



# Comment-Response Document 2015-16

## Maintenance of the acceptable means of compliance and guidance material on the safety (key) performance indicator ‘Use of risk analysis tool’ for the air traffic management performance scheme

CRD TO NPA 2015-16 — RMT.0692 — 17.12.2015

Related Decision 2015/028/R

### EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on NPA 2015-16 (published on 29 October 2015) and the responses thereto, or a summary thereof, provided by the Agency.

Based on the comments and responses, Decision 2015/028/R was developed, adopted and published with this CRD.

This is the CRD to the first NPA for RMT.0692 and it proposes amendments to the AMC/GM for the safety (key) performance indicator ‘Use of risk analysis tool (RAT)’ as defined in point 1 of Section 2 of Annex 1 to the performance scheme regulation (Commission Implementing Regulation (EU) No 390/2013) in order to avoid inconsistencies that may prevent stakeholders from meeting the agreed targets of the air traffic management (ATM) performance scheme. Other relevant feedback provided by the TAG has been also addressed.

Applicability		Process map	
Affected regulations and decisions:	ED Decision 2014/035/R ‘AMC & GM for the implementation and measurement of safety (Key) Performance Indicators (S(K)PIs)’	Concept Paper:	No
Affected stakeholders:	Air Navigation Service Providers (ANSPs); competent authorities	Terms of Reference:	23.10.2015
Driver/origin:	Efficiency; proportionality	Rulemaking group:	No
Reference:	1-2015 ATM/ANS TAG meeting of April 2015; Performance Review Body meeting of June 2015	RIA type:	Light
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	29.10.2015
		Duration of NPA consultation:	4 weeks
		Review group:	No
		Focussed consultation:	No
		Publication date of the Decision:	2015/Q4



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## 1. Procedural information

### 1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Decision in line with Regulation (EC) No 216/2008<sup>1</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This rulemaking activity is included in the Agency's [4-year Rulemaking Programme](#) under RMT.0692. The scope and timescale of the task were defined in the related [terms of reference](#) (ToR).

The draft text of this Decision has been developed by the Agency based on the input of the ATM/ANS TAG. All interested parties were consulted through [NPA 2015-16](#)<sup>3</sup>. In total, 41 comments were received from interested parties, including industry (20 comments), national aviation authorities (18 comments) and social partners (3 comments).

The Agency has reviewed the comments received on the NPA. Whenever the comment was partially accepted, noted or not accepted, a rationale was providing. Out of the 41 comments, 5 were accepted, 15 not accepted, 12 partially accepted and 9 were noted. The comments received and the Agency's responses thereto are presented in comment-response document (CRD) 2015-16<sup>4</sup>.

The final text of this Decision with the AMC/GM has been developed by the Agency based on the input of the ATM/ANS TAG and having taken into consideration the outcome of the NPA's public consultation.

The process map on the title page contains the major milestones of this rulemaking activity to date and provides an outlook of the timescale of the next steps.

### 1.2. The structure of this CRD and related documents

This CRD provides a summary of comments and responses as well as the full set of individual comments and responses thereto received to NPA 2015-16.

### 1.3. The next steps in the procedure

The Decision containing the amended AMC and GM is published by the Agency together with this CRD.

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<sup>1</sup> Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

<sup>2</sup> The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board (MB) Decision 01-2012 of 13 March 2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material.

<sup>3</sup> In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

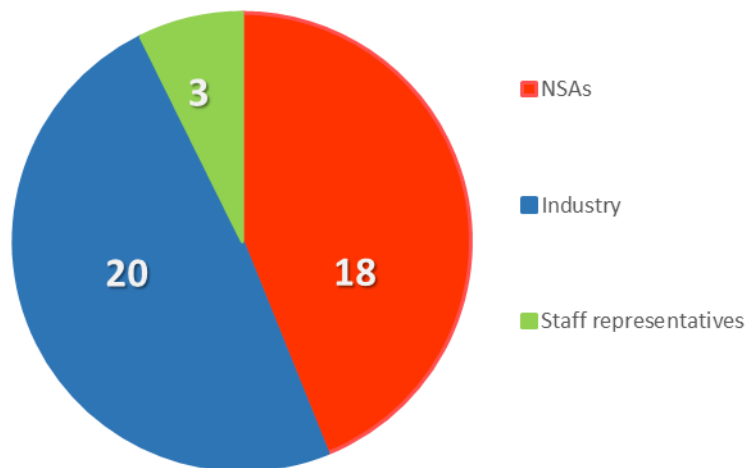
<sup>4</sup> <http://www.easa.europa.eu/document-library/comment-response-documents>



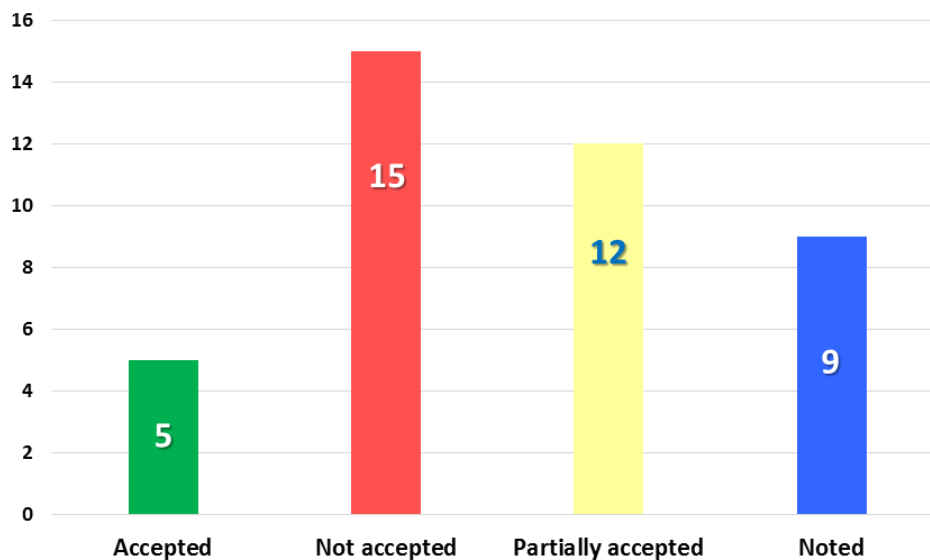
## 2. Summary of comments and responses

During the consultation a total of 41 comments were received by 13 users (national authorities, industry and staff representatives).

The distribution of the comments is shown in the figure below.



All the comments were answered using one of the following options: ‘Accepted’, ‘Partially accepted’, ‘Noted’ and ‘Not accepted’ with the following distribution:



Whenever the comment was partially accepted, noted or not accepted, a rationale was provided explaining the reason.

