

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
1013	10 + 40	DGAC, France	<p>Comment: Reference is made in paragraphs 10 and 40 to the conclusions of an impact assessment launched by the Commission and carried out by an independent consultant on the ways and means to extend Community competence to the aerodrome field (and air navigation services). Bringing together rulemaking and some certification tasks within EASA in the aerodrome domain would be one of the conclusions of this study.</p> <p>It is necessary to send to the Member States the draft result of this impact assessment in order to discuss on the content before finalizing it. This has not been made when launching this NPA and should be made.</p> <p>Justification:</p>	<p>noted</p> <p>Preliminary Impact Assessment on the Extension of EASA competences to ANS, ATM and Airports was carried out by the European Commission and is publicly available on; http://ec.europa.eu/transport/air_portal/studies_en.htm</p>	
0935	11	CAA Greece	<p>Comment: ANNEX 14 SARPs applicable to aerodrome installations, infrastructures, design and operations, take also account of other aircrafts operating at a given aerodrome.</p> <p>Justification: Many ICAO SARPs contained in ANNEX 14 and elaborated in relevant ICAO Docs serve also purposes concerning the interaction between an aircraft and other aircrafts (e.g. markings, signs, lighting, separation distances between runways and/or taxiways, aircraft taxi routes etc), while the successful introduction and operation of systems such SMGCS or A-SMGCS at a given aerodrome requires a total approach. Care also should be taken in order to avoid the creation of gaps or gray areas between aerodrome operations as such and air navigation activities at aerodromes, given the phased approach that is to be followed.</p>	<p>noted</p> <p>It is accepted that there will be an interaction between ANS/ATM and aerodrome responsibilities but that for the moment the work has been limited to a single aircraft using the aerodrome and to the control of the interfaces between the different actors.</p>	
0782	11	CAA - UK	<p>Comment: It is noted that the present consultation is limited to the safety of the ground infrastructure and its operation, and that a separate task is being handled by the Agency to address CNS/ATM. It is nevertheless considered essential that the two activities are coordinated, in conjunction with all relevant organizations, including the Commission, and the relevant bodies within Eurocontrol (i.e. SRC and SRU), to ensure that all aviation activities taking place at an aerodrome, including air traffic management (ATM) and aerodrome operations are properly harmonised.</p> <p>The Essential Requirements must also be consistent in both scope and content with existing regulatory structures such as Single European Sky (SES) and ICAO standards for interoperability. These include existing regulations placed on Air Navigation Service Providers (ANSP) and NAAs.</p> <p>Justification: The need to ensure that all ATM and aerodrome developments within Europe are fully coordinated with all pertinent organisations.</p>	<p>noted</p> <p>The coordination with the different actors is taking place. A proposal to extend the Basic Regulation can only be issued by the Commission.</p>	
0079	11	CAA-ES	<p>Comment: In this paragraph it is explained that for the sake of handiness EASA has considered appropriate to distinguish aerodrome regulation from that of air navigation services. Although considering that a gate to gate perspective is paramount, we share this approach but it should be clear that requirements to air navigation services (infrastructure and its operation for all phases of flight) have to be dealt with when addressing CNS/ATM regulation, and not when addressing aerodrome regulation. This is relevant to infrastructure and operational procedures for terminal air traffic services, independently of the owner of this infrastructure. This is also the approach followed by the SES (Single European Sky) initiative.</p> <p>It is very important that the responsibilities of the aerodrome operator and the air navigation service provider are clearly defined, without overlapping or leaving blank spaces between them.</p> <p>Justification:</p>	<p>noted</p> <p>The framework that is being created by EASA ensures that there is no overlap or blank spaces between the aerodrome operator and the air navigation service provider legal responsibilities.</p>	
1342	11, page 16	IFATCA	<p>Comment: In cases of an aerodrome with more than one landing and take-off area, a potential risk exists of an aircraft going too close to another landing and take-off area, and hence disrupting the operations on it. This kind of hazard can be mitigated by proper traffic management and procedures or by an appropriate design of the aerodrome layout requiring adequate minimum distances between landing and take-off areas, depending on the operational procedures on how these runways are planned to be used. Paragraph A.1.5 has been elaborated to cater for the latter mitigation means, the only ones which are relevant to these essential requirements. It allows the development of implementing measures that comply with provisions such as those specified in ICAO Annex 14, Volumes I, Paragraphs 3.1.10 and 3.1.11., and the helicopter separation distances required in Annex 14, Volume II.</p> <p>Justification: IFATCA disagrees with the text in bold.</p> <p>The appropriate design must always precede definition of procedures, based on the fact that "traffic management and procedures" (or "traffic management procedures") is carried at "productive activity" level by operational personnel, thence subject to human errors. As human factors principle, the window of opportunity to human errors shall be closed at "decision makers" level, by proper and safe design of the aerodrome layout.</p> <p>Procedures may only temporary mitigate a risk deriving from existing inappropriate design (cause of the hazard). The risk, despite its mitigation, will never be as low as it is expectable removing (for existing airports) or not creating (for new airports or modification of existing ones) the cause of the hazard.</p>	<p>noted</p> <p>The essential requirements aim at improving the design of an aerodrome. However procedures will always be necessary for its safe operation. Secondly, this document addresses the issue of a single aircraft using an aerodrome. The future work on ANS/ATM will address the issue of the interaction between aircraft also on the manoeuvring area. Essential requirements will apply to all aerodromes in the scope of the regulation, regardless of whether ATCis locally provided or not.</p>	

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1073	12	British Hang Gliding and Paragliding Association	<p>Moreover, this is the only paragraph dealing with the risk for runway incursions. This risk is not limited to "an aerodrome with more than one landing and take-off area". Removal of the hazard is often possible by an appropriate design of the aerodrome layout, also when a single runway is available.</p> <p>Comment: The decision to replace the term 'airport' with the term 'aerodrome' means that further definition is required to establish a minimum level. Eg. 'An aerodrome is any place where more than 100 movements per annum of aircraft of more than 500kg takes place. Otherwise it is an 'airfield' and the aircraft commander is entirely responsible for ensuring that he can safely operate there.'</p> <p>Justification: Under the ICAO definition an aerodrome is, "A defined area on land or water (including any buildings, installations, and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft." Hang gliders and paragliders are aircraft and operate from defined areas (fields and positions on hill) and it is the intention of all concerned to use these defined areas at least in part (sometimes wholly) for the arrival, departure and surface movement of these aircraft. Some have public access. Under NPA-06-2006 these places would be classified as (simple) aerodromes. This is nonsensical. Sometimes a paraglider pilot, soaring a coastal cliff, will experience the wind dying and so will make a landing on the beach. The beach is a defined area. The pilot intends to use it for arrival of his aircraft. So now the beach is a 'simple aerodrome'? Surely this is not the intention of the proposals? Whilst every lay person would know what an airport is, it is not at all clear whether a grass field occasionally used by a hang glider aerotow club is an 'aerodrome'. Or a hillside used by paraglider pilots: they take off and land, members of the public walk past. Is this a 'simple aerodrome'?</p> <p>The proposed two-tier aerodrome classification system (complex/simple) needs a defined bottom level cut/off point below which all proposed regulation is non applicable or advisory. It is entirely clear from the text that the proposal is aimed principally at international commercial aviation, whilst also including larger General Aviation airfields. It is also entirely clear that there was no intention to include fields occasionally used for sporting aviation where the pilots is entirely responsible for assessing and ensuring that his intended take off or landing can be safely undertaken. There is no 'gate to gate' flying, 'interoperability' issues cannot arise - and no 'infrastructure' is required 'to operate safely'.</p>	noted	A definition for an 'aerodrome' will be introduced in the regulation.
0090	12 - E.R.A 1c	CAA-ES	<p>Comment: It should be considered the need to install air navigation aids into the runway safety areas.</p> <p>We propose the following text A.1.c.iii) according to Annex 14, Vol I, 9.9: Unless its function requires it to be there for air navigation purposes, these areas must be free from objects which might constitute a hazard to aircraft operations. Any equipment or installation required for air navigation purposes in these areas must be located and designed so that they minimize the damages to an aircraft that could impact by accident with them.</p> <p>Justification:</p>	accepted	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0122	13	British International	<p>Comment: Para 13 – is bureaucratic 'gobbledegook' that has no practical meaning or relevance. Plain English please ?</p> <p>Justification:</p>	noted	
0252	13	CAA-Iceland	<p>Comment: "Last but not least, when considering ways and means to regulate a dedicated sector, the Agency has to take into account that aviation is in essence of a global nature. This is not to exclude the important purpose of local transportation to remote areas nor the grassroot of aviation operating at a smaller scale. Aircraft fly from place to place and the rules devised to provide for the necessary level of safety have also to be known and understood by all relevant users. Aerodromes are of course of different sizes and serve different type of air traffic. Some of them may be located in remote and harsh geographical areas. Taking such elements into consideration the highest level of interoperability between aerodromes, serving similar air traffic, is essential. Such a need for interoperability is not only a tool to facilitate the free movement of persons, but also an essential safety requirement. The Agency considers therefore that interoperability cannot be dissociated from safety when regulating civil aviation. This explains why the present consultation covers also interoperability requirements so as to ensure that the interoperability objectives contained in ICAO Standards and Recommended Practices are also taken into consideration and avoid disrupting the global system they underpin."</p> <p>Justification: It's important not to exclude the importance of smaller operation on a local scale particularly into remote areas where harsh geographical conditions may limit the possibility of an aerodrome fulfilling same requirements as an international aerodrome. Same goes for the grassroot of aviation, smaller landing areas and glider fields etc. There is a need to categorize aerodromes in some way, preferably where one category would be excluded from the Communities common rules but would still be regulated by the NAA's.</p>	noted	

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0091	13 - E.R.A.1d	CAA-ES	<p>Comment: It should be considered the need to install air navigation aids into protecting areas associated immediate surroundings of those areas of an aerodrome used for taxiing or parking the aircraft.</p> <p>We propose the following text A.1.d.v): "Those areas of an aerodrome, that are to be used for taxiing or parking the aircraft, must be free from objects which might constitute a hazard to aircraft operations." And we propose the following text A.1.d.vi) according to Annex 14, Vol I, 9.9: "Unless its function requires it to be there for air navigation purposes, those areas of an aerodrome associated immediate surroundings of the areas used for taxiing or parking the aircraft, must be free from objects which might constitute a hazard to aircraft operations. Any equipment or installation required for air navigation purposes in these areas must be located and designed so that they minimize the damages to an aircraft that could impact by accident with them."</p> <p>Justification:</p>	accepted	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>
1022	13 + 20	DGAC, France	<p>Comment: All along NPA and particularly in paragraph 13, is mentioned «level of safety ». This notion should be clarified to know what really understand the writers of the NPA with this expression. It can indeed be understood differently according to the context. In spite of the fact that it implies that there can be aerodromes with different levels of safety (and thus for some of them a low level of safety), it does not seem that there is connection with the notion of « acceptable level of safety » introduced in ICAO amendment n°44 of the annex 11 (attachment E). There is the same necessity for the expression « level of protection » (paragraph 20) that has no definition in ICAO annexes.</p> <p>Justification: In ICAO annex 11 amendment n°44 attachment E, "acceptable level of safety" is so mentioned:</p> <p>1. Introduction 1.1 The introduction of the concept of acceptable level of safety responds to the need to complement the prevailing approach to the management of safety based upon regulatory compliance, with a performance based approach that aims for continuous improvement to the overall level of safety.</p> <p>1.2 Acceptable level of safety expresses the safety goals of an oversight authority, an operator, or a services provider. From the perspective of the relationship between oversight authorities and operators/services providers, it provides the minimum safety objective(s) acceptable to the oversight authority to be achieved by the operators/services providers while conducting their core business functions. It is a reference against which the oversight authority can measure safety performance.</p> <p>1.3 Establishing acceptable level(s) of safety for the safety programme does not replace legal, regulatory, or other established requirements, nor does it relieve States from their obligations regarding the Convention on International Civil Aviation and its related provisions.</p> <p>1.4 Establishing acceptable level(s) of safety for the safety management system does not relieve operators/services providers from their obligations under relevant national regulations and the Convention on International Civil Aviation.</p> <p>2. Scope 2.1 Within each State, different acceptable levels of safety may be established between the oversight authority and individual operators/services providers.</p> <p>2.2 Each agreed established level of safety should be commensurate with the complexity of individual operator/ service providers operational contexts, and the level to which safety deficiencies can be tolerated and realistically addressed.</p> <p>3. Implementation 3.1 The concept of acceptable level of safety is expressed in terms of safety performance indicators and safety performance targets, and implemented through safety requirements.</p> <p>3.2 The relationship between acceptable level of safety, safety performance indicators, safety performance targets and safety requirements is as follows: acceptable level of safety is the overarching concept; safety performance indicators are the measures or metrics to determine if the acceptable level of safety has been achieved, safety performance targets are the quantified objectives pertinent to the acceptable level of safety, and safety requirements are the tools or means required to achieve the safety performance targets.</p> <p>3.3 The safety performance indicators of an acceptable level of safety should be uncomplicated and linked to major components of a State safety programme, or an operator/services provider safety management system (SMS). They are generally expressed in numerical terms.</p> <p>3.4 The safety performance targets of an acceptable level of safety should be determined after weighing what is desirable and what is realistic for individual operator/services providers. Safety performance targets should be measurable, acceptable to the parties involved, and consistent with the acceptable level of safety.</p> <p>3.5 The safety requirements to achieve the safety performance targets of an acceptable level of safety should be expressed in terms of operational procedures, technology and systems, programmes, contingency arrangements and so forth, to which measures of reliability, availability</p>	noted	<p>This explanatory note does not have any legal effect. The words used should be understood in their most general meaning.</p>

