	
1829	ANNEX II - Part-OR - ADR.OR.D.035 — Record- keeping	54 - 55	<p><b>Page No:</b> 54</p> <p><b>Paragraph No:</b> ADR.OR.0.035(a)</p> <p><b>Comment:</b> Reference to OR.D.015 and E.005 is unnecessary.</p> <p><b>Justification:</b> The aim should be to have record keeping systems that cover relevant safety activity/operation, not just staff and ADM records. The examples in (a) are already included in the list in (d) and do not require to be separately identified.</p>	

			<b>Proposed Text:</b> ADR.OR.0.035(a) <b>The aerodrome operator shall establish an adequate system of record-keeping.</b>
1830	ANNEX II - Part-OR - ADR.OR.D.035 — Record- keeping	54 - 55	<p><b>Page No:</b> 54</p> <p><b>Paragraph No:</b> ADR.OR.D.035(b)</p> <p><b>Comment:</b> This is unnecessarily prescriptive and does not reflect provisions in other domains, which refer only to operators' procedures.</p> <p><b>Justification:</b> The record system should be for the aerodrome operator to decide and forms part of the safety and quality management systems and procedures not the aerodrome manual.</p> <p><b>Proposed Text:</b> "(b) The format of the records shall be specified in the aerodrome operator's procedures".</p>
1833	ANNEX II - Part-OR - ADR.OR.E.010 — Structure of the aerodrome manual	57 - 58	<p><b>Page No:</b> 57</p> <p><b>Paragraph No:</b> ADR.OR.E.010 (b)</p> <p><b>Comment:</b> Qualification requirements are not required in the aerodrome manual, and so should be excluded from the IR. Additionally, they are not included in the equivalent provisions for air operators (ORO).</p> <p><b>Justification:</b> The aerodrome manual contains information relevant to the operation and management of the aerodrome, specifically it is the means by which aerodrome operating staff are fully informed as to their duties and safety responsibilities. This does not include qualifications, which also are not included equivalent provisions for air operators (ORO).</p> <p><b>Proposed Text:</b> ADR.OR.E.010 (b) "Part B: <b>Aerodrome management, safety management system</b> and training;"</p>
1835	ANNEX II - Part-OR - APPENDIX I	59 - 60	<p><b>Page No:</b> 59-60</p> <p><b>Paragraph No:</b> Appendix I to Annex II</p> <p><b>Comment:</b> The UK CAA does not see any need for an aerodrome operator to have to make a declaration of its compliance, and this requirement risks confusion with the declarations that may be required of providers of apron management services.</p> <p><b>Justification:</b> A declaration serves no practical purpose and is only relevant on the day it is signed. The Competent Authority confirms that the applicable requirements have been met and that the ADR is safe by the issue of an aerodrome certificate. There is no corresponding provision for organisations covered by the aircrew or operations OR.GEB requirements. Moreover a declaration of this kind is not a requirement of the Basic Regulation and risks confusion with declarations that may be required of providers of apron management services.</p>