The most commented part of this NPA has been the AMC6 SKPI Severity classification based on the risk analysis tool methodology — Methodology for Runway Incursion: 10 comments have been sent



regarding misplacement of some of the parts (cases E and F) and asking for clarification on certain terms.

The AMC7 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences and the GM11 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences have received 9 comments each.

The following stakeholders have participated in this CRD:

- Four national ANSPs and one multinational ANSP (MUAC).
- Five competent authorities of the EU and one non-EU, FAA.
- FABEC authorities and providers sent a consolidated set of comments.
- The ATCEU (Air Traffic Controllers European Unions) placed three comments on different parts of the NPA.
- EUROCONTROL has sent its comments as provider of ANS services and in its quality of Network Manager (NM). The NM has a dedicated part to score the severity of its ATM-specific occurrences.

The main outputs can be summarised as follows:

- Insertion of a specific criterion for the Network Manager and associated definitions for severity classification of ATM-specific occurrences. A new Look-up table has been created to take this new element into consideration.
- Several commentators have challenged the new entry criteria which is introduced in order to determine if an occurrence is subject to severity classification. More specifically, the commentators requested to remove the criteria used to classify the severity of occurrences that did not have consequences due to the particular context situation (e.g. low traffic) but that posed a risk to the operation. The Agency considered that this type of events should be always addressed and severity should be classified based on the actual risk posed and not only on the outcome that materialised at the time of the event due to contextual factors or even the providence, in order to assure the future safety of the system at hand..
- Inconsistencies of references and applicability of severity classification to separation minima infringement (SMI) and runway incursion (RI) have been identified as problematic and clarified in the resulting text.
- The reference to 'intended separation' was identified as not adequate, and has been changed throughout the document to 'required separation'.
- Some commentators pointed out that there is no severity 'N' in the RAT methodology. Actually, 'N' is not a severity category. This has been clarified in the responses to these comments.



### 3. Draft CS, AMC, GM

The amended AMC/GM is annexed to ED Decision 2015/028/R.



#### 4. Individual comments (and responses)

In responding to comments, a standard terminology has been applied to attest the Agency's position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

#### (General Comments)

-

comment 3

comment by: EUROCONTROL

Attachments #1 #2

The EUROCONTROL Agency submits the comments received from its two constituents involved in RAT (Risk Analysis Tool) matters, viz.:

- the **ANSP organisation**, namely the Maastricht Upper Area Control Centre (MUAC).

Although MUAC forms part of FABEC, the EUROCONTROL comments are not submitted on behalf of the other FABEC partners, namely ANA (Luxembourg), Belgocontrol (Belgium), DFS (Germany), DSNA (France), LVNL (The Netherlands) and Skyguide (Switzerland). Moreover, the EUROCONTROL comments cannot be assumed to be necessarily identical to those which these ANSPs may wish to submit to EASA separately.

- the **Network Manager** organisation, namely NM.

The comments have been aggregated by the Pan-European Single Sky organisation that exists within the Agency and together form the EUROCONTROL corporate view on NPA 2015-16.

Regarding the Network Manager organisation, it is considered useful to recall the main background information which will serve as an introduction to the EUROCONTROL Agency comments concerning the applicability and usage of the RAT methodology for ATM-specific occurrences relevant to the Network Manager.

#### Background information relating to NM

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, have issued the REGULATION (EU) No 376/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission



Regulations (EC) No 1321/2007 and (EC) No 1330/2007.

Subsequent to it the European Commission has issued COMMISSION IMPLEMENTING REGULATION (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council.

From the Annex III of (EU)2015/1018 OCCURRENCES RELATED TO AIR NAVIGATION SERVICES AND FACILITIES the only type of occurrence identified to be applicable for Network Manager is under section 2. DEGRADATION OR TOTAL LOSS OF SERVICES OR FUNCTIONS, (c) inability to provide air traffic flow management and capacity services or to execute air traffic flow management and capacity functions.

The Network Manager Performance Plan for RP2 (2015-2019) foresees (section 2.2.1) an NM target for the application of the RAT methodology. "The NM target for 2019 is to apply the RAT methodology for the severity classification of all ATM specific occurrences reported through its SMS".

#### EUROCONTROL Agency comments relating to NM

A/ \*\*\* Rationale \*\*\*

The inability to provide air traffic flow management and capacity services or to execute air traffic flow management and capacity functions is an ATM Specific Occurrence which requires scoring using the RAT methodology. These occurrences, collected by NM through its own SMS, will require RAT methodology application.

In the current NPA 2015-16, the RAT methodology is pertinent for ATM Specific Occurrences within ANSPs but the applicability for ATM Specific Occurrences relevant to the Network Manager is missing.

The EUROCONTROL Agency therefore proposes to include in the relevant AMC/GM a new section describing how the RAT methodology applies to the ATM specific Occurrences relevant for the Network Manager.

To this end the Network Manager experts supported by the RAT User Group Co-chair and technical secretariat have developed the specific combinations for NM ATM Specific Occurrences, for incorporation in the RAT methodology AMC (in terms of criteria to be used) and GM (through a look-up table providing examples of combination between the criteria).

B/ \*\*\* Combination of criteria to assess NM ATM specific occurrences \*\*\*

On the basis of the already existing RAT methodology criteria, the NM ATM specific occurrences will be assessed using the following combinations:

#### 1. Service Provided

- Air Traffic Flow Capacity Management (ATFCM)

#### 2. Operational function

- ATFCM Tactical/Real-Time (ATFCM-NMT)

- ATFCM Pre-tactical (NMT)

- ATFCM Strategic (NMS)





### 3. Type of failure

- Total loss of function
- Partial loss of function
- Undetected corruption of function

### 4. Service affected

- NM Flow management
- NM Flight Planning
- NM Airspace Data Management
- NM CCAMS

### 5. Extension

- NM Position
- NM Multiple Positions
- NM Unit (NMOC – all Network Manager Operations Centre)

### 6. Scope

- One (flight plan or airspace volume, or code)
- Some (flight plans or airspace volumes or codes)
- All (flight plans or airspace volumes or codes)

The rest of potential occurrences for the NM functions and services (as per NM IR and NM Service Catalogue) have been assessed as not operational and therefore not falling either within the scope of ATM specific occurrences or the scope of (EU) 376/2015 & (EU)2015/1018.

C/ \*\*\* ATM Specific Occurrence Look Up Table for NM \*\*\*

The complete Look-up Table for all combinations of the 6 criteria listed above is attached.

D/ \*\*\* Proposed definitions within the framework of the RAT methodology for NM \*\*\*

Inability to provide ATFCM services is an event in which elements in the ground Air Traffic Flow Management and Capacity system performances are unserviceable, insufficient, unavailable or corrupted so that the safety of traffic is impaired or prevented.

ATFCM is the aggregate of organisations, people, infrastructure, equipment, procedures, rules and information used to provide Air Traffic Flow Management and Capacity services to Airspace users.