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			and/or accuracy may be added. 3.6 An acceptable level of safety should be expressed by several safety performance indicators and translated into several safety performance targets, rather than by single ones. »		
0959	15, page 16	Avinor AS	Comment: Turbulence induced by buildings or new constructions (even changes to vegetation) is a complex matter requiring sophisticated computer models for simulation. There are no specific criteria in existence setting requirements for type of model, input data or acceptance criteria. However, some rules of thumb have been developed from analyzing the results of a number of simulations. The method for evaluating the possible hazards to air traffic should allow for empirical knowledge and operational experience, and not only use of costly computer simulation. Justification:	noted	
0997	16 and 19	DGAC, France	Comment: Reading these paragraphs we can understand that the extended EASA regulation could not include in the scope of the ER and/or IR some aerodromes (called as "small") and these becoming "self-administrated". If we can understand that thresholds would be used for some specifications, we are against the idea that some aerodromes could be "self-administrated". The fact that an aerodrome is not concerned by the Community regulation shall not lead de facto to an aerodrome with its own specifications, or for a set of small European aerodromes with rules determined by themselves. For global safety reasons, it is necessary to have an harmonisation between all the aerodromes open to public use. In this case, the national regulation shall take over. We strongly wish that the "self administration" shall not be allowed by the Community regulation and so not mentioned in paragraphs 16 and 19. Justification:	noted The view of stakeholders on this issue has been asked in question 8.	
0783	17	CAA - UK	Comment: ICAO SARPs have demonstrated an acceptable level of safety over many years when applied by States. They therefore provide a good basis for the Essential Requirements and Implementing Rules, which can then be developed further in the areas where additional safety requirements are deemed necessary. ICAO SARPs are appropriate at Implementing Rules level. Justification: Self-explanatory	noted	
0123	17	British International	Comment: Para 17 – states that ICAO SARPS comprise of basic principles, essential requirements and implementation means. In the case of Annex 14. I believe this is incorrect. Justification:	noted	
0080	17	CAA-ES	Comment: In relation to the numerous statements of differences collected in the Annexes of OACI, and particularly the Annex 14, besides the reasons exposed in the paragraph should be considered the difficulties to that the different States are faced to comply totally the regulatory one OACI in all the Airports. It has to be kept in mind as well, the inflexibility of the airport infrastructure, especially in those cases of complicated orography location or old construction, which presents difficulties of adaptation, and the civil/military use of some installations. Justification:	noted See question 1. Also, the proposed Essential Requirements allow for mitigating the infrastructure related non-compliance through operational, etc. measures, based on risk assessment.	
0960	17, page 17	Avinor AS	Comment: The Essential Requirements includes provisions for establishment of departure, arrival and landing procedures. Hence such procedures must be part of the aerodrome certificate issued to the owner and/or operator. The design and publication of such procedures in Norway, are today the responsibility of the Norwegian ATM service provider. By placing the responsibility on the aerodrome owner and/or operator through aerodrome regulation it is necessary to coordinate with the ATM regulator to ensure that the transfer of responsibility is reflected in ATM regulations to avoid problems associated with conflicting responsibilities. We understand that the ATM service provider may still provide these services, but that it will be the responsibility of the aerodrome owner and/or operator to ensure (through an agreement) that	noted The ERs do not prevent this practice from continuing.	

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			the procedures are in fact established, published and maintained.		
			Justification:		
0952	17, page 6	Avinor AS	<p>Comment: It is stated in the explanatory notes that the extended EASA regulation is intended to ensure that Member States can fulfill their obligation towards ICAO. It is further stated (item 17) that "ICAO SARPs are sometimes regarded as minimum standards, which may not provide for the level of safety required by European citizens". There is however, no reference to data or documentation that supports this statement. Still, it seems to be one of the most important motivations for EU to regulate airports, as well as providing the basic philosophy for the proposed ER's.</p> <p>Since its inception, ICAO Annex 14 has been the most important guideline for airports on how to build and operate airports in a safe way. Historically, the vast majority of European airport infrastructure was built according to Annex 14. However, on many occasions variations from the SARPs were introduced. The reasons for variations were many, but a certain national practice had developed, and there were no indications that these variations compromised safety. When national CAAs started to write national regulations for aerodromes at a much later date, Annex 14 was again fundamental. The most common regulatory practice has been to make all SARPs into standards. For many airport owner and operators with airports build with Annex 14 variations, the problem was immediately apparent. But the solution was not available since the consequence of imposing the new regulation and require the airport to correct, could be either very costly or result in operational or capacity restrictions. Many national regulators have therefore introduced a regulatory mechanism whereby a variation may be accepted if the airport can mitigate the (assumed) increased risk by other means. The airport experience with this is not entirely positive. Even though it appears to be an attractive option, in practice it may not be. The reason is that it may require the subjective judgment of the regulator since the level of safety achieved by adhering to Annex 14 is not known. Even though use of subjective judgment is something that is difficult to avoid, it is very demanding and requires a high level of competence to be exercised in a credible manner. To achieve predictability, one option is to establish very detailed guidelines indicating how much risk is mitigated by a certain method/means under certain circumstances. The other option is to further develop risk assessment methodology by use of common databases for accident/occurrence data as well as risk acceptance criteria that are relevant for aerodrome operations. The effort that must be invested in developing either of these options is not to be underestimated.</p> <p>Justification: The proposed ER's introduce a risk mitigation technique. The potential lack of predictability is a weakness in the proposed regulation, and a concern to the industry, unless compensated as suggested.</p>	noted	<p>The process to harmonise aerodrome safety regulations in Europe does not underestimate in any way the national solutions based on ICAO Annex 14. A purpose of this process, as indeed proposed here, is to introduce a regulatory mechanism whereby a variation may be accepted if the airport can mitigate the increased risk by other means. The object of the consultation is to define how we ensure a high and even level of safety in Europe, not lower than to the ICAO SARPs and without imposing a costly or unfeasible compulsory application of technical detail rules.</p>
0124	18	British International	<p>Comment: Para 18 – States should be left to prescribe legislation that is appropriate for Aerodrome design and standards. ICAS SARPs contained in Annex 14 are more prescriptive than those in Annex 6 for example, and detailed EASA prescription as proposed will produce no added safety benefit. Furthermore does EASA have the necessary staff with the expertise to develop such regulation within the specified timescale ?</p> <p>Justification:</p>	noted	<p>Firstly, ICAO SARPs are not legally binding. They become so when translated into law. The advantage of community legislation is that all European states will benefit from the same law, which in turns also contributes too the internal market.</p> <p>EASA's staffing policy is not the issue of this NPA. Should the scope of community competence be extended to the regulation of aerodromes, EASA would of course ensure it has it has appropriate staffing. This aspect is being considered in the Regularoty Impact Assessment.</p>
0958	2, page 14	Avinor AS	<p>Comment: While there are many benefits by referring to ICAO Annex 14 SARPs as the requirements that would, when introduced, mitigate the risk associated with various operations of aircraft, it is not logically consistent with the concept of drafting the essential requirements as proposed in the NPA. While it is stated (subjectively) that there are risks associated with certain inadequate physical characteristics, and the same risks may be adequately mitigated by implementing Annex 14 SARPs, there is no documented understanding of the actual risks involved. There are very few studies that document the risks involved in implementing infrastructure according to Annex 14 SARPs. One study is the report made by AEA Technologies plc for the Norwegian CAA "Final Report on the Risk Analysis in Support of Aerodrome Design Rules" – December 2001. Even though some interesting conclusions were made in this report, it has later been shown in other studies that some of the conclusions must be questioned. Even though the explanatory notes for the Essential Requirements are difficult to contest on subjective grounds, there is no proper understanding of the actual risks involved for the identified hazards, neither before nor after mitigation. This problem undermines the fundamental principles on which the Essential Requirements have been drafted, and questions the robustness of the NPA itself.</p>	noted	<p>This document will lead to a legislative proposal. Unacceptable risks are not only mathematical, they are also linked to public perception which is by definition subjective.</p> <p>The concepts of hazard analysis and risk assessment are well understood and documented and typical mitigating measures will be related to a specific local issue.</p>

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0953	20	Avinor AS	<p>Justification:</p> <p>Comment: Common safety and interoperability requirements are already introduced on a global level by ICAO. Using this as an argument for introducing regulation at the Community level is therefore extraneous.</p> <p>Justification:</p>	noted	<p>ICAO SARPs are non binding. One can file differences. The ICAO USOAP programme has discovered considerable differences in the implementation of SARPs.</p>
0937	20	CAA Greece	<p>Comment: The essential requirements contained in Part B of the NPA constitute, in general, a good basis for the development of the necessary implementing regulations. However, given that ANNEX 14 contains SARPs which take also into account the issue of regularity, while the essential requirements and the implementing regulations deal only with safety issues, it is important that appropriate means are in place, so that member states may fulfill their obligations as to the issue of regularity under the Chicago Convention, while applying community legislation.</p> <p>The amendment of the Basic Regulation should also take into account that the uniform application of the implementing regulations by the NSAs supposes that a common training basis for the NSA's personnel is in place, while taking into account the experience and particularities of each member state.</p> <p>As far as RFFS is concerned, it is understood that SARPs contained in ANNEX 14 constitute the minimum applicable requirements. However, it is possible to increase the level of RFFS provided at aerodromes in order to correspond to the most critical aircraft occasionally using the aerodrome. As far as the operational rules applicable to the selection of alternate aerodromes is concerned, it is understood that in this way there will be compatibility between the relevant ANNEX 14 rules and those of ANNEX 6 (JAR-OPS).</p> <p>Justification: Such an increase in the level of ARFFS provided will contribute to safety levels of aerodromes. However, is recommended that adequate period is provided to the aerodrome operators in order to adjust to this increase.</p>	noted	<p>It is very premature to assume at this stage the contents of possible future implementing rules in this matter. Moreover, any implementing rule will be issued by the European Commission and adopted through the comitology process and a transition period will most likely be introduced before such rules enter into force.</p>
1005	20 (II-B1 f)	DGAC, France	<p>Comment: The text of the ER concerning RFFS should be changed as follows:</p> <p>II-B-1-f) To ensure that an aerodrome rescue and fire fighting service, including at least equipment, extinguishing agents and manpower, is provided at the aerodrome as appropriate for commensurate with the size of aircraft utilizing normally the aerodrome. Such a service shall respond to an incident or accident in a timely manner. It is essential that IRs keep flexibility for national provisions.</p> <p>Paragraph 20 should be changed as follows:</p> <p>20 When devising these essential requirements, the Agency met with the difficulty of providing for flexibility while ensuring consistency with ICAO Standards as regards rescue and fire fighting services. Whilst the need for such services rescue and fire fighting services is not questioned, as they are important to save lives in case of accident or incident at an aerodrome or at its immediate vicinity, the level of protection needs further consideration. It is agreed that such level should reflect be commensurate with the size of aircraft normally using the aerodrome; it is questionable however whether they should be appropriate to the most critical aircraft normally using only occasionally the aerodrome. The answer to the question is of particular importance as it may affect the ability of an air operator to use an aerodrome as an alternate or not. From a pure risk management perspective, it is clear that the level of protection should take into account the number of movements of the most critical aircraft and not just the size of the aircraft. This however must be consistent with the operational rules applicable to the choice of alternate aerodromes. The absence of distinction between the designated destination aerodrome and the alternate aerodrome has been the subject of discussion and ambiguity in the ICAO framework, especially in the case of intercontinental flights where it causes difficulties and constraints for the operators designating alternate aerodromes with relevant rescue and fire fighting capabilities. The Agency seeks therefore the opinion of stakeholders on this question.</p> <p>The issue of SSLIA is explained in paragraph 20. The level of RFSS on an aerodrome should be appropriate to the size of aircraft using normally the aerodrome. Normally means that the aircraft does not come once or only occasionally, but the number of movements of such aircraft operating to that aerodrome as a <u>destination or departing aerodrome (otherwise the aerodrome is not used normally)</u> should be taken into account.</p> <p>It is up to the airlines to determine which aerodromes can be their alternate aerodromes, taking into consideration many operational aspects, including the RFFS level provided. This is an OPS issue dealt with in OPS Requirements, and should not be part of this Regulation. An air transport operator is responsible for the choice of alternate aerodromes and can always negotiate with an aerodrome operator if he needs a higher RFFS level.</p> <p>Finally, RFFS level is linked to the risk associated to the operations on the aerodrome. The number of movements of the biggest aircraft is the main criteria. Alternate aerodromes are dealt with in the OPS Regulation and are an airline matter.</p>	not accepted	<p>Concerning RFFS, the responsibilities of the aerodrome have been left unchanged. The actual implementation will be addressed through implementing rules that can be adapted to reflect national constraints on the subject.</p> <p>Concerning paragraph 20, the Agency is of the opinion that it must seek the views of stakeholders on this important and controversial safety issue. It has done so.</p> <p>The Agency disagrees with the statement that the choice of a diversion aerodrome bshould only be an aircraft operator issue. In fact sizing the RFFS and publishing the available category(ies) and hours, should be responsibility of the aerodrome operator.</p>