			<b>Proposed Text:</b> Delete Appendix I to Annex II.
1853	ANNEX II - Part-OR - APPENDIX I	59 - 60	<p><b>Page No:</b> 61</p> <p><b>Paragraph No:</b> <b>Appendix II</b> to Annex II [Please note that the CRT did not allow this comment to be inserted against Appendix II of the document, therefore we have inserted this comment to follow the comment on Appendix I]</p> <p><b>Comment:</b> The UK CAA does not consider that providers of apron management services subject to a declaration should be required to notify all alternative means of compliance used</p> <p><b>Justification:</b> Requiring all declared providers to notify NAA's of their use of AMC takes the process too far towards a certification regime. Those member states that wish to retain a certification regime for providers of apron management services may do so.</p> <p><b>Proposed Text:</b> Delete entry on form: "Attached to this declaration is a list of all alternative means of compliance with references to the AMCs they replace, in accordance with ADR.OR.A.015(c)".</p>
1858	ANNEX III - Part-OPS - ADR.OPS.A.005 — Aeronautical data	63	<p><b>Page No:</b> 63</p> <p><b>Paragraph No:</b> ADR.OPS.A.005 — Aeronautical data</p> <p><b>Comment:</b> There is no cross reference to ICAO Annex 15, Chapter 10 – Electronic Terrain and Obstacle Data standards and recommended practices.</p> <p>The ICAO European Air Navigation Planning Group (EANPG) has asked ICAO H.Q. to consider the inclusion of appropriate provisions related to eTOD in ICAO Annex 14. It is considered important that the eTOD requirements are included in Annex 14 and thereby linked to the certification/licensing of aerodromes.</p> <p>It is of critical concern that this regulation has not been considered when developing the NPA in respect of the Management of aeronautical data and aeronautical information.</p> <p>Immediate action is required to address this oversight and ensure harmonisation of the Authority, Organisation and Operations Requirements for Aerodromes with ICAO Annex 15, Chapter 10.</p>
1860	ANNEX III - Part-OPS - ADR- OPS.A.015 — Coordination between Aerodrome Operators, Aeronautical Information Services	64	<p><b>Page No:</b> 64</p> <p><b>Paragraph No:</b> OPS.A.015 (a)</p> <p><b>Comment:</b> The terminology "pre-flight and in-flight operational information" is not correct and should be replaced by "aerodrome information"</p> <p><b>Justification:</b> Terminology – what is required is aerodrome information available to aircrew pre-flight and</p>

	Providers and Air Navigation Service Providers		<p>in-flight, which would normally be achieved through the NOTAM and ATIS systems. Additionally, the term “pre-flight and in-flight operational information” is not consistent with the example bullets included.</p> <p><b>Proposed Text:</b> OPS.A.015 (a) “The aerodrome operator shall make arrangements with the relevant ANS providers to report <b>aerodrome operational information</b> with a minimum of delay. This shall include:”.....</p>	
1862	ANNEX III - Part-OPS - ADR-OPS.B.010 — Rescue and fire-fighting services	65	<p><b>Page No:</b> 65</p> <p><b>Paragraph No:</b> ADR-OPS.B.010 – Rescue and fire-fighting services, (a) (1)</p> <p><b>Comment:</b> The word “facilities” to be inserted after “fire-fighting”</p> <p><b>Justification:</b> To include the word facilities would cover fire stations provided under CS-ADR-DSN.T905 (a) “All rescue and fire-fighting vehicles should normally be housed in a fire station.”</p> <p>The IR would then also link to AMC-ADR-OPS.C.005 – General which says “The aerodrome operator should ensure that a maintenance programme is established, including preventative maintenance where appropriate to maintain aerodrome facilities in a condition which does not impair the safety of aeronautical operations.” Which implies that facilities should be provided but the IR for fire and rescue services does not include them.</p> <p><b>Proposed Text:</b> “(1) aerodrome rescue and fire-fighting <b>facilities</b>, equipment and services are provided;”</p>	
1864	ANNEX III - Part-OPS - ADR-OPS.B.020 — Wildlife strike hazard reduction	66	<p><b>Page No:</b> 66</p> <p><b>Paragraph No:</b> ADR.OPS.B.020 (a)</p> <p><b>Comment:</b> A new IR is required for the aerodrome operator to notify the competent authority if a source or activity which may attract wildlife on an aerodrome or its vicinity that is likely to create conditions conducive to a wildlife hazard problem is not effectively mitigated.</p> <p><b>Justification:</b> The competent authority needs to be involved only where the aerodrome operator is not able to address or adequately mitigate the hazard. The onus should be placed on member states land use and planning arrangements to prevent such sources, but also enable the aerodrome operator and competent authority involvement where deemed necessary within that framework. This complements removal of ADR.AR.C.060.</p> <p><b>Proposed Text:</b> New <b>(a) (4) notify the competent authority if a source identified as a hazard has not been mitigated.</b></p>	
1865	ANNEX III - Part-OPS - ADR-OPS.B.020 —	66	<p><b>Page No:</b> 66</p> <p><b>Paragraph No:</b> OPS.B.020 (a)(3)</p>	