NM Flow Management is the Network Manager Service that manages the overall ATFCM Network in Europe and assists ANSPs to manage local capacity. It aims to achieve balance between demand and capacity.

NM Flight Planning is the centralised flight plan processing and distribution function operated by the Network Manager Operations. It represents the consistent and efficient management and distribution of flight plan data including related messages.

NM Airspace Data Management is the consolidated network view of the European airspace.



The purpose of the Airspace Data Management is to manage and provide all necessary airspace information to feed the core Network Manager Operational systems and the systems of our operational stakeholders.

NM CCAMS aims to optimise the efficiency of European SSR code management by centrally selecting an SSR code for each flight within its area of applicability using an intelligent algorithm and distributing it to the appropriate ATS unit.

Strategic Flow Management takes place seven days or more prior to the day of operations and includes research, planning and coordination activities through a Collaborative Decision Making (CDM) process. This phase comprises a continuous data collection with a review of procedures and measures directed towards an early identification of major demand / capacity imbalances (such as: axis management, air shows, major sport events, military exercises, etc.). When imbalances are identified, the NM is responsible for the overall coordination and execution of strategic ATFCM planning to optimise all available capacity and achieve performance targets. The output of this phase is the Network Operations Plan (NOP).

Pre-Tactical Flow Management is applied during the six days prior to the day of operations and consists of planning and coordination activities. This phase studies the demand for the day of the operation, compares it with the predicted available capacity on that day, and makes any necessary adjustments to the plan that was developed during the Strategic phase. The main objective of the pre-tactical phase is to optimise efficiency and balance demand and capacity through an effective organisation of resources (e.g., sector configuration management, use of scenarios, etc.) and the implementation of a wide range of appropriate ATFCM measures. The work methodology is based on a CDM process between the stakeholders (e.g. the NM, FMPs, AOs). The output is the ATFCM Daily Plan (ADP) published via ATFCM Notification Message (ANM) / Network News and via the NOP portal.

Tactical/Real-Time Flow Management takes place on the day of operations and involves considering, in real time, those events that affect the ADP and making the necessary modifications to it. This phase is aimed at ensuring that the measures taken during the strategic and pre-tactical phases are the minimum required to solve the demand / capacity imbalances. The need to adjust the original plan may result from disturbances such as staffing problems, significant meteorological phenomena, crises and special events, unexpected limitations related to ground or air infrastructure, etc. and taking advantage of any opportunities that may arise. The provision of accurate information is of vital importance in this phase, since it permits short-term forecasts, including the impact of any event and maximises the existing capacity without jeopardising safety.

#### Final general comment

The EUROCONTROL Agency recommends to ensure that the term 'potential conflict' is used throughout the whole document.

Response

Partially accepted.

- Background information related to NM: Partially accepted.

The Agency notes the introduction and the background information related to NM and agrees on including the options for ATM-specific occurrences for the Network Manager in this AMC/GM in the following parts: **GM1** (definitions), **AMC7** (text), **GM11** (reference to the Look-up table) and **Appendix 1 to GM11** (new look-up table).



- Final general comments: Accepted.  
The term 'conflict' will be replaced by 'potential conflict' through the whole document.

comment 6

comment by: UK CAA

Thank you for the opportunity to comment on NPA 2015-16.

The UK CAA has no comments to make other than to welcome EASA's decision to amend the AMC/GM of ED Decision 2014/035/R in order to avoid inconsistencies that may prevent stakeholders from meeting the agreed targets of the air traffic management (ATM) performance scheme.

response Noted.

comment 7

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

According to the European units of measurement directives, the correct abbreviation for minutes is: min

response Accepted.

Abbreviation for minutes corrected as proposed and some minor editorials in the **AMC6.A**.

### 3. Proposed amendments — 3.1. Draft AMC and GM — AMC 4 SKPI Severity classification based on the risk analysis tool methodology — General

p. 8

comment 33

comment by: FABEC NSAs and ANSPs

Definition of an 'operational occurrence' is missing. FABEC proposes to incorporate a definition on GM1 - Definitions

response Partially accepted.

No new definition but an explanatory text has been added.

### AMC5 SKPI Severity classification based on the risk analysis tool methodology — Methodology for Separation Minima Infringements

p. 8-11

comment 1

comment by: Martina Sahliger

a) P 9 of 37: "conflict is detected but ATC decided to accept the situation" compare with The "RAT Guidance Material 1.0 (view also v2.0), p. 27: "Potential conflict detected". "This criterion includes cases where the air traffic controller was aware of the situation as part of his / her normal scan of the traffic scenario" At no point is mentioned that ATC has accepted the situation!

b) "Conflict detected late" when there is not enough time to make and/or execute the plan". Compare with RAT Guidance Material 1.0 and 2.0: "This criterion should be scored if the conflict was detected late, eventually with the support of a current system warning but there



	<u>was STILL time to form a plan and act accordingly!</u> The NPA 2015-16 states here exactly the opposite from the RAT guidance material!
response	Accepted. The text in AMC 5 part B has been amended. In addition, please note the response to comment #3 (second bullet) saying that the term 'potential conflict' replaces 'conflict'.
comment	11 <span style="float: right;">comment by: ENAIRE</span>  In page 9, the new criteria to select either ATM Ground or ATM Airborne severity in case of risk of collision is too dependent on the definition regarding the indirect contribution, and it also represents a more subjective criteria than the current ones (which depend on the classification of the airspace and pre-defined operational procedures that are objectives). It is also very dependent on the definition of ATM Ground Indirect contribution (see comment to page13).
response	Noted.  Although the criteria to score ATM Airborne would be more objective using exclusively the type of airspace, it does not seem neither appropriate nor correct in all circumstances. For example, occurrences such as level bust that occur in controlled airspace must score ATM Airborne, as ATM Ground may not play any role on those situations. Therefore, it is more appropriate to base the need to score ATM Airborne based on the evaluation as a result of the ATM Ground contribution.
comment	24 <span style="float: right;">comment by: FAA</span>  In view of the stated objective of this NPA to "further explain the scoring criteria in order to achieve better harmonization among users", suggest amending the new text "...maintain the intended separation/safety margins" on this page, as well as on page 11, to read "...maintain the required separation minimum (or minima)/safety margins". Applicable separation minima should be documented in the appropriate/applicable requirements document(s), and referencing these requirements - which can be easily verified - may facilitate a more consistent application of the scoring criteria than introducing the concept of "intended separation".
response	Accepted. The term 'intended separation' has been replaced by 'required separation'.
comment	31 <span style="float: right;">comment by: EUROCONTROL</span>  <b>AMC5 SKPI B. Controllability - Page 9</b>  Controllability is misspelled.  <b>AMC5 SKPI B. Controllability - 1st. bullet - Page 9</b>  The EUROCONTROL Agency is of the opinion that the definition for 'Potential Conflict DETECTED' should be modified to read:



'Potential conflict DETECTED' includes cases where the air traffic controller was aware of the situation as part of his/her normal scan of the traffic scenario. This option should also be scored when detection was made with the support of a ground based safety net that gives sufficient time to the air traffic control staff to form a plan for solving the hazardous situation and also to implement it.