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			<p>It is essential that IR keep flexibility for national provisions regarding RFF level of protection, level of manning, training programs, personnel licensing, vehicles, extinguishing agents and equipment.</p> <p>Justification: About the level of protection : the choice of the level of protection, even taking into account aircraft NORMALLY using the aerodrome, is still subject to lively debate in ICAO. The outcome of this debate is not easy to foresee and may bring unpredictable results. It is proposed to give flexibility in the choice of the level of protection by stating in B 1 f that it should be "commensurate" with aircraft normally using the aerodrome and by giving national provisions the flexibility to determine the exact level of protection and associated means.</p> <p>About the detailed regulations for RFF services: RFF services on airports must be must have robust links with local emergency services or agencies. The regulations for those local emergency services or agencies are purely national provisions at the moment, and will stay so for the foreseeable future. This in turn implies that detailed regulation for RFF services should be defined by national provisions and not at the Community Level.</p> <p>Concerning alternates Firstly, Annex 14 states clearly (9.2.5) that the level of protection shall be determined "from ... aeroplanes NORMALLY USING the aerodrome". Aircraft on diversion flight shall not be taken into account, as they shall not be considered as "normally using" the aerodrome. Secondly, the choice of an adequate alternate aerodrome is an operational question. Consequently, the ICAO Aerodromes Panel has referred the question to the Ops Panel of ICAO. Furthermore, JAA are currently working on this subject in a proposed amendment to JAR OPS. As a conclusion the subject of RFF services for alternate flight can be dismissed if the word "normally" is added to the paragraph B 1 f.</p> <p>Concerning the detailed regulations for RFF services RFF services on airports must be fully interoperable with local emergency services or agencies. The regulations for those local emergency services or agencies are purely national provisions at the moment, and will stay so for the foreseeable future. This in turn implies that detailed regulation for RFF services should be defined by national provisions and not at the Community Level.</p>		
0953	22	Avinor AS	<p>Comment: Common safety and interoperability requirements are already introduced on a global level by ICAO. Using this as an argument for introducing regulation at the Community level is therefore extraneous.</p> <p>Justification:</p>	<p>noted</p> <p>ICAO SARPs are non binding. One can file differences. The ICAO USOAP programme has discovered considerable differences in the implementation of SARPs.</p>	
0938	22	CAA Greece	<p>Comment: The statement that contained in para 22, that is: "ICAO recommends that all Contracting States extend the use of SARPs to all aerodrome open to the public"; such a statement seems to be inaccurate.</p> <p>Given the existing differences with regard to aerodrome regulations around Europe, a definition of "public use" is needed in order to clarify the exact scope and applicability of the proposal.</p> <p>Justification: In para 1.2.2 of ANNEX 14 Vol I it is provided that "the specifications, unless otherwise indicated in a particular context, shall apply to all aerodromes open to public use". In this context, certain provisions of ANNEX 14 are applicable to all aerodromes open to public use (including those open to international traffic), while other SARPs apply only to aerodromes open to international air traffic (see for instance para 2.3.2 which deals with aerodromes open to international civil aviation in general, and para 2.8 which refers to international commercial air transport).</p> <p>In relation to the definition of public use aerodrome, it should be noted that the term should not be limited to the public air transportation. It is more appropriate to use criteria such as imposition of charges to the users by the aerodrome operator, and the nature of flight activities (e.g. training). On the other hand, aerodromes (including heliports), which serve the needs of maintenance organizations, should be considered as contained within the context of "public use aerodromes".</p> <p>It should also be born in mind that this definition may have an impact on certain categories of air transportation activities, for instance, helicopter flights for the transportation of patients which in certain cases involve the remuneration of the air-operator, therefore constituting public transportation stricto sensu.</p>	<p>noted</p> <p>Definitions will be provided in the opion proposing changes to the Basic Regulation, including 'open to public use'.</p>	
0954	23, page 8	Avinor AS	<p>Comment: Our understanding is that national law will cease to apply, hence also national certificates (or certificates issued based on national law). It is our opinion that certificates issued based on community law must satisfy ICAO standards in order to avoid any issues between the states and ICAO.</p> <p>Justification:</p>	<p>noted</p> <p>As stated in another Avinor AS comment the object of the consultation is to define how we ensure a high and even level of safety in Europe, as close as possible to the ICAO SARPs without imposing a costly total harmonisation.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0789	24	CAA - UK	<p>Comment: The statement: The ERs "also provide for flexibility in relation to the defined aerodrome design criteria, i.e. non-compliances may be mitigated by alternative operational measures" must be qualified by an additional statement that the alternative operational measures must be such as to provide an equivalent level of safety and interoperability.</p> <p>Justification: EASA Document BR003 states: "Aircraft fly from place to place and the rules devised to provide for the necessary level of safety have to be known and understood by all users. Such a need for interoperability is therefore not only a tool to facilitate the free movement of persons, but also an essential safety requirement. Interoperability cannot therefore be dissociated from safety when regulating civil aviation."</p> <p>Current design and operational standards are based on Annex 14, which ensures a benchmark for interoperability. Whilst flexibility may be applied in the provision of aerodrome facilities and services, the infrastructure provisions must address the most demanding (aircraft) situation.</p>	noted	
0110	25	DFS - Deutsche Flugsicherung GmbH	<p>Comment: The term "private aerodromes" apron is ambiguous and should be clarified. In terms of ownership most airports could be defined by ICAO as private.</p> <p>Justification: Clarification would remove danger of misunderstanding.</p>	noted	The scope of the proposed Agency competence will be defined in the forthcoming opinion, regardless of the ownership.
0667	25	Steven Whittaker	<p>Comment: Aerodromes which are not open for public Commercial Air Traffic use should not be subject to Community Legislation. Those aerodromes called private aerodromes, airfields or airstrips, should be exempted from essential requirements and therefore from Community Legislation. They are used only for sport and leisure aviation. This distinction should be made clear in the text.</p> <p>Justification:</p>	noted	See Question 3
0961	25, page 18	Avinor AS	<p>Comment: The promulgation of Operational Aerodrome Data is the responsibility of the national AIS. In Norway AIS is a service provided by the ATM service provider. The provisions in the Essential Requirements item A. 4) c) must therefore be delegated from the aerodrome owner and/or operator to the ATM service provider through an agreement. By placing the responsibility on the aerodrome owner and/or operator, it is necessary to coordinate with the ATM regulator to ensure that the transfer of responsibility is reflected in ATM regulations to avoid problems with conflicting responsibilities.</p> <p>Justification:</p>	noted	The ERs do not prevent this practice from continuing.
0129	26 - 28	British International	<p>Comment: Paragraph 26 to 28 - The need to differentiate between "operator" and "owner" is pointless. Aircraft are regularly owned by a leasing company but operated by an AOC holder. Any responsibility should remain with an operator. To state (para 28) that it is 'unclear' whether the single European sky framework covers equipment and include that as rationale for inclusion in ER's is again unreasonable and lacking sense.</p> <p>Justification:</p>	noted	These paragraphs lead into questions. No conclusion has been taken as the comment seems to state. The answer to the questions posed will allow EASA to take a position. Also, paragraph 28 addresses a question related to aerodrome specific equipment - not equipment in general.
0955	27, page 9	Avinor AS	<p>Comment: Norwegian law differentiates between the license "to build, operate or own aerodromes" issued to persons, and the "technical/operational" certificate issued to the licensee. The technical/operational certificate complies with the ICAO Aerodrome Certificate as outlined in ICAO Doc. 9774 Manual on Certification of Aerodromes. In addition it covers security and ATM (i. e. both equipment and technical systems at aerodromes).</p> <p>Avinor reacts positively to a regime where owner and operator may be two separately regulated persons but regulation should not prohibit the possibility of them being the same person.</p> <p>Since airport security has become a very important integrated part of airport operations under the responsibility of the airport manager, the aerodrome certificate should include security. It is recognized that the verification of compliance with security regulations is a separate process.</p> <p>ATM is covered by a separate certification process, but since CNS, TWR, APP and AIS are closely linked to airport operations some important interface processes need to be addressed in the aerodrome certificate.</p> <p>Justification:</p>	noted	See Question 5 and 7 in general. As regards the contents of an aerodrome certificate, this issue will be dealt with in the extended Basic Regulation and its implementing rules.

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0512	29 - 32	CAA, Slovak Republic	<p>Comment: State authority shall certify all aerodromes open to public use.</p> <p>Justification: Based on ICAO SARPS (1.4.1 and 1.4.2 Annex 14) all aerodromes open to public use shall be certified. Because the responsibility for the aerodrome safety rests with the state the certificate shall be issued by state authority.</p> <p>Certificate issued by the state authority is considered as the only acceptable means of compliance with the community and ICAO regulations. If self-declaration is used state cannot guarantee the compliance with regulations. Such procedure is against ICAO SARPS (Annex 14).</p>	noted	The scope of a Community regulation is same for all Member States. Question 8 addresses the issue of allowing other bodies too (than the State in question) to assess the compliance of an aerodrome.
0792	31	CAA - UK	<p>Comment: Reducing the level of uniformity when verifying compliance, in terms of physical characteristics and operating protocols, might reduce levels of interoperability at aerodromes and have a negative safety impact.</p> <p>Justification: Whilst the need for flexibility is recognised, the overall safety objective should be clear and uncompromised.</p>	noted	Implementing rules will be proportionate to the complexity of operations on different categories of aerodromes.
0513	33	CAA, Slovak Republic	<p>Comment: a) Certification of aerodrome shall include infrastructure and operation together. It is impractical to split the process to two separate parts – design and operation. b) It is not acceptable to operate aerodrome with the certificate issued for operation of another aerodrome.</p> <p>Justification: a) Certification shall cover aerodrome site, facilities, equipment, operational procedures, organization and management. Therefore it is not possible to split responsibility between aerodrome owner and operator.</p> <p>Aerodrome operator shall be able by legal means (agreements, contracts, ...) control aerodrome infrastructure and its operational conditions.</p> <p>CAA of the Slovak Republic supports certification of aerodrome operator. The aerodrome site, facilities, equipment, operational procedures, organization, management and all interfaces with relevant bodies (aerodrome operator, ANS provider, meteo service provider, other service providers, contractors, ...) shall be included into the certification process.</p> <p>Responsibility for the aerodrome operation and safety shall be assigned to only one body!</p> <p>b) As stated above interfaces between owner and operator and aerodrome operator and service providers are different on each aerodrome so it is not possible to address responsibility to individual bodies. With respect to that there will be different operational procedures (mitigating measures, local restrictions, data flow, different type of operation, ...) on each aerodrome and use of operational procedures from one aerodrome on another is not practically applicable.</p>	noted	This paragraph addresses the issue of the need of implementing rules. The issue of multiple certificates is addressed under paragraph 27 and questions 6 and 7. EASA accepts the importance of ensuring cooperation, coordination and liaison between the airport owner and operator if these entities are separate. The certification process should reflect this requirement.
0793	33	CAA - UK	<p>Comment: This paragraph refers to a "strong consensus" and further states that "everybody seems to agree". The UK CAA is unaware of any previous consultation on these issues and it is therefore not clear where this consensus has been achieved. The UK CAA would request that details of the basis of this consensus, and the parties involved, be published for all stakeholders to review.</p> <p>The UK CAA is not convinced of the rationale behind the need for dual certification. Currently the aerodrome is licensed as an entity. The physical infrastructure and operation of an aerodrome are intertwined and responsibility for running the aerodrome on a daily basis lies with the operator. The owner may be an organization not competent to ensure that standards are met. Safety must be the overriding driver behind certification.</p> <p>Justification: Having a single aerodrome certificate should ensure that accountability can be both easily identified and implemented. Unlike the ANSP approval system of certification and designation, which recognizes that air traffic controllers operate to identical procedures irrespective of location, the competence of an aerodrome operator is, in many cases, site-specific. Safety Management must fit the operations, size, geography and complexity of the aerodrome, and is therefore bespoke to the site. For example, an operator of a regional aerodrome may not be competent to manage a large, complex aerodrome. Similarly, an operator competent in a Mediterranean climate may not necessarily be competent in a Nordic climate, and vice versa.</p>	noted	This paragraph addresses the issue of the need of implementing rules. The issue of multiple certificates is addressed under paragraph 27 and questions 6 and 7. The terms "strong consensus" and "everybody seems to agree" relate to the need to certify the aerodrome and its operation and not to the existence of separate certificates. EASA accepts the importance of ensuring cooperation, coordination and liaison between the airport owner and operator if these entities are separate. The certification process should reflect this requirement.

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0133	34	British International	<p>Comment: Para 34 – There is no clear definition of the meaning of “small aerodrome”. It is therefore difficult to give a proper response. Aircraft operational rules dictate whether an aircraft has to operate from a certified facility. In many most instances, helicopters do not require the facility to be licensed. Therefore some small aerodromes might need some form of regulatory oversight whilst others might not. The most appropriate course would be for a competent authority (a NAA) to interpret any essential requirements (if they are introduced) and to ensure their implementation. This could well be equally suitable for use at large aerodromes also. Whatever a large aerodrome might be!</p> <p>Justification:</p>	<p>noted</p> <p>The proposed definition is now in the ER itself. If this term will be used in the extended Basig Regulation, a clear definition will naturally be provided for. In alternative definitions for ‘aerodrome’, ‘airport’ and ‘open to public use’ may suffice.</p>	
0092	34 - E.R.B. 1.f	CAA-ES	<p>Comment: In relation to the Rescue and Fire Fighting Services’ Personnel at Airports, it would be required that a clear definition of the following aspects is provided in order to improve these essential requirements or perhaps in a future development of “Implementing Rules” as technical norms of airports:</p> <ul style="list-style-type: none"> - Minimum operating personnel of the RFF Services for shift in function of the airports category according to OACI – RFF Services. - Initial formation for the Airport Fireman’s entitlement (duration, matters, etc.). - Continued formation that should be received by the operating personnel of the RFF Services along its professional life. - Scales of medical, physical condition, technical know-how, etc., for the maintenance of the entitlement of the operating personnel of the RFF Services. <p>Justification:</p>	<p>noted</p> <p>This issue will be developed in the Implementing rules.</p>	
0797	35	CAA - UK	<p>Comment: There should be a comprehensive and consistent certification process undertaken by the State NAA, or if requested by the Member State, either EASA or an appropriately approved Qualified Entity, overseen and standardized by EASA. This process should include both physical characteristics and infrastructure, and operations and management, in one process, resulting in only one certificate for an aerodrome, irrespective of its size and complexity.</p> <p>Justification: To ensure interoperability across aerodromes and the consistent application of implementing rules by Member States.</p>	<p>noted</p> <p>This is in line with existing practices in airworthiness. The issue of multiple certification is addressed in paragraph 27 and questions 6 and 7.</p>	
0956	35, page 11	Avinor AS	<p>Comment: In order to facilitate the option of having one certificate covering several aerodromes it may be more advantageous to demonstrate compliance with the requirements for physical characteristics and infrastructure independently from the requirements for operations and management. This would enable an airport operator to operate more aerodromes under one certificate for operations and management.</p> <p>In the case one operator owns as well as operates, several aerodromes, the option should exist to have only one certificate covering compliance with the essential requirements for operations and management as well as infrastructure, and then permit compliance with the implementing rules to be declared or demonstrated when asked (i.e. not a certification requirement) on an individual basis. The option to have only one certificate covering compliance with the essential requirements for operations and management as well as infrastructure for more than one aerodrome could be limited to the national level and operators of national airport systems.</p> <p>Justification:</p>	<p>noted</p> <p>The issue of multiple certification is addressed in paragraph 27 and question 6 and 7. The issue of the second paragraph should be addressed at implementing rule level.</p>	
0803	38	CAA - UK	<p>Comment: Mention is made in this paragraph of Single European Sky. ERs and IRs applicable to aerodromes, given their close relationship with Air Navigation Service Providers, must be consistent with the SES rules and operating procedures.</p> <p>Justification: To ensure seamless regulation where the Air Traffic Management and Aerodrome operations meet.</p>	<p>noted</p> <p>EU law in total has to be consistent and clear.</p>	
0962	38, page 20	Avinor AS	<p>Comment: The obligation of the aerodrome owner/operator to interface with all organizations and staff operating airside is well known, and airside safety committees are operational at all airports. At the moment though, there is not balance in how this obligation is laid down on the various parties involved. The proposed text in the essential requirements does not change this. In our experience similar obligations need to be included in specific regulations relevant to all organizations operating airside.</p> <p>Justification:</p>	<p>noted</p> <p>This regulation concerns aerodromes. It continues to be the aerodrome operator’s responsibility to coordinate and cooperate with all third parties in this area. This issue will be further developed under relevant implementing rules.</p>	
0957	39, page 13	Avinor AS	<p>Comment: We do not agree that a regulatory impact assessment has little significance at this</p>	<p>noted</p>	

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			<p>stage. The proposed Essential Requirements constitute a different way of regulating aerodromes from what most European nations have been accustomed to through National Regulations that are mainly based on ICAO Annex 14 requirements. We are in particular concerned about the concept of risk mitigation, since the method is not well explained. It therefore appears very unclear how (and to what degree) various risk mitigating measures are intended to take effect. As an example our experience with this method is that if risk associated with a deficiency in physical characteristics cannot be rectified (i.e. too costly or impossible), the risk may be reduced by restricting traffic (number of movements, VMC only, smaller size of aircraft). The impact of such decisions on finance, capacity and competition can be tremendous, and therefore cannot be treated lightly. We also refer to our comments to Item 17 of Part A.</p> <p>Justification:</p>	As is described in the comment, aerodromes complying with ICAO SARPs are already implementing risk mitigation techniques. This will therefore not change.	
1063	40	British Hang Gliding and Paragliding Association	<p>Comment: The decision to replace the term 'airport' with the term 'aerodrome' means that further definition is required to establish a minimum level. Eg. 'An aerodrome is any place where more than 100 movements per annum of aircraft of more than 500kg takes place. Otherwise it is an 'airfield' and the aircraft commander is entirely responsible for ensuring that he can safely operate there.'</p> <p>Justification: Under the ICAO definition an aerodrome is, "A defined area on land or water (including any buildings, installations, and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft." Hang gliders and paragliders are aircraft and operate from defined areas (fields and positions on hill) and it is the intention of all concerned to use these defined areas at least in part (sometimes wholly) for the arrival, departure and surface movement of these aircraft. Some have public access. Under NPA-06-2006 these places would be classified as (simple) aerodromes. This is nonsensical. Sometimes a paraglider pilot, soaring a coastal cliff, will experience the wind dying and so will make a landing on the beach. The beach is a defined area. The pilot intends to use it for arrival of his aircraft. So now the beach is a 'simple aerodrome'? Surely this is not the intention of the proposals? Whilst every lay person would know what an airport is, it is not at all clear whether a grass field occasionally used by a hang glider aerotow club is an 'aerodrome'. Or a hillside used by paraglider pilots: they take off and land, members of the public walk past. Is this a 'simple aerodrome'?</p> <p>The proposed two-tier aerodrome classification system (complex/simple) needs a defined bottom level cut/off point below which all proposed regulation is non applicable or advisory. It is entirely clear from the text that the proposal is aimed principally at international commercial aviation, whilst also including larger General Aviation airfields. It is also entirely clear that there was no intention to include fields occasionally used for sporting aviation where the pilots is entirely responsible for assessing and ensuring that his intended take off or landing can be safely undertaken. There is no 'gate to gate' flying, 'interoperability' issues cannot arise - and no 'infrastructure' is required 'to operate safely'.</p>	noted	Definitions for aerodrome and airport for inclusion in the Basic Regulation.
0963	40, page 20	Avinor AS	<p>Comment: The criteria for defining a complex aerodrome operation seem arbitrary. There should be a better explanation on why just these criteria are selected.</p> <p>From the explanatory notes we understand that by Management System it is meant a Safety Management System (SMS) which may normally be considered part of a Management System. Hence we question how this proposed option to not have a SMS for certain aerodromes is meant to be understood when ICAO requires all aerodromes open to public use to have a SMS?</p> <p>Justification:</p>	noted	The pertinence of the proposed criteria has been addressed in questions 5 and 6. The term Management System is more generic by its nature being consistent with existing rules and practises as well as future developments. It definitely encompasses both Safety and Quality management.
0964	42, page 21	Avinor AS	<p>Comment: Avinor welcomes the initiative to introduce more appropriate legal instruments to regulate activities not under the direct influence or control of the aerodrome owner/operator.</p> <p>Justification:</p>	noted	
0073	43 C 1	CAA-Belgium	<p>Comment: Description – proposed new text: "A defined airspace around an aerodrome has to be maintained free from obstacles so as to permit an aircraft to land and take-off safely. This concerns obstacles, not only inside the aerodrome perimeter, but also those outside of it and which extend into this protected airspace. In the case of changes or developments, which may create an object protruding into the protected airspace, as a mitigating measure an aeronautical study should take place. An infringement to the defined airspace will not be accepted, unless an assessment demonstrates that the obstacle would not create a safety hazard. an aircraft landing or taking-off at this aerodrome. If the obstacle is assessed as a safety hazard, either the construction of the obstacle will be prohibited, or, in the case of an existing obstacle, it shall be removed. Exceptionally, when it is impossible to remove the obstacle, amendment of arrival and/or departure procedures could be considered. This</p>	accepted	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>