	Wildlife strike hazard reduction		<p><b>Comment:</b> Sub-paragraph (3) is not appropriate for an Implementing rule. It is too tactical and unnecessary if issue is addressed. Needs Competent Authority coordination only if it persists.</p> <p><b>Justification:</b> It infers that the aerodrome operator need not take action to mitigate the wildlife hazard problem; instead this would be done by the competent authority which is not correct. The aerodrome operator should take action and, in many cases, will be able to address the problem. The competent authority need be advised only where the aerodrome operator has not been successful in addressing the problems.</p> <p><b>Proposed Text:</b> Delete OPS.B.020 (a)(3), which should be re-worded and included as Acceptable Means of Compliance:</p> <p><b>“The aerodrome operator should undertake wildlife hazard assessments to identify conditions in the surrounding area conducive to a wildlife hazard problem. On identifying problems the aerodrome operator should take action to mitigate the hazards, coordinating with the landowners and users, and other agencies as required. If the hazard cannot be adequately reduced the aerodrome operator should inform the competent authority.</b></p> <p><b>If a wildlife hazard assessment indicates conditions in the surroundings of the aerodrome conducive to a wildlife hazard problem, the aerodrome operator shall take action to address the hazard, and shall, if the hazard persists or cannot effectively be contained, notify the competent authority.”</b></p>	
1866	ANNEX III - Part-OPS - ADR-OPS.B.065 — Visual aids and aerodrome electrical systems	68	<p><b>Page No:</b> 68</p> <p><b>Paragraph No:</b> ADR.OPS.B.065</p> <p><b>Comment:</b> Electrical systems are included in the title but not mentioned again. They should be included in the text.</p> <p><b>Justification:</b> Consistency and completeness</p> <p><b>Proposed Text:</b> “The aerodrome operator shall ensure that aerodrome visual aids <b>and electrical systems</b> are provided and meet the required specifications”.</p>	
1867	ANNEX III - Part-OPS - ADR-OPS.B.080 — Marking and lighting of vehicles and other mobile objects	69	<p><b>Page No:</b> 69</p> <p><b>Paragraph No:</b> ADR-OPS.B.080</p> <p><b>Comment:</b> This suggests that vehicles need not illuminate obstacle lights in daylight, even when operating on a runway. The text should be modified to emphasise that obstacle lights on vehicles should be illuminated at all times when operating on the movement area.</p> <p><b>Justification:</b> To improve safety through the increased visibility of vehicles.</p>	

			<p><b>Proposed Text:</b> “The aerodrome operator shall ensure that vehicles and other mobile objects, excluding aircraft, on the movement area of the aerodrome are marked <b>and lighted</b>. Aircraft servicing equipment and vehicles used only on aprons may be exempted”.</p>	
1868	ANNEX III - Part-OPS - ADR- OPS.C.015 — Visual aids and electrical systems	70	<p><b>Page No:</b> 70</p> <p><b>Paragraph No:</b> ADR.OPS.C.015</p> <p><b>Comment:</b> Electrical systems are included in the title but not mentioned again. They should be included in the text. There is no need for “a” as there is no “b” etc. Also text should mention compliance.</p> <p><b>Justification:</b> Consistency, completeness and accuracy. Compliance will improve interoperability and standardisation of use.</p> <p><b>Proposed Text:</b> “The aerodrome operator shall establish a system of corrective and preventive maintenance of visual aids <b>and electrical systems</b> to ensure lighting and marking system availability, reliability <b>and compliance</b>”.</p>	