**AMC5 SKPI B. Controllability - 2nd. bullet - Page 9**

The EUROCONTROL Agency is of the opinion that the definition for 'Potential Conflict detected LATE' should be modified to read:

'Potential Conflict detected LATE' should be scored if the conflict was detected late, eventually with the support of a current system warning, but if there was still time to form a plan and execute it.

**AMC5 SKPI C.**

The EUROCONTROL Agency indicates that Section C is missing, although it is referred to under 'AMC6 SKPI C. Final scores' on page 13.

**AMC5 SKPI D.**

The EUROCONTROL Agency indicates that Section D is missing, although it is referred to under 'AMC6 SKPI D. Reliability Factor' on page 13.

Response

Partially accepted.

- **AMC5 SKPI B. Controllability - Page 9:** Accepted.

The term now reads 'Controllability'.

- **AMC5 SKPI B. Controllability - 1st. bullet - Page 9:** Accepted.

Please refer to the responses to the comments #1 and #3.

- **AMC5 SKPI B. Controllability - 2nd. bullet - Page 9:** Accepted.

Please refer to the responses to the comments #1 and #3 .

- **AMC5 SKPI C and AMC5 SKPI D:** Not accepted.

These sections have not been removed.

comment

34

comment by: *FABEC NSAs and ANSPs*

Page 9: Definition of ATM Ground Contribution is missing.

Page 9: 'conflict is detected but ATC decided to accept the situation compare with the 'RAT Guidance Material 1.0 (view also v2.0), page 27: 'Potential conflict detected'. This criterion includes cases where the air traffic controller was aware of the situation as part of his/her normal scan of the traffic scenario'. At no point is mentioned that ATC has accepted the situation.



Response

Page 9: 'Conflict detected late' when there is not enough time to make and/or execute the plan'. Compare with RAT Guidance Material 1.0 and 2.0: This criterion should be scored if the conflict was detected late, eventually with the support of a current system warning but there was still time to form a plan and act accordingly. The NPA 2015-16 states here exactly the opposite from the RAT guidance material.

Partially accepted.

- Page 9: Definition of ATM Ground Contribution is missing: Not accepted.

There is no need to define this term. It refers to the contribution of the ATM Ground. This is explained in **AMC5 new** part **E. ATM Ground performance**:

- Page 9: 'conflict is detected but ATC decided to accept the situation'. Accepted.

See also the responses to comments #1 and #3.

- Page 9: 'Conflict detected late' when there is not enough time to make and/or execute the plan': Accepted.

See also the responses to comments #1 and #3.

**GM8 SKPI Severity classification based on the risk analysis tool methodology — Methodology for Separation Minima Infringements — Controllability score determination**

p. 11

comment

8

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

To be coherent with the title "Methodology for Separation Minima Infringements" the wording should be "minimum separation" instead of "standard separation":

*"The ATM Ground elements may be used to evaluate whether and how ATC ('ATC' means not only the ATCO, but the ATCO supported by the ATM system) worked the conflict situation between the aircraft later involved in the actual occurrence. The global picture should be considered and not only the two aircraft between which the **standard minimum** separation was lost. In certain cases while trying to work an aircraft pair, ATC could generate an occurrence between another pair. All aircraft relevant to the occurrence under analysis should be considered."*

response

Partially accepted.

Please refer to the response to comment #24.

**AMC6 SKPI Severity cClassification based on the risk analysis tool methodology — Methodology for Runway Incursions**

p. 11-14

comment

9

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

Runway slope may in some airports generate a lack of see-and-avoid.

*"Airborne safety nets (TCAS) is not normally available when Runway Incursions occur, therefore only pilot see-and-avoid action should be considered. Lack of see-and-avoid should be scored in the case of low visibility, IMC conditions and in cases where runway slope*



	<u>prevents the necessary visibility."</u>	
response	Accepted. This sentence has been modified to make it clearer.	
comment	12	comment by: ENAIRE
	In page 13, "see-and-avoid" Safety Net's definition should be included.	
response	Not accepted. 'See-and-avoid' is a main principle embedded in international standards for aviation.	
comment	13	comment by: ENAIRE
	A new severity category appears in page 13 (Severity N), but it is not defined in the Severity Classification Scheme, and it is not included in any Regulation associated with Safety. Severity N is not traceable with ECCAIRS severity, so incidents classified as Severity N cannot be translated to ECCAIRS format and reported to the NSA, as mandated by Regulation 376/2014. In this sense, we propose that Severity N should be formalized and accepted by EU before being introduced as an Acceptable Means of Compliance ("AMC"), due to its impact on Regulation 376/2014 and Regulation 390/2013 (Performance Scheme was not developed considering the existence of such a severity). Reference to AST has no sense, because it depends on the specific national procedures employed to obtain AST.	
response	Not accepted In the framework of the Performance Scheme Regulation, 'N' it is not a severity category. It is available to service providers to record ATM Ground where there has been no contribution from the service provider, prior to sending the occurrence to the NSA. Therefore for reporting the targets under the above mentioned framework the category 'N' it is to be mapped on to A-E. Please refer to the text of the new part E. included in the AMC5.	
comment	14	comment by: ENAIRE
	Regarding page 13, in case ATM Ground performance cannot be addressed, then Severity Ground of the incident should be scored as D, because no information can be provided related to ATM Ground.	
response	Not accepted. The above section reinforces the principle according to which the risk of collision shall be scored on the left column when the ATM ground contribution is either Direct or Indirect.	
comment	15	comment by: ENAIRE
	In page 14, in order to avoid possible confusion, it should be clearly stated that RAT is providing a Safety Score in the case of an occurrence associated with a technical failure. For example, in the field of Air Traffic Flow and Capacity Management function, occurrences like "Sector overloads" can be: <ul style="list-style-type: none"> <li>- Related to equipment malfunction (to be scored with RAT)</li> <li>- Related to human errors (currently out of RAT).</li> </ul> <p>However, "Sector overloads" should be reported and investigated (including the provision of</p>	