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			<p>process can only be ensured through an appropriate consultation with the relevant aviation authority, aerodrome owner or aerodrome operator and the local land use authority, in order to allow timely mitigation measures to be taken. That is why paragraph C.1 directly imposes obligations on Member States to do so. This is provided for also by ICAO Annex 14, Volume I, Chapter 4, as a recommendation to the Contracting States."</p> <p>ER – proposed new text: "To achieve this, obstacle monitoring limitation/protection surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation. An infringement to these surfaces will not be accepted, unless an assessment demonstrates that the obstacle does not affect the aviation safety taking into account required obstacle marking and/or lighting. Exceptionally, adapted arrival and/or departure procedures may be considered."</p> <p>Justification:</p>		
0965	44, page 21	Avinor AS	<p>Comment: There are already existing national environmental regulations protecting natural reserves including bird sanctuaries in Norway. Occasionally these regulations allow establishment of such sanctuaries with only limited regard to the hazard they represent to aircraft operations. The proposed Essential Requirements may reinforce the conflict if not the environmental regulations are revised.</p> <p>Justification:</p>	noted	
0066	46 - C4	CAA-Belgium	<p>Comment: C.4 "Except for aircraft emergency situations, or under specific conditions specified in each case, the operator of an aircraft shall not use an aerodrome or parts thereof [] in a way for which the aerodrome design and operating procedures are not normally intended. This text should be put in the Operations Essential Requirements. Paragraph 46 should be modified accordingly.</p> <p>Justification: The decision to operate an aircraft on an aerodrome should remain a pilot's or air operator's decision, (to be) regulated by applicable OPS-regulations, e.g. JAR-OPS (EASA-OPS). This is also true for the rescue and fire fighting needs at (alternate) aerodromes. Note also that it is not obvious to know what are the "aircraft for which the aerodrome design and operating procedures are (not) normally intended". See also Annex 14: "Introductory Note — This Annex contains Standards and Recommended Practices (specifications) that prescribe the physical characteristics and obstacle limitation surfaces to be provided for at aerodromes, and certain facilities and technical services normally provided at an aerodrome. It is not intended that these specifications limit or regulate the operation of an aircraft." One has to take care that Paragraph C.4 doesn't conflict in any way with these principles in ICAO Annex 14, Volume I.</p>	not accepted	<p>The Agency disagrees with the statement that the choice of an aerodrome should only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>
0966	46, page 22	Avinor AS	<p>Comment: In Norway the aerodrome owner/operator does not have the legal authority to order an aircraft not to land at a specific aerodrome one the aircraft is airborne. As long as the aerodrome is open for public use, the decision to land is made by the commander, unless the aerodrome is closed by the airport manager.</p> <p>Justification:</p>	noted	
1341	5, page 6	IFATCA	<p>Comment: Replace the entire paragraph by the wording (or similar) on page 22 § 46</p> <p>Justification: The way the paragraph is written leaves room for interpretation, i.e. 'Otherwise the aircraft may etc....' Regulation should be such that traffic not fitted for an aerodrome is not allowed to land or depart there</p>	noted	<p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>
0736	8 and further on	Belgian Gliding Federation	<p>Comment: Although the existence of small aerodromes is recognised, the concept is written in the scope of "large aerodromes". It is clear that operations for transport of passengers and cargo must be guaranteed by safe operations. From the air sports view point, the range of types of aerodromes is very wide: from the world of the "commercial airports for international (e.g. Heathrow or Munich) or domestic flights (e.g. Alta in Norway) with the transport of passengers and cargo – the higher end - versus a "simple sport airfield" with e.g. a 600 m grass runway for a gliding club – the lower end. And between both ends, a number of variants and combinations exists. As in airworthiness and licensing, also in this domain a formal difference between air sport and air</p>	noted	<p>Should it be agreed, implementing rules will be developed with a view to ensuring proportionate safety measures.</p>

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			<p>transport must be recognised.</p> <p>Assuming that high level ER's for (all) 'aerodromes' will be laid down, these ER's must be followed by IR's for the different types of aerodromes. Differentiation must be made.</p> <p>In this NPA some definitions are missing and also a clear position must be taken about the ICAO-Annex 14 recommendations versus the EU/EASA view/approach.</p> <p>May be the DGAC-classification system can give guidance to find an appropriate solution. e.g. DGAC Group 4 = sport & training fields</p> <p>Justification: We are in favor of a single EC-system to stop all local/member state variants in requirements and restrictions on condition that a special approach is followed in regard to the as called "general aviation", (for us sport and recreational aviation). The only survival tickets for the air sports are adequate and appropriate rules.</p>		
0151	A	AEA	<p>Comment: There should be a difference between newly build airports and existing airports with regard to the level of detail of the planned essential requirements. For existing airports, the proposed essential requirements for physical characteristics & infrastructure are felt as too detailed in particular taking into account that potential safety hazards can be mitigated by operational procedures. The AEA therefore proposes that for existing airports the essential requirements are limited to the main bullet points a) b) c) d) e) f) and g) without the more detailed wording of the sub-bullets i) ii) iii) iv) etc</p> <p>Justification: It might be, both for economical and physical reasons, impossible for all existing airports to retroactively comply with proposed requirements.</p> <p>Justification:</p>	<p>partially accepted</p> <p>It is expected that aerodromes must mitigate all known unacceptable safety risks whether they are newly built or not. Nonetheless, the detailed means of mitigation shall be contained in the implementing rules that will include a measure of flexibility.</p> <p>Furthermore, EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0226	A 1) a) - g)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 207)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0243	A 1) a) - g)	Guernsey Airport	<p>Comment: We support the common wording as agreed by UK airports. (same comment as BAA)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0097	A 1) a) - g)	Bickerton's Aerodromes Ltd.	<p>Comment: Essential Requirements relating to physical characteristics should apply to aerodromes which carry out commercial air transport. However there has been no evidence produced in the NPA to show a need for these Essential Requirements to apply to aerodromes used for recreation, training or a low level of air transport. If the Essential Requirements are applied to aerodromes used for recreation, training or a low level of air transport those aerodromes should not be restricted by the Essential Requirements from any activity which currently they may carry out.</p> <p>Justification: The level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>Justification:</p>	<p>noted</p> <p>The question of the scope of the regulation is addressed through question 3. Furthermore, the implementing rules should be designed to address the issue of proportionality.</p>	
0499	A 1) a) - g)	British Airport Operators Ass.	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft.</p> <p>e) (incorporates 1 d i – 1 d v)</p> <p>f) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>g) See e) above</p> <p>h) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p>	EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.	
1126	A 1) a) - g)	Dublin Airport Authority	<p>Comment: We wish to propose the following wording:</p> <p>A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p>	partially accepted	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
1085	A 1 c)	AIRBUS, France	<p>Comment: The landing and take-off area must be surrounded by defined areas. These areas are intended to protect aircraft flying over them during take-off or landing operations, or inadvertently landing short, running off the side, or overrunning the end, of the take-off and landing area, or to mitigate the consequences of inadvertent short landing, running off the side and overrunning the take-off and landing area, or to mitigate the consequences of inadvertent short landing, running off the side and overrunning the take-off and landing area.</p> <p>Justification: The complete protection of the aircraft in case of short landing, running off the side or overrunning the take-off and landing area is not a realistic or achievable objective. The term "mitigation" should be preferred.</p>	accepted	c) The landing and take-off area must be surrounded by defined areas. These areas are intended to protect aircraft flying over them during take-off or landing operations, or inadvertently landing short, running off the side, or overrunning the end, of the take-off and landing area, or to mitigate the consequences of inadvertent short landing, running off the side and overrunning the take-off and landing area, or to mitigate the consequences of inadvertent short landing, running off the side and overrunning the take-off and landing area.
0805	A 1)	CAA - UK	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft.</p> <p>b) Where there are several landing and take-off areas, they must be designed and operated so as not to create an unacceptable risk to aircraft operations.</p> <p>c) The landing and take off area shall be surrounded by suitable, defined areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area, during landing or take-off operations.</p> <p>d) Suitable areas shall be provided for taxiing, parking and servicing of aircraft.</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations.</p> <p>f) deleted</p> <p>g) Measures shall be taken to control access to the movement area</p>	partially accepted	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>Justification:</p> <p>a) The clarification of "suitable" belongs in the Implementing Rules – this would incorporate dimensions, bearing strength, drainage, geometry, slopes, surface characteristics, obstacles etc. The revised A 1) a) incorporates the original A 1a) i) through a) vi).</p> <p>b) This statement should be amended, as it is not always possible "not to create a hazard". For example, any cross-runways will inherently create a hazard, however, this is mitigated by internationally agreed physical and operational measures.</p> <p>c) As stated above in the justification for a), the level of detail belongs in Implementing Rules. Again, it is not always possible to create "no hazard".</p> <p>d)</p> <p>1. The clarification of "suitable" belongs in the Implementing Rules – this would incorporate drainage, geometry, surface characteristics, obstacles, etc.</p> <p>2. Pavement strength is a service-life issue. Moreover, it cannot be regulated, as it cannot be inspected. Pavement strength should be fit for purpose, and any aircraft allowed to use the aerodrome should be suitable to the bearing strength.</p> <p>e) The current e) and f) have been combined to provide an appropriate high-level statement.</p> <p>f) Incorporated in e)</p> <p>g) The original statement is too detailed and low-level.</p>		
0179	A 1)	BAA Aberdeen Airport	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity) Clarification of 'suitable' with regard to landing and take off areas needs to be included in the IR's. The statement 'not to create a hazard' should be amended to include such concepts such as 'low as reasonably practicable', and 'acceptable level of safety'. The use of the phrase 'no hazard' in 1) C, ii, is impracticable as there will always be residual hazards following risk assessment and implementation of control measures. Clarification of this area needs greater detail and be included in the IR's.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
2982	A 1)	BBGA (ECOGAS)	<p>Comment: Paragraphs 1) a) i) and 1) d) conflict with JAR-Ops where the aircraft operator has the responsibility to decide whether an aerodrome is suitable for use.</p> <p>Justification: Lack of clarity as to responsibility for safe operation.</p>	<p>not accepted</p> <p>Requirements A1ai) and A1d address the design of the physical infrastructure (namely runway, taxiways and apron) and any changes to the design. Such a responsibility clearly belongs to the aerodrome owner or to an entity delegated by it. No design or change to design can be carried out if not identifying type, mass and dimensions of the aircraft which the aerodrome owner would like to accommodate. Only once the aerodrome data are published, the responsibility to decide whether to use it or not, moves top the air operator.</p>	
0020	A 1)	KLM	<p>Comment: Part C is not specifying its applicability and if the government or other organisation or party is involved. It is vague who is responsible for issues outside the airport premises and that has to be made clear.</p> <p>Justification: An airport operator cannot be made responsible for issues that are to be controlled and the responsibility by and of governmental bodies or authorities. If the existing situation does not change then part C is obsolete; if the situation will change and responsibilities will shift it has to be made clear who is in the lead for this. That has to be specified and already given in the ER's with more details in the IR's.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text has been changed in order to take into account the need to be less prescriptive on the issue of obstacles.</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0180	A 1) a)	Gloucestershire Airport	<p>Comment: We support the common wording as agreed by UK airports. (See comment BAA for full text)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>
0207	A 1) a) - g)	BAA Central Airside Operations	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>
0152	A 1) d)	AEA	<p>Comment: The AEA proposes to rephrase this paragraph to read as: Part A 1 d) (Those areas of an aerodrome, with their associated immediate surroundings, that are to be used for taxiing or parking of aircraft, must be designed to permit safe operation of aircraft expected to use the particular facility under normal operating conditions all conditions planned for)</p> <p>Justification: 'All conditions planned for' is unclear</p>	<p>not accepted</p> <p>EASA is of the opinion that the term 'All conditions planned for' is clearer than 'normal'.</p>	
1344	A 1) d), A 1) f)	IFATCA	<p>Comment: Paragraph: A 1d: Recommendation: new text to be added:</p> <ul style="list-style-type: none"> - The number of these areas must be sufficient to accommodate the expected peak traffic; - the configuration of these areas must be appropriate for the operation they are expected to permit (i.e. 90 degrees taxiways for lining-up aircraft, rapid exit taxiways for vacating aircraft, etc.); - intersection between these areas and landing and take-off areas must be limited to those intended to be used to line-up or vacate the landing and take-off areas <p>..... Para A 1f)</p> <p>Constructions, buildings, equipment or storage areas must be located and designed so as not to create a hazard for aircraft operations. Change into Constructions, buildings, equipment or storage areas must be located and designed so as not to create a hazard for aircraft operations and infringe visibility from the aerodrome tower over areas under its control.</p> <p>Justification: Absolutely insufficient wording</p> <p>There is no requirement to have the appropriate number and configuration of taxiways. Insufficient number of them can create: congestion (rush, overload, unsafe ops), need for long backtracks (unacceptable runway occupancy time, additional runway incursion risk). Non appropriate configuration can create: need for long backtracks (unacceptable runway occupancy time, additional runway incursion risk), inability for the crew at holding positions to observe runway traffic (in case of angled taxiways used for line-up), congestion (if rapid exit taxiways are not available for landing aircraft, with consequence such as rush, overload, etc.).</p>	<p>not accepted</p> <p>The first propesd additions to paragraph A1d as proposed addresses the issue of capacity more than the issue of safety, while the other two are already covered by A1iv that will be further developped in the relevant implementing rules.</p> <p>Though EASA agrees with the need to ensure proper visibility from the tower, the proposed modification of A1f would be better placed in the implmenting rules along with all the other issues related to constructions on aerodromes.</p>	