	some kind of severity), under Regulation 376/2014. This kind of occurrences not related to technical issues should be outside AMC´ scope and clearly stated to avoid misinterpretations.
response	Partially accepted. The text in AMC4 has been modified improve clarity. Please refer to the response to comment #33.
comment	<p>25 <span style="float: right;">comment by: <i>Naviair</i></span></p> <p>Naviair propose to amend AMC6 SKPI Severity classification based on the risk analysis tool methodology — Methodology for Runway Incursions, Item F. Severity Classification Scheme: reference should be made to the ICAO definitions of incidents.</p> <p>It is important that all the countries use the same definition of the different categories of incidents.</p>
response	Not accepted. In this context, the risk classification is meant to cover all types of occurrences and it is limited to runway incursions.
comment	<p>28 <span style="float: right;">comment by: <i>CAA-NL</i></span></p> <p><b><u>AMC 6 SKPI — SEVERITY CLASSIFICATION BASED ON THE RISK ANALYSIS TOOL METHODOLOGY — METHODOLOGY FOR RUNWAY INCURSIONS</u></b> (...) <b>F. Severity Classification Scheme</b></p> <ul style="list-style-type: none"> <li>- These are definitions of severity and are included in AMC 6 SKPI — Severity Classification Based on the Risk Analysis Tool Methodology — Methodology for Runway Incursions, so they exclusively apply to Runway Incursion. The question could rise whether severity scheme applies to SMI and to ATM-specific occurrences as well. We suggest to clarify why this section – only - is incorporated in AMC 6 or to refer to GM1 – Definitions.</li> <li>- By the way severity N is missing.</li> </ul>
response	Partially accepted. <ul style="list-style-type: none"> <li>- F. Severity Classification Scheme: Partially accepted. The new parts F and E refer to both runway incursions and to separation minima. Consequently, parts E and F are included in AMC 5 and referred to in AMC6.</li> <li>- Severity ‘N’ is missing: Not accepted. Please refer to the response to comment #13.</li> </ul>
comment	<p>32 <span style="float: right;">comment by: <i>EUROCONTROL</i></span></p> <p><b>AMC6 SKPI - C. Final scores</b></p> <p>The EUROCONTROL Agency indicates that Section C of AMC5 SKPI that is referred to is missing.</p> <p><b>AMC6 SKPI - D. Reliability Factor</b></p>





	<p>The EUROCONTROL Agency indicates that Section D of AMC5 SKPI that is referred to is missing.</p> <p><b>AMC6 SKPI - E.</b></p> <p>The EUROCONTROL Agency stresses that this section shall be moved under AMC5 SKPI. In addition the following reference shall be made in AMC6 SKPI: ‘The ATM Ground Performance evaluation shall be identical to the description made in Section E of AMC5 SKPI’.</p> <p><b>AMC6 SKPI - F.</b></p> <p>The EUROCONTROL Agency stresses that this section shall be moved under AMC5 SKPI. In addition the following reference shall be made in AMC6 SKPI: ‘The Severity Classification Scheme shall be identical to the description made in Section F of AMC5 SKPI’.</p>
response	<p>Partially accepted.</p> <ul style="list-style-type: none"> <li>- <b>AMC6 SKPI C and AMC6 SKPI D:</b> Not accepted.</li> </ul> <p>These sections have not been removed..</p> <ul style="list-style-type: none"> <li>- <b>AMC6 parts E and F:</b> Accepted.</li> </ul> <p>The new parts E and F are in AMC5 and referred to in this AMC6. Please refer to the first bullet of the response to comment #28.</p>
comment	<p>35 <span style="float: right;">comment by: <i>FABEC NSAs and ANSPs</i></span></p> <p>- These are definitions of severity and are included in AMC 6 SKPI — Severity Classification Based on the Risk Analysis Tool Methodology — Methodology for Runway Incursions, so they actually applies to RI exclusively. As this section is only incorporated in AMC 6 the question could rise whether severity scheme applies to SMI and to ATM-specific occurrences as well. We suggest to clarify why this section – only - is incorporated in AMC 6 or to refer to GM1 – Definitions. Severity N is missing.</p>
response	<p>Partially accepted.</p> <ul style="list-style-type: none"> <li>- F. Severity Classification Scheme: Partially accepted.</li> <li>- Severity ‘N’ is missing: Not accepted.</li> </ul> <p>Please refer to the response to comment #28.</p>
comment	<p>41 <span style="float: right;">comment by: <i>DFS Deutsche Flugsicherung GmbH</i></span></p> <p>E. ATM Ground performance, and F Severity Classification Scheme</p> <p>As these sections are only incorporated in AMC 6, the question could rise whether these apply to SMI and to ATM-specific occurrences as well. Please clarify.</p>



response

Accepted.

These sections also apply to SMI. Please refer to the first bullet of the response to comment #28.

**AMC7 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences**

p. 14-20

comment

4

comment by: EUROCONTROL

**AMC7 SKPI - B.1.c) - Page 15**

It is strongly advised by FABEC ANSPs not to envisage this type of situation and, therefore, to delete sentence B.1.c) in its entirety for the following reasons:

1. In this scenario the service level is not affected (no T1), and
2. the desired level of activity can be maintained, and
3. the technical event has no operational consequence at that point of time;
4. There is no reason to use RAT for a higher score than E because there could well be operational consequences under other operational conditions;
5. RAT is a post investigation tool and severity must therefore be assessed only on the basis of facts related to actual occurrence and operational conditions at that moment.

For the same reasons, [Example 4](#) 'Failure with no operational consequence at the time', as given at page 26, should be deleted.

**AMC7 SKPI - B.3.b - Page 17**

The EUROCONTROL Agency stresses that the following operational functions under navigation services were replacing the previous operational function 'Navigation' to better cover the ATM airborne side:

- ~~Navigation Function~~
- Instrument Navigation
- Visual Navigation
- Satellite Navigation

**AMC7 SKPI - B.3.c - Page 17**

The EUROCONTROL Agency stresses that the last bullet of this section, i.e. Surface movement guidance and control, shall be moved under section 3d.

**AMC7 SKPI - B.3.d - Page 17**

The EUROCONTROL Agency stresses that the title of this criterion should read: 'For ATS supported by automation'.

**AMC7 SKPI - B.3.d - Page 17**

The EUROCONTROL Agency indicates that the 'ATS supported by automation' function shall



	<p>read: 'Flight data processing and surveillance data processing – specified information provided to air traffic service units, relative to an intended flight or portion of a flight of an aircraft;'</p>
Response	<p>Partially accepted.</p> <ul style="list-style-type: none"> <li>- <b>AMC7 SKPI - B.1.c) - Page 15 and example 4 at page 26:</b> Not accepted. AMC7.B.1.c is intended to cover a situation where an event happens but due to fortunate circumstances (e.g. quiet time, no traffic around) no actual measure is taken. Had this event happened at a different time, there would have been immediate consequences. The event must be scored with the RAT even if in actual reality there were no operational measures taken.</li> <li>- <b>AMC7 SKPI - B.3.b) – Page 17:</b> Accepted. The text in this part AMC7 SKPI – B.3.b) has ben amended.</li> <li>- <b>AMC7 SKPI - B.3.c) – Page 17:</b> Accepted. The text in this part AMC7 SKPI – B.3.c) has ben amended.</li> <li>- <b>AMC7 SKPI - B.3.d) – Page 17:</b> Accepted. The text in this part AMC7 SKPI – B.3.d) has ben amended.</li> </ul>
comment	<p>16 <span style="float: right;">comment by: ENAIRE</span></p> <p>With respect to paragraph 3, subparagraph d, in page 17, in ATS supported by ATC automation, “Flight Plan Information Failure” is considered as equivalent to “Surveillance processing failure”. However, the lack of a flight plan should not be considered at the same level as the lack of a radar track.</p>
response	<p>Not accepted. The text is to be modified. Please refer to the response to the comment #4 (last bullet). Lack of flight plan data (flight intent) could lead to severe operational consequences equivalent to the consequences of lack of surveillance data.</p>
comment	<p>17 <span style="float: right;">comment by: ENAIRE</span></p> <p>In page 17, “Air surveillance” is defined as “(t)hose facilities and services used to determine the respective positions of aircraft in the air to ensure safe separation. Besides “Surveillance processing” is used to determine the respective positions of aircraft in the air to ensure safe separation. Some clarification is needed to differentiate “Air surveillance” and “Surveillance processing” in order to avoid confusion.</p>
response	<p>Not accepted. ATS surveillance and surveillance processing could be interpreted by different providers in a different way based on their system architectures. Providing a more detailed definition would artificially constrain the functions at ANSP level.</p>
comment	<p>27 <span style="float: right;">comment by: DSAC/ANA</span></p> <p><b>"1. Criterion 'Entry Criteria' — a RAT score must be applied when the event being scored has operational consequences, defined as when [...]"</b></p> <p>According to this clarification about which type of events has to be analysed with RAT (only those with operationnal consequence), the following paragraph c) must be deleted.</p>



However, there are ATM-S occurrences that could seriously affect operations and analysing such occurrences (with only potential operational consequences) with RAT would be beneficial for safety improvement. For that reason, a later evolution of AMC and GM is recommended. It will be therefore necessary that the distinction between ATM-SO with operational consequences and those with only potential operational consequences clearly appears.

If paragraph c) remains, differentiating both types of ATM-SE is also needed, and this has to be specified in the GM.

"There is no requirement to apply the RAT methodology for technical events where an operational function is not affected."

According to 1), it should be written that "there is no requirement to apply the RAT methodology where the technical outage has no operational consequences".

Response Not accepted.  
Please refer to the first bullet of the response to comment #4.

comment 29

comment by: CAA-NL

#### AMC 7 SKPI — SEVERITY CLASSIFICATION BASED ON THE RISK ANALYSIS TOOL METHODOLOGY — METHODOLOGY FOR ATM-SPECIFIC OCCURRENCES

##### B. OPTIONS FOR ATM-S

Criterion 'Entry Criteria' – A RAT score must be applied when the event being scored has **Operational Consequences**, defined as when:

a) ATC or pilot to apply mitigating measures in order to restore or maintain safe operations as a result of the ATM Specific Occurrence;

- We find this not well defined. Can we say that 'the event has operational consequence' when the safety risk of the operation increases due to the event? If so, there are mitigations measures that have to be applied. We assume that degraded modes are included here.

- Suggest 'ATC or pilot' had to apply...'

##### Criterion 'Entry Criteria'

In order to ease the understanding of operational consequences the following four scenarios complemented by examples, illustrate the ATM ANS system both in a steady state and failure modes.

It is acknowledged that the 'Redundancy reduction' and "Loss/partial loss/corruption of Supervision" are types of technical event that do not qualify for an ATM Specific Occurrence and therefore should not be severity assessed using the RAT Methodology in the framework of the 'Performance Scheme Regulation' (EU) No. 390/2014

- The way it is written it may be understood as that these occurrences are not reportable ('are types of technical event that do not qualify for an ATM Specific Occurrence and therefore should not be severity assessed using the RAT Methodology'). However, 'redundancy reduction' and 'loss/partial loss/corruption of supervision' are included in the look-up table and also defined. This is a little confusing and needs clarification.

- Loss/partial loss/ corruption of supervision: A definition is missing. We propose to incorporate a definition in GM1 – Definitions.

response Partially accepted.



- **AMC7 SKPI - B.1.a):** Not accepted.  
 The text is self-explanatory. Degraded modes are considered in this part.

- Suggest 'ATC or pilot' had to apply...': Not accepted.  
 The text 'ATC or pilot' has to apply' is correct.

- **GM11** Methodology for ATM-s page 21, criterion 'Entry Criteria': Noted.  
 In the current context the occurrences are reportable or not in accordance with Regulation 376/2014 and its Implementing Rule 2015/1018, and its severity is classified using the RAT methodology as per the Performance regulation Reg. 390/2013. Notwithstanding the reporting obligations under regulation 376/2014, these type of occurrences are not included in the scope of the performance scheme hence they have been removed from the look up table in the Appendix 1 to GM11.

- Loss/partial loss/ corruption of supervision: Not accepted.  
 Please refer to point 4. Criterion 'Type of failure', paragraphs e. and f. and the footnote.

comment

36

comment by: *FABEC NSAs and ANSPs*

Page 15, 1.a):

1. We find the 'operational consequences' not well defined. Can we say that has operational consequence when the safety risk of the operation increases due to the event? If so, there are mitigations measures that have to be applied. We assume that degraded modes are included here.

Su Suggested wording: 'ATC or pilot' had to apply...'

- 2. This clarification about what type of events has to be analysed with the RAT (only those with operational consequence) is approved. However, there are ATM-S occurrences that could have seriously affected operations and analysing such occurrences (with only potential operational consequences) would be beneficial for safety performance. Fort that raison, a future evolution of AMC and GM is recommended.

Response

Partially accepted.

- **AMC7 SKPI - B.1.a):** Partially accepted.

Please refer to the response to comment #29 (first bullet).

- Suggest 'ATC or pilot' had to apply...': Not accepted.

Please refer to the response to comment #29 (second bullet).

- **AMC7 SKPI - B.1.** Criterion 'Entry criteria': Not accepted.

Please refer to the first bullet of the response to comment #4.

comment

38

comment by: *DFS Deutsche Flugsicherung GmbH*

The criterion „entry criteria “stated under paragraph 1.c) is not sufficiently explained, in terms of justifying if an operational consequences has occurred.

It should be emphasized that the conception of “operational consequences” suggest a change in a behaviour or of the situation.