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			From operational experience we would appreciate such a change.		
1086	A 1) iv)	AIRBUS, France	<p>Comment: c) The landing and take-off area must be surrounded by defined areas. [...]</p> <p style="margin-left: 40px;">[...]</p> <p>iv) Each of these areas must be capable of supporting the aircraft.</p> <p>Justification: To be consistent with paragraph d) i), it is proposed to keep the association of the wording "bearing strength" with repetitive operation of the aircraft. In order to avoid stakeholders think that areas defined in paragraph c) must have the same bearing strength as runways, taxiing or parking areas, it is proposed to use the wording "capable of supporting the aircraft" in sub-paragraph c) iv).</p>	<p>not accepted</p> <p>Not all defined areas surrounding the landing and take off area must be capable of supporting the aircraft.</p>	
0227	A 2)	BAA Heathrow	<p>Comment: same as comment from BAA (comment no: 208)</p> <p>Justification:</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0181	A 2)	Gloucestershire Airport	<p>Comment: We support the common wording as agreed by UK airports. (See comment BAA for full text)</p> <p>Justification:</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0244	A 2)	Guernsey Airport	<p>Comment: We support the common wording below as agreed by UK airports. (same as comment from BAA)</p> <p>Justification:</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0208	A 2)	BAA Central Airside Operations	<p>Comment: 'Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome'.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0164	A 2)	BAA Aberdeen Airport	<p>Comment: Proposed text: 'Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome'.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0153	A 2)	AEA	<p>Comment: Part A 2) (local area surrounding the movement area): This paragraph is an ATC responsibility which should not be covered under airport regulations and therefore should be deleted from the E.R for airports. This issue should be addressed as part</p>	<p>not accepted</p> <p>The arrival and departure routes and areas</p>	

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			<p>of the future EASA work on ATM Safety.</p> <p>Justification:</p>	<p>are linked to the avoidance of obstacles and as such are part of the aerodrome design. The ERs do not address the issue of who is responsible for designing them but they must exist and the aerodrome operator must verify they do.</p>	
0806	A 2)	CAA - UK	<p>Comment: A – Physical Characteristics and Infrastructure 2) Local Area Surrounding the Movement Area</p> <p>a) Objects located within the local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome. b) deleted</p> <p>Justification: The statement proposed above is considered to be appropriately high level for the ERs and satisfies the intent of the Essential Requirement as stated in Part B I Paragraph 17. The original paragraph 2 b) has been incorporated into 2 a).</p> <p>The establishment of arrival and departure routes is not an aerodrome certification issue.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome. The essential requirements do not address the certification process per say but aerodrome safety issues.</p>	
1036	A 2)	IAA	<p>Comment: The section appears to incorporate the requirements of ICAO PANS Ops. Is it intended that responsibility for the design of instrument flight procedures and SIDs and STARs be incorporated into aerodrome regulation? If so, then the IAA agrees with the proposal.</p> <p>Justification: Flight procedure design should be part of the aerodrome certification process as the procedures are designed based on survey data produced by, or on behalf of, the aerodrome operator.</p>	<p>noted</p> <p>The intention is to include design of instrument flight procedures in the aerodrome requirements.</p>	
1087	A 2) a)	AIRBUS, France	<p>Comment: a) To protect an aircraft proceeding to an aerodrome for the purpose of landing, or for its departure from an aerodrome, arrival and departure routes or areas must be established. Such routes or areas must provide aircraft with the required clearance from obstacles located in an area surrounding the aerodrome over which the aircraft goes when descending below, or climbing to, an altitude or height required by the applicable Rules of the Air for the en route phase of the flight.</p> <p>Justification: Simplification intent. Part crossed out does not give additional information and refers to something obvious.</p>	<p>accepted</p>	<p>a) To protect an aircraft proceeding to an aerodrome for the purpose of landing, or for its departure from an aerodrome, arrival and departure routes or areas must be established. Such routes or areas must provide aircraft with the required clearance from obstacles located in an area surrounding the aerodrome over which the aircraft goes when descending below, or climbing to, an altitude or height required by the applicable Rules of the Air for the en route phase of the flight.</p>
	A 2a		<p>Comment:</p> <p>Justification:</p>		
0023	A 2a	KLM	<p>Comment: 8. Design shall comply with ICAO requirements in order to achieve the requirements.</p> <p>Justification:</p>	<p>noted</p> <p>The proposed regulation is an enabling regulation that allows the compliance with ICAO SARPs.</p>	
2983	A 2a	BBGA (ECOGAS)	<p>Comment: Establishment of arrival and departure routes at "small aerodromes" may cause environmental concerns.</p> <p>Justification: It is necessary to co-operate with local residents.</p>	<p>noted</p> <p>Actually requirement A2a addresses the need to design safe departure and arrival routes or areas around all aerodromes; The need to establish proper coordination with the authorities responsible for land-use planning, in order harmonise aviation requirements with other social requirements, including environmental concerns, is covered by essential requirement C2a. It applies to all aerodromes and not only to the "small" ones.</p>	
			<p>Comment: 7. The runways have to be designed in accordance with the ICAO docs (9157) and in</p>	<p>noted</p>	

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			<p>the criteria standing water is taken into account.</p> <p>Justification:</p>	<p>The proposed regulation is an enabling regulation. Standing water is mentioned in order to enable the application of ICAO SARPs.</p>	
0026	A 2a	KLM	<p>Comment: 42. Part C Important is to say which body or organisation is responsible and is in the lead for the issues outside the responsibility of the aerodrome and aerodrome operator. When this is not specified no responsibility may be taken by any authority as it is unclear who is in the lead.</p> <p>Justification:</p>	<p>noted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the IRs on a case by case basis.</p>	
0021	A 2a	KLM	<p>Comment: 6. The requirement for sufficient bearing strength shall not disable overload operations upto 10% as is now common practice and overload exceeding the 10% shall be possible in concert with the airport authority. Incidental overload does not necessary adversely affect the pavement and shall be possible.</p> <p>Justification:</p>	<p>noted</p> <p>The Essential Requirements set the requirements for the design and mandate that the aerodrome operator establish mitigating measures when operations go beyond these design criteria. The common practice will be subject to the aerodrome operator's agreement.</p>	
0931	A 2a	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports. 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e) 2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles.</p>	
0024	A 2a	KLM	<p>Comment: 34. The ER wording shall address the largest aircraft that is normally using the airport and not require the highest figure for all airports. The risk of an incident of accident is only increasing with the higher amount of operations with a certain aircraft type. An individual flight is not at risk. This is shown by the statistics. An incidental operation of a larger aircraft type will not mean a risk and doesnot justify a higher RFF category.</p> <p>Justification:</p>	<p>noted</p> <p>Paragraph B1f of the Essential Requirements establishes the need for adequate RFFS provision without going into any detail.</p> <p>The policy issue of RFFS is the object of question 2.</p>	
0025	A 2a	KLM	<p>Comment: 40. The dividing into small and large aerodromes cannot be made on basis of a 5 person operation. The functions that have to be fulfilled shall be taken into account and not the number of persons. The number of movements at an airport, the kind of traffic (medium to large aircraft) and the complexity of the airport lay-out shall be considered. Each airport shall be regarded individually to determine if certification and a safety management system is required. Airports not regularly used by large aircraft may serve as enroute alternate airport and acxtual diversions may occurand shall be possible.</p> <p>Justification:</p>	<p>noted</p> <p>This is addressed in the answers to question 6.</p>	
0027	A 2a	KLM	<p>Comment: 46. Regulations of aerodromes shall not hamper the operations of aircraft. With the ER C.4 this is happening. He first responsibility for an aircraft operator is to ensure that the performance requirements at an airport are met to declare it adequate. This is to ensure that an aircraft can safely land and take-off. For alternate planning purposes this is the main subject all other aspects are additional to the above. The availability of fuel and handling is to ensure that when a diversion to such an alternate airport is necessary, the flight can be continued. Since the main reason for a diversion now is for medical reasons there is no immediate requirement for RFF facilities that may cover the whole length of the aircraft. RFF is not considered in emergency cases and for a normal diversion it would be required in some cases to cool down heated brakes but there is no reason to expect a fire to break out because of a diversion. Furthermore if an</p>	<p>noted</p> <p>Paragraph B1f of the Essential Requirements establishes the need for adequate RFFS provision without going into any detail.</p> <p>The policy issue of RFFS is the object of question 2.</p> <p>Furthermore, it is unacceptable that the</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>aircraft may not use an aerodrome with the lower RFF category and such an aerodrome could refuse an aircraft needing to divert to that airport, this would create a dangerous situation. Furthermore when a diversion to a more distant airport must be performed because of RFF requirements the longer flying time will cause a larger danger to the passengers with medical problems and also to the entire aircraft. The reason to divert requires the shortest flying time in all cases and longer flight to a better equipped airport is additional risk. This ER has to be deleted as it interferes with operational issues not to be mixed with aerodrome requirements. An aerodrome shall provide the RFF category as established by ICAO for the largest aircraft that normally uses the aerodrome. Incidental operations with a larger aircraft do not pose a risk as statistics show that accidents at airports are very remote and an individual flight is not at risk. Only with increased use of an airport with a specific aircraft type the risk that something may occur with that type may increase. Looking at the statistics that risk remains very small. Increase of RFF means and material cannot be justified by the figures; no human lives have been saved in the past 30 years by RFF services. It is more important that flight crew procedures are trained and clear and these have shown to be effective and have saved human lives. Diversions are less than 0.03 percent of the global operations and will be at unpredictable airports and no fire danger will be present for such occasions. Therefore already determined for ETOPS these diversion airports can be RFF Category 4 only which is sufficient to cool hot-brakes. There is no need to require more in Europe as that cannot be justified.</p> <p>Justification:</p>	<p>aerodrome operator should not have a role in the decision making process of authorising its aerodrome to be used, even as a diversion. The aircraft operator should be sanctioned if it uses a facility against the aerodrome operators will, except for emergency situations that will naturally be described in the implementing rules.</p>	
0228	A 3)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 209)</p> <p>Justification:</p>	partially accepted	<p>The intent of the comment is accepted but the paragraph may not be reworded as proposed.</p>
0245	A 3)	Guernsey Airport	<p>Comment: We support the common wording below as agreed by UK airports. same as comment from BAA)</p> <p>Justification:</p>	partially accepted	<p>The intent of the comment is accepted but the paragraph has not been reworded as proposed.</p>
0182	A 3)	Gloucestershire Airport	<p>Comment: We support the common wording below as agreed by UK airports. (see comment BAA for full text)</p> <p>Justification:</p>	partially accepted	<p>The intent of the comment is accepted but the paragraph has not been reworded as proposed.</p>
0209	A 3)	BAA Central Airside Operations	<p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p>	partially accepted	<p>The intent of the comment is accepted but the paragraph may not be reworded as proposed. In any case the essential requirements must provide a sufficient legal basis for implementing rules.</p>
0165	A 3)	BAA Aberdeen Airport	<p>Comment: Proposed text:</p>	partially accepted	