In general a “consequence” has the property of leading to a specific change. In case ATC determines there is no need for mitigation measures (e. g. remedial/corrective/avoiding actions like increase of spacing) in the aftermath or context of a technical failure of an operational function it is difficult to recognize an “operational consequence”. The issue of ATC confirming there are no consequences required (due to the referenced examples) does



not necessarily acknowledge the existence of “operational consequences”. In particular, when determining if T1 is equal or greater than a score of “C”. Therefore it is not convincing if the definition of the score “C” (ability to provide safe but degraded ATM services) layed down under this paragraph is appropriate.  
The criterion 1.c) should be removed because of the above mentioned reasoning.

**This modification is also in accordance with the FABEC opinion.**

response Not accepted.  
Please refer to the first bullet of the response to comment #4.

comment 39 comment by: *DFS Deutsche Flugsicherung GmbH*

The criterion under chapter 4.e) “loss of supervision” and “corruption of supervision” could represent causes of the failure modes depicted in the context of ATM Specific Occurrences. Given the fact that “T1” is the common trigger of scoring an event in case an “operational consequence” has occurred, the types of failures “loss of supervision” or “corruption of supervision” would contradict this eligibility criteria.  
These types of failures are classified as causes that could lead to e.g. “loss of... or partial loss”, therefore it is proposed to remove them completely.  
For the sake of harmonisation purposes on the European level and assure a common approach in the use of the methodology, this change is indispensable.

response Noted.  
In the current context the occurrences are reportable or not in accordance with Regulation 376/2014 and its Implementing Rule 2015/1018, and its severity is classified using the RAT methodology as per the Performance regulation Reg. 390/2013. The footnote clarifies that notwithstanding the reporting obligations under regulation 376/2014, these type of occurrences are not included in the scope of the performance scheme hence not included in the look up table in the Appendix 1 to GM11. See also the response to comment #29 (third bullet).

comment 42 comment by: *ANA Luxembourg*

#### FABEC ANSPs comment on the NPA 2015-16

References:

AMC7 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrence (B. 1. C)  
GM11 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences (A. example 4 page 26 of 37)

**B. 1. c) ATC or pilot concludes that mitigating measures were not required on this occasion due to the current operational conditions (e.g. favorable weather, low traffic levels, etc.);**

In this scenario the service level is not affected (no T1), and the desired level of activity can be maintained, and the technical event has no operational consequence at that point of time  
There is no rationale to use the RAT for a higher score than E just because there potentially could be operational consequences under other operational conditions



RAT is a post investigation tool, and severity must be assessed only based on facts of the actual occurrence and its operational conditions at that point of time

For these above mentioned reasons ANA/Belgocontrol/MUAC/DFS/skyguide/LVNL strongly request this sentence and the related example 4 to be deleted from the GM11 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences

A. Example of some criteria for evaluating ATM-specific occurrences.

Example 4. Failure with no operational consequence at the time

The chart below illustrate the occurrence timeline in the cas of a failure where ATC or pilot concludes that mitigating measures were not required on this occasion due to the current operational conditions (e.g favorable weather, low traffic, etc).

response

Not accepted.

Please refer to the first bullet of the response to comment #4.

**GM11 SKPI Severity classification based on the risk analysis tool methodology — Methodology for ATM-specific occurrences**

p. 20-29

comment

2

comment by: *Finnish Transport Safety Agency*

Finnish Transport Safety Agency considers the AMC/GM update a welcome development to harmonise the risk classifications in states and ANSPs.

The example scenarios in GM11 are useful in clarifying the meanings of T0, T1 and other concepts. We would propose that EASA considers adding even more example scenarios to cover as many typical situations as possible.

response

Not accepted.

The text contains a balanced number of examples to facilitate its reading. The examples have been chosen amongst the most representatives.

comment

5

comment by: *EUROCONTROL*

**GM11 SKPI Severity classification based on the risk analysis tool methodology - Methodology for ATM-specific occurrences - Page 20**

For the reasons explained by FABEC ANSPs under 'AMC7 SKPI Severity classification based on the risk analysis tool methodology - Methodology for ATM-specific occurrences', Example 4 'Failure with no operational consequence at the time', as given at page 26, should be deleted.

**GM11 SKPI Severity classification - A Examples - Criterion 'Entry Criteria' - Page 21**



	<p>The EUROCONTROL Agency is of the opinion that the following text 'It is acknowledged that the 'Redundancy reduction' and "Loss/partial loss/corruption of Supervision" are types of technical event that do not qualify for an ATM Specific Occurrence and therefore should not be severity assessed using the RAT Methodology in the framework of the 'Performance Scheme Regulation' (EU) No. 390/2014.'</p> <p>shall read</p> <p>'The following types of failure: 'Redundancy reduction', 'Loss/partial loss/corruption of Supervision' shall not be scored in the framework of the performance scheme regulation and not reported via the Annual Summary Template.'</p>
Response	<p>Not accepted.</p> <ul style="list-style-type: none"> <li>- <b>GM11 SKPI Severity classification based on the risk analysis tool methodology - Methodology for ATM-specific occurrences. – Example 4 Page 26:</b> Not accepted. The example 4 is linked to the text in <b>AMC7 SKPI - B.1.c)</b>. Please refer to the first bullet of the response to comment #4.</li> <li>- <b>GM11 SKPI Severity classification. A. Examples - Criterion 'Entry Criteria' - Page 21:</b> Noted.</li> </ul> <p>See the response to the comment #29 (third bullet).</p>
comment	<p>18 <span style="float: right;">comment by: ENAIRE</span></p> <p>In page 27, Scenario D implies that ATC or pilot never knew they were operating using misleading information, so it is quite difficult that kind of event be notified, simply because nobody realized there was an occurrence. The most usual occurrence begins like scenario D, but prior to T3 occurs, one or several of the actors involved (pilot, ATC, engineering) realize they are working with corrupted data and take actions to restore situation, which is a situation similar to the last stages of scenario A.</p>
response	<p>Noted.</p> <p>When any of the actors realise that they are working with corrupted data we move to a different scenario A – (partial) loss of the function.</p>
comment	<p>19 <span style="float: right;">comment by: ENAIRE</span></p> <p>In page 27, "Look-up table" is the most important part in ATM-specific occurrence methodology, because it allows for a correspondence between the type of technology failure and severity. Without a full table, or without the methodology to obtain it, it is not possible to harmonize the severity obtained. Therefore, "Look-up table" should be available to any stakeholders and be included in any AMC developed by them. On the contrary, they will be forced to use EUROCONTROL RAT tool as the only way to obtain "Look-up table".</p>
response	<p>Noted.</p> <p>The figure 13 is provided for information purposes only. The complete look-up table is provided as Appendix 1 to GM11.</p>
comment	<p>20 <span style="float: right;">comment by: ENAIRE</span></p>





Example in page 29 is misleading. The case is a “Total failure of the radar data processing system (normal and back-up) in an ACC (duration 2 minutes)”. It has been classified as an “Air surveillance” operational function, instead of a “Flight and Surveillance processing” operational function (which is more adequate because it is a radar data, that is, surveillance, processing failure). More clarification is needed, as it has been stated in comments related to page 17.

response Not accepted.  
Please refer to the response to comment #17.

comment 26 comment by: *Martina Sahliger*

I suggest to delete the look up table completely from the Guidance Material. The Look-up table there is useless due to the fact that there are many changes in such a short time that it is impossible to keep everything updated in a timely manner.

response Not accepted.  
Please refer to the response to comment #19. The Guidance Material is updated whenever is considered necessary.

comment 30 comment by: *CAA-NL*

**GM11 SKPI SEVERITY CLASSIFICATION BASED ON THE RISK ANALYSIS TOOL METHODOLOGY – METHODOLOGY FOR ATM-SPECIFIC OCCURRENCES**

Scenario C: ATC or pilot concludes that mitigating measures were not required on this occasion due to the current operational conditions (e.g. favorable weather, low traffic levels, etc.)