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			<p>Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids". The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p>	<p>The intent of the comment is accepted but the paragraph may not be reworded as proposed.</p>	
1037	A 3)	IAA	<p>Comment: It is proposed that the following sentence to be added to the end of the Essential Requirement "To ensure interoperability, such markings shall be in accordance with ICAO Annex 14 to the Chicago Convention"</p> <p>Justification: The draft Essential Requirement requires that markings should be understood by all flight crews. There are many marking schemes which may be developed to fulfill this requirement. While individually such marking schemes may be safe, the ensuing disharmonised arrangement of markings throughout the Community has potential to lead to pilot confusion.</p>	<p>not accepted</p>	<p>It is not planned to use the ICAO SARPs by reference but to include their contents in the regulatory framework for all EASA rules. The two prior consultations on ER have shown that a vast majority of stakeholders do not wish the referencing to take place.</p>
1038	A 3)	IAA	<p>Comment: It is proposed that the following sentence to be added to the end of the Essential Requirement "To ensure interoperability, the layout of such lights shall be in accordance with ICAO Annex 14 to the Chicago Convention"</p> <p>Justification: The draft Essential Requirement requires that markings shall be supplemented with lights in certain conditions. There are many lighting schemes which may be developed to fulfill this requirement. While individually such lighting schemes may be safe, the ensuing disharmonised arrangement of lights throughout the Community may lead to pilot confusion.</p>	<p>not accepted</p>	<p>It is not planned to use the ICAO SARPs by reference but to include their contents in the regulatory framework for all EASA rules. The two prior consultations on ER have shown that a vast majority of stakeholders do not wish the referencing to take place.</p>
0807	A 3)	CAA - UK	<p>Comment: A – Physical Characteristics and Infrastructure 3) Visual Aids</p> <p>a) Visual aids shall be visible, recognisable and readable, and provide unambiguous information to users under all conditions in which the aerodrome is certificated for operation. b) Visual aids must be designed such that failures do not result in inappropriate, misleading or insufficient information being given to users.</p> <p>Justification: These proposed words reflect the intent of section B I paragraph 21 as an explanation of the essential standard for visual aids. These words better describe the safety intent than those in the drafted Essential Requirement. Further technical details (lit markings, power supply, equipment design and equipment protection) should be outlined in Implementing Rules.</p> <p>All non-visual aids are radio navigation aids and are covered under Single European Sky Common Requirements for CNS Providers, Annex 5.</p>	<p>partially accepted</p>	<p>The Single European Sky Common Requirements for C, N or S Providers is complementary to the need for some non-visual aids to be available. These Essential Requirements do not address the providers but the need for the equipment.</p>
1088	A 3) d)	AIRBUS, France	<p>Comment: "d) Visual aids must at all times be clearly visible and unambiguous": Some visual aids are considered as additional aids and can therefore not be considered as mandatory for certain kinds of operations (e.g.: Precision Approach Path Indicator). The wording "at all times" is not fully appropriate. "Whenever needed" would be more appropriate.</p> <p>Justification: "d) Visual aids must at all times be clearly visible and unambiguous": Some visual</p>	<p>partially accepted</p>	<p>EASA agrees with the comment. The paragraph will be rewritten to reflect the comments.</p>

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			aids are considered as additional aids and can therefore not be considered as mandatory for certain kinds of operations (e.g.: Precision Approach Path Indicator). The wording "at all times" is not fully appropriate. "Whenever needed" would be more appropriate.		
0229	A 4)	BAA Heathrow	Comment: same as comment from BAA (comment No: 210) Justification:	partially accepted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules. They must also be detailed enough to allow judicial control.	
0246	A 4)	Guernsey Airport	Comment: We support the common wording below as agreed by UK airports. (same as comment from BAA) Justification:	partially accepted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules. They must also be detailed enough to allow judicial control.	
0183	A 4)	Gloucestershire Airport	Comment: We support the common wording below as agreed by UK airports. (see comment BAA for full text) Justification:	partially accepted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.	
0166	A 4)	BAA Aberdeen Airport	Comment: 'Accurate, understandable and relevant aerodrome data shall be provided and made available to all users' Justification: It is considered that the ER should be a simple high level statement of the requirement. The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). This detail should include - integrity, accuracy, readability and method of transmission.	partially accepted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.	
0210	A 4)	BAA Central Airside Operations	Comment: 'Accurate, understandable and relevant aerodrome data shall be provided and made available to all users'. Justification: It is considered that the ER should be a simple high level statement of the requirement. The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). This detail should include - integrity, accuracy, readability and method of transmission	partially accepted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.	
3009	A 4)	EUROCONTROL	Comment: Page 18, paragraphs 25 & 26: currently, an IOP IR on aeronautical data integrity is under development. Consistency is essential. Justification:	noted The Agency, when proposing implementing rules, will avoid duplicating regulations. In such a case aerodrome operators can already be data originators in the "Single Sky" implementing rules. If necessary in the future, amendment will be proposed to maintain safety while reducing bureaucracy (i.e. avoiding double approvals).	
0808	A 4)	CAA - UK	Comment: A – Physical Characteristics and Infrastructure 4) Aerodrome Data a) Accurate aerodrome data shall be established and maintained, and made available to all users. Justification: The original statements in a) b) and c) have been combined. The word "accurate" best encompasses all the necessary requirements of the data, which should be specified in the Implementing Rules.	noted ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules. They must also be detailed enough to allow judicial control.	

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0519	A 4) b) and c)	CAA, Slovak Republic	<p>Comment: a) Part A 4) b) Aerodrome operator is not responsible for final format provided to their users. b) Part A 4) c) Aerodrome operator is not responsible for availability of data to end users.</p> <p>Justification: Aerodrome operator provides data in a format required by AISP in Service Level Agreements. Data distribution to the end users is the responsibility of AISP. b) Operators are responsible only for providing data to AISP that is responsible for the proper manner of data distribution to the end users.</p>	<p>noted</p> <p>Paragraph A does not define the responsibility for dissemination of data and it is not presently intended to make the aerodrome operator responsible for this. On the contrary aerodrome operators will be responsible for the organisation of some data.</p>	
0999	A I 4 and A IV 12	DGAC, France	<p>Comment: It is not so clear to know whether the proposed ERs apply only to heliports or if they also apply to areas for the exclusive use of helicopters which may be located on aerodromes mainly used by aeroplanes. Moreover, references to ICAO Annex 14 Volume II are not adequately done. In any case, the ERs as presented in the NPA 06-2006 should not be applied to areas exclusively used by helicopters. DGAC considers that Specific ERs and IRs should be elaborated for areas exclusively used by helicopters.</p> <p>Justification:</p>	<p>noted</p> <p>The differentiation between fixed wing and rotary operations, when needed, will be made in the implementing rules.</p>	
0119	A IV 10	British International	<p>Comment: Implementation date of 2010 seems a little unrealistic and will inevitably create some chaos ? In the cases of Aircraft Certification and operation, EASA had appropriate codes to use as the basis for regulation (JAR 27/29, JAROPS 1 & 3). For aerodromes there are no similar NAA agreed common rules in place. To develop commonly accepted requirements within the timescale proposed seems unachievable.</p> <p>Justification:</p>	<p>noted</p>	
0120	A IV 11	British International	<p>Comment: It is not correct to consider Air Navigation Services and Aerodrome characteristics as fundamentally different as this paragraph states. If you consider airspace requirements surrounding an aerodrome inter-react and require close co-ordination, particularly as ATM services move away from ground-based navigation aids to aircraft based aids. I understand that this has been highlighted at ICA during the current review of Annex 14 Volume II</p> <p>Justification:</p>	<p>noted</p> <p>It is accepted that there will be an interaction between ANS/ATM and aerodrome responsibilities. Development of Essential Requirements for Airspace Management and design, is underway on the basis of task BR.003.</p>	
1285	A IV 19	Dutch Civil Airports Association	<p>Comment: Comment: It is of paramount importance that within the European Union there will be common safety regulations that will be executed uniformly.</p> <p>Justification: A level playing field for all airports, to prevent unfair competition practices by member states.</p>	<p>noted</p>	
0126	A IV 20	British International	<p>Comment: With regard to sub-paragraph A.IV.20 – the provision of RFFS at alternate aerodromes etc is not one that should be addressed in high-level ER's. These (if accepted) should simply specify that adequate (or appropriate) RFFS provisions should be in place. The implementing rules are where such detailed issues should be considered. It is unacceptable to attempt to introduce substantial and significant changes to current commonly used standards as proposed "essential requirements".</p> <p>Justification:</p>	<p>noted</p> <p>We agree with the comment and paragraph B1f of the Essential Requirements establishes the need for adequate RFFS provision without going into any detail.</p>	
0121	A IV 8	British International	<p>Comment: Aerodrome is appropriate for facilities used by mixed aircraft types. However ICAO uses heliport for helicopter-only facilities where requirements differ. This should be considered by EASA.</p> <p>Justification:</p>	<p>noted</p> <p>The differentiation between fixed wing and rotary operations, when needed, will be put in the implementing rules.</p>	
1273	A)	FOCA Switzerland	<p>Comment: The ER often refer to "...create no hazard to aircraft...". In our view it would be more appropriate to refer to "...create no unacceptable hazard to aircraft..." as in safety management it is accepted that not ALL hazards can be eliminated. Sometimes it will be necessary to mitigate a</p>	<p>accepted</p> <p>EASA recognises that the use of the term "No</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>

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			<p>hazard and in this case it has to be referred to an ALARP (as low as reasonably practicable) level. It is therefore our understanding that the ER should reflect this approach to risk based regulation and clarify this point.</p> <p>Justification:</p>	<p>hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	
0130	Annex 14	British International	<p>Comment: Annex 14 contains specifications for much equipment and in any case, equipment technology is changing rapidly. For the reasons referred to previously in the reference to para 29, prescriptive equipment requirements would be inappropriate and potentially detrimental to improvements in safety standard enhancements.</p> <p>Justification:</p>	<p>noted</p> <p>EASA agrees with this point of view, so the Essential Requirements will enable states to follow Annex 14 without paraphrasing it and without introducing prescriptive technical requirements.</p>	
0809	B 1)	CAA - UK	<p>Comment: a) the aerodrome operator must have all the means necessary to ensure the aerodrome is and remains safe for the operation of aircraft. These means include, but are not limited to, the following: competent personnel, equipment and material, documentation of tasks, responsibilities and procedures, access to relevant data and record-keeping; b) the aerodrome operator must implement and maintain a management system to ensure compliance with these essential requirements for aerodromes, and to aim for continuous improvement of this system; c) the aerodrome operator must implement and maintain a management system for the systematic and pro-active management of safety, including the necessary organisational structures, accountabilities, competencies, policies and procedures; d) the aerodrome operator must establish arrangements with other relevant organisations, as appropriate, to ensure continuing compliance with these essential requirements for aerodromes. These organisations may include, but are not limited to, aircraft operators, air navigation service providers and ground handling service providers; e) the aerodrome operator must establish an occurrence reporting and handling system, which must be used by the management systems under points b and c and the arrangements under point d, to contribute to the aim of continuous improvement of safety to aircraft operating on and in the vicinity of the aerodrome; f) the aerodrome operator must implement and maintain an aerodrome manual which will include all relevant information on the aerodrome, its management and operation as outlined in these essential requirements for aerodromes. g) The aerodrome operator is responsible for ensuring the provision of an appropriate emergency plan commensurate with the level of aircraft operations. This shall be coordinated with the local community emergency plan to provide for accidents or incidents that occur in the immediate vicinity of the aerodrome. h) The aerodrome operator is responsible for ensuring the provision of an appropriate aerodrome rescue and fire fighting service commensurate with the level of aircraft operations. i) The aerodrome operator is responsible for the provision of an appropriate aerodrome wildlife hazard management programme. j) The aerodrome operator is responsible for ensuring that fuel provided to aircraft is uncontaminated and of the correct specification.</p> <p>Justification:</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident. There is currently no official definition of the word "airside".</p> <p>The draft above accurately reflects the intent as described Part II paragraphs 29 – 39 whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. These have been drafted in the style of the Essential Requirements for Maintenance Organizations, in order to ensure a consistent EASA style and language. The sequence of statements provides a natural progression for managing infrastructure and operations, and also mirrors that of the ERs for Maintenance Organizations.</p> <p>The proposed text covers all of the sub-paragraphs in the NPA Section B, with the exception of paragraphs h) and i). The CAA considers that these items should be covered in the implementation rules.</p> <p>The justification of each of the new paragraphs is as follows:</p> <p>a) The phrase in the original draft "or to take appropriate measures to mitigate the risk associated with the non-compliance" implies that all of Section A – Physical Characteristics and Infrastructure, is negotiable. The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This statement ensures compliance with the requirements. Mitigation measures should be outlined in Implementing rules. The revised statements in a) and b) above replace the original B 1) a) – d). c) It is appropriate for every aerodrome within the scope of these Essential Requirements to have in place a system for the proactive management of safety. However, the scope, detail and</p>	<p>partially accepted</p> <p>The proposed wording covers the initial intent of paragraph B. After a full review, the proposal has been accepted with a few modifications to ensure compliance with the intent of the initial text.</p>	

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			<p>implementation will be commensurate with the complexity of the aerodrome operations. This delineation should reside at the level of Implementing Rules. Replaces original B 2) a). d) Replaces original B 1) j). This is a vital component of safety on the movement area, taking into account all of the players that come together on an aerodrome. e) Replaces original B 1) k). f) It is appropriate for every aerodrome within the scope of these Essential Requirements to have in place an Aerodrome Manual for the promulgation of information and the effective operation of the aerodrome. However, the scope, detail and implementation will be commensurate with the complexity of the aerodrome operations. This delineation should reside at the level of Implementing Rules. Replaces original B 2) b). g) Replaces original B 1) e). Further details should be specified in the Implementing Rules. Specifies that the aerodrome plan, and the local community plan in C 3) must be coordinated. h) Replaces original B 1) f). Further details should be specified in the Implementing Rules. i) Replaces original B 1) g). j) The detailed risk assessment upon which these ERs were based was not provided; therefore it is not possible to determine whether fuelling hazards were considered. The UK CAA considers that fuelling activities should be regulated.</p>		
1014	B II A 1	DGAC, France	<p>Comment: The bearing strength is not a safety issue. What is important is the resistance of the bridge structure, when existing, and the good condition of the pavement surface.</p> <p>Delete ER II-A-1-a-ii) "The landing and take-off area, where applicable, must have a bearing strength sufficient to support the repetitive operation of the intended aircraft. Those areas not intended for repetitive operations only need to be capable of supporting the aircraft." It might be replaced by: "when existing, bridges supporting totally or a part of the landing and take-off areas must be resistant enough to support the adequate pavement and the intended aircraft passing on" Modify ER II-A-1-a-v) as following: "The surface characteristics of the pavement of the landing and take-off areas must be adequate for use by the intended aircraft."</p> <p>Delete ER II-A-1-d-i) "These areas must be having a bearing strength sufficient to support the constraint of the repetitive operation of the intended aircraft, except for those areas which are expected for only occasional use which need to be capable of supporting the aircraft only." It might be replaced by : "when existing, bridges supporting totally or a part of areas used for taxiing and parking of aircraft must be resistant enough to support the adequate pavement and the intended aircraft standing and passing on". Modify ER II-A-1-d-iv) as following: "The surface characteristics of the pavement of the areas used for taxiing and parking of aircraft must be adequate for use by the intended aircraft."</p> <p>Delete ER II-A-1-c-iv) "Each of these areas must have a bearing strength sufficient to serve its purpose." It should be replaced by "Each of these areas must have physical characteristics sufficient to serve its purpose."</p> <p>Justification: The bearing strength is related to the pavement. It is calculated in including notably the traffic expected and the wished life duration of the pavement. Moreover the ACN/PCN method required by ICAO includes these parameters and the aerodrome operator may choose a PCN higher than the estimated one allowing more detrimental aircraft operations with lower life duration of the pavement. That's a commercial aspect. A badly calculated pavement will not be suddenly dangerous for one aircraft. An inadequate bearing strength will not be unsafe, because the pavement will not collapse suddenly. Concerning the bridges, the resistance of the bridge is crucial but not the bearing strength of the pavement lying on. It doesn't mean that the pavement has no effect at all on the safety. Effectively, the conditions of the surface are very important. For example friction, unevenness, cracks have a direct impact on aeroplane safety and have been factors in some accidents. It must be noted that even if a pavement has a good bearing strength, its bad surface conditions could make it dangerous. For instance, friction, unevenness and some types of cracks are not related to the pavement fatigue or to the decrease of its bearing strength. It is true that an overworked pavement could lead to the forming of cracks. But firstly it is not always due to the decrease of the bearing strength (for example cracks due to shrinkage or aircraft gear gyration) and secondly the danger comes from the pavement surface conditions, not from the bearing strength.</p> <p>Concerning the areas surrounding the landing and take-off areas, the bearing strength is not pertinent for additional reasons. Effectively, in some cases it would be preferable to have a very weak bearing strength allowing the reduction of the gravity of the accident. For example, RESA (Runway End Safety Areas) with an arresting system will be breakable and the bearing strength is not the adequate parameter.</p>	not accepted	
2984	B 1	BBGA (ECOGAS)	<p>Comment: This section is far too detailed for Essential Requirements and should be included in the Implementing Regulations.</p> <p>Proposed text is: The aerodrome operator shall provide and maintain a system to ensure compliance with the Essential Requirements, and in the case of derogated aerodromes, to ensure compliance with the requirements of the National Supervisory Agency.</p>	partially accepted	
				ERs should be by their nature comprehensive enough to allow to develop appropriate implementing rules. Agency will however explore whether the text could be improved.	

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			Justification: Too much detail for Essential Requirements.		
0093	B 1	CAA-ES	<p>Comment: It should be included in the requirements related to "B. Operations and Management" the existence of adequate procedures for:</p> <ul style="list-style-type: none"> - Mitigating the hazard or effect of the FOD that be generated as a result of aircrafts operations. - Mitigating the hazard or effect of the adverse weather conditions on the aircrafts operations (snow, ice, storms with electrical appliance, etc.) <p>Justification:</p>	<p>partially accepted</p> <p>The first point is addressed by a combination A.1.a.vi and B.1.a.</p> <p>The second point is accepted and the text of B.1.i will be modified</p>	
0230	B 1)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 211)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted</p> <p>i) is accepted but will be worded differently</p>	
0247	B 1)	Guernsey Airport	<p>Comment: We support the common wording below as agreed by UK airports. (same as comment from BAA)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted</p> <p>i) is accepted but will be worded differently</p>	
0184	B 1)	Gloucestershire Airport	<p>Comment: We support the common wording below as agreed by UK airports. (See comment BAA for full text)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted</p> <p>i) is accepted but will be worded differently</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0167	B 1)	BAA Aberdeen Airport	<p>Comment: 1) The responsibilities of the aerodrome operator are to ensure:</p> <ul style="list-style-type: none"> a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organizations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organizations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system. <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity): There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <ul style="list-style-type: none"> a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organization is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organizations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. k) No change. 	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted i) is accepted but will be worded differently</p>	
0211	B 1)	BAA Central Airside Operations	<p>Comment: 1) The responsibilities of the aerodrome operator are to ensure:</p> <ul style="list-style-type: none"> a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organizations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organizations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system. <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted i) is accepted but will be worded differently</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>necessary, but original numbering system has been maintained here for clarity):</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances.</p> <p>b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above.</p> <p>c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organization is competent to provide suitably competent persons to undertake the work.</p> <p>d) has been incorporated into c)</p> <p>e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area.</p> <p>i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night.</p> <p>j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organizations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface.</p> <p>k) No change.</p>		
1040	B 1) b)	IAA	<p>Comment: It is proposed that the term "qualified" be replaced with the term "competent".</p> <p>Justification: The term "qualified" implies a formal certification process. Such processes are not practical for many aerodrome operations positions.</p>	not accepted	The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.
1039	B 1) b)	IAA	<p>Comment: It is proposed that the text be amended to read "To ensure that all users are made aware of any measures taken to mitigate the risk associated with a non-compliance identified in paragraph B 1 (a) with appropriate urgency."</p> <p>Justification: Without the benefit of the description of the Essential Requirement in paragraph 30, the text in paragraph B 1(b) is somewhat ambiguous and may imply that all measures taken under Essential Requirement B1(a) must be promulgated.</p>	partially accepted	The comment is accepted but the text may not be worded as proposed.
0154	B 1) c)	AEA	<p>Comment: Part B (Operations and Management) para 1 c) The AEA propose to reword this para to read as: 'An Aerodrome operator is responsible to ensure that any person involved in aerodrome operations or maintenance, in activities that may have impact upon the safety of aerodrome aircraft operations, is adequately trained and qualified for such activities'</p> <p>Justification: The airport/aerodrome operator is only responsible for those activities related to aerodrome operations which have an impact on aircraft safety but not for other activities on the aerodrome (f.e. maintenance of aircraft) which also have an impact on aircraft safety. The current wording is confusing since it could be understood as making the aerodrome responsible for the training of aircraft mechanics even for tasks not related to aerodrome operations.</p>	partially accepted	The comment is accepted but with a different wording.
1042	B 1) d)	IAA	<p>Comment: It is proposed that the term "qualified" be replaced with the term "competent".</p> <p>Justification: The term "qualified" implies a formal certification process. Such a process may not</p>	not accepted	The issue of competency is a subjective one that can vary from State to State and operator to operator. These ER are establishing

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			be practical for unescorted persons operating airside.	minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.	
1041	B 1) d)	IAA	<p>Comment: It is proposed that the term "qualified" be replaced with the term "competent".</p> <p>Justification: The term "qualified" implies a formal certification process. Such a process may not be practical for unescorted persons operating airside.</p>	not accepted	The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.
0155	B 1) e)	AEA	<p>Comment: The AEA proposes to reword this to read as: 'An aerodrome operators is responsible to ensure that an effective aerodrome emergency plan, covering emergency scenarios that may occur at the aerodrome or in the immediate vicinity, is established and implemented. This plan must include the interface, coordination and cooperation with non-aerodrome emergency services required after an incident or accident has occurred. Such emergency plan must provide for coordination with the emergency plan referred to in paragraph 3, Section C'</p> <p>Justification: With regard to airport regulation& the emergency plan, the aerodrome operator can only be responsible for the airport premises. Emergency planning for the surroundings are a matter for the local communities</p>	not accepted	It is generally accepted that the aerodrome emergency services will be the first to respond to an emergency happening in the immediate vicinity of the aerodrome. This will naturally involve coordination and cooperation with local emergency services the details of which will be agreed on an aerodrome by aerodrome basis.
0156	B 1) f)	AEA	<p>Comment: Part B 1) f) should be reworded to '...for the size of the aircraft normally utilizing the aerodrome and taking into account traffic volumes ...'</p> <p>Justification: Ref ICAO Annex 14, para 9.2.5 wording Overregulation, in particular in the area of RFF levels should be avoided. In the case of an emergency landing at an airport, swift passenger evacuation is the main safety issue for saving human lives. RFF requirements should be subject to a sound Regulatory Impact Assessment which takes into account risk probabilities and statistical analysis of past incidents and accidents versus the cost of providing those services.</p>	not accepted	<p>Paragraph B1f of the Essential Requirements establishes the need for adequate RFFS provision without going into any detail.</p> <p>The policy issue of RFFS is the object of question 2.</p>
1043	B 1) f)	IAA	<p>Comment: It is proposed that the last sentence "Such a service must respond to an incident or accident in a timely manner" should be replaced with "Such a service must respond to an incident or accident with due urgency having regard to the objective of saving lives</p> <p>Justification: is considered that the term "timely manner" does not convey the sense of urgency necessary when rescue and fire fighters are responding to an accident.</p>	partially accepted	The comment is accepted but text will not be worded exactly as proposed.
0157	B 1) g)	AEA	<p>Comment: The airport can only be responsible for the airport premises and for raising potential problems related to the surrounding areas. However, for those problems related to the surroundings, the Member State should be responsible for implementation of mitigation measures. The essential requirements should be amended to reflect those split in responsibilities.</p> <p>Justification:</p>	not accepted	This is done in C.1.e off the aerodrome and B.1.g on the aerodrome.
0158	B 1) i)	AEA	<p>Comment: 'An aerodrome operator is responsible to establish and implement procedures