- In this scenario the service level is not affected (no T1), the desired level of activity can be maintained and the technical event has no operational consequence at that point of time. So there is no rationale to use the RAT for a higher score than E just because there potentially could be operational consequences under other operational conditions. RAT is a post investigation tool, and severity must be assessed only based on facts of the actual occurrence and its operational conditions at that point of time. It could be also highlighted that it will not be possible to discriminate the ASO with operational impact from those without any operational impact.

- For these above mentioned reasons it is strongly requested to delete this sentence and the related example 4 from the GM11.

response Not accepted.  
- **GM11 SKPI Severity classification based on the risk analysis tool methodology - Methodology for ATM-specific occurrences. – Example 4 Page 26:** Not accepted.  
Please refer to the response to comment #5 (first bullet).

comment 37 comment by: *FABEC NSAs and ANSPs*

Page 21 Criterion 'Entry Criteria':  
- - The way it is written may be understood as that these occurrences are not reportable



(are types of technical event that do not qualify for an ATM Specific Occurrence and therefore should not be severity assessed using the RAT Methodology'). However, 'redundancy reduction' and 'loss/partial loss/corruption of supervision' are included in the look-up table and also defined. This is a little confusing and needs clarification.

- - Loss/partial loss/ corruption of supervision: Definition is missing. Propose to incorporate a definition in GM1 – Definitions.

Page 26 Scenario C:

- - In this scenario the service level is not affected (no T1), the desired level of activity can be maintained and the technical event has no operational consequence at that point of time. So there is no rationale to use the RAT for a higher score than E just because there potentially could be operational consequences under other operational conditions. RAT is a post investigation tool, and severity must be assessed only based on facts of the actual occurrence and its operational conditions at that point of time. It could be also highlighted that it will not be possible to discriminate the ASO with operational impact from those without any operational impact.

- - For these above mentioned reasons it is strongly requested to delete this sentence and the related example 4 from the GM11.

Pages 20 - 29: We suggest to delete the look up table from the Guidance Material. The reason is, that look up table is a living document and as such useless when incorporated in AMC/GM. To change/update the AMC/GM in a short time is not possible.

response

Not accepted.

- GM11 SKPI Severity classification. A. Examples - Criterion 'Entry Criteria' - Page 21: Noted.

Please refer to the response to comment #29 (third bullet).

- Loss/partial loss/ corruption of supervision: Not accepted.

Please refer to the response to comment #29 (fourth bullet).

- GM11 SKPI Severity classification based on the risk analysis tool methodology - Methodology for ATM-specific occurrences. – Example 4 Page 26: Not accepted.

Please refer to the response to comment #5 (first bullet).

- Appendix 1 to GM 11: Not accepted.

Please refer to the response to comment #19 .

comment

40

comment by: DFS Deutsche Flugsicherung GmbH

According to the comment on AMC 7, the „Scenario C: ATC or pilot concludes that mitigating measures were not required on this occasion due to the current operational conditions (e.g. favourable weather, low traffic levels, etc.)“ should be deleted.

**This modification is also in accordance with the FABEC opinion.**

response

Not accepted.

Please refer to the response to comment #5 (first bullet).



4. Regulatory impact assessment		p. 31-35
comment	21	comment by: <i>ENAIRE</i>
	<p>Paragraph 4.1.1 in page 31 explains that the objective of the proposed changes is not to modify the methodology and the related AMC, but to further describe the scoring criteria in order to achieve better harmonization among users. However, the changes proposed introduce a new severity scheme (including a brand new severity N), new failure definitions (ATC automation), a new way to score severity (The new look-up table) and a new definition of ATC indirect contribution with clearly implications in severity score. To our viewpoint these are not a simple explanation but a major change not aligned with Regulation 376/2014 and Regulation 390/2013.</p>	
response	<p>Noted. Please refer to the response to comment #13.</p>	
comment	22	comment by: <i>ENAIRE</i>
	<p>From the wording in paragraph 4.1 (page 31), RAT methodology seems to be associated with EUROCONTROL RAT tool, meaning that RAT methodology is the EUROCONTROL RAT tool. We think RAT tool should be one of the AMCs, not the one and only (as it seems to us while reading page 27 of this NPA). In this respect, RAT methodology should be independent on any tool, because not all stakeholders use it, so a direct link between the tool and RAT methodology would force all stakeholders to use RAT tool. As a consequence it would provide EUROCONTROL with the utter control of RAT methodology.</p> <p>We consider it necessary that any modification to RAT tool associated with RAT methodology should be deemed by EASA to be considered as an AMC, and the use of the tool should be aligned with EASA's AMCs and EU's Regulations (not the opposite, as it looks reading page 31). We agree that, firstly, a further improvement in RAT methodology should be done and, secondly, that EUROCONTROL should be the leading actor. However, any improvement should be endorsed by EASA as an AMC and not the opposite (In first place, to improve RAT tool, then to be used by some stakeholders in order to report and finally to be endorsed by EASA).</p>	
response	<p>Noted. The update of this AMC/GM was requested by the MS. The corresponding amendments will be based on the outcome of this consultation. Moreover, the users can use any tool providing that it complies with the AMC/GM.</p>	
comment	23	comment by: <i>ENAIRE</i>
	<p>Paragraph 4.1.1. in page 31 indicates that: "With respect to the operational occurrences, this RIA concludes that there is no risk as the proposed changes do not affect the scoring principles but provide users with more granularity on the criteria that could only be beneficial for achieving harmonization among them". However, not every operational occurrences are handled with RAT methodology. For example, "Fatigue-related occurrences" (under Regulation 376/2014 Scheme) cannot be addressed with RAT methodology, given the fact that neither granularity is provided nor support is given with current AMC. It should be clarified that risk associated with the lack of any methodology to assess severity in such cases</p>	



	still persists.
Response	Noted. The RIA is performed within the scope of the Performance Regulation (EU) no. 396/2013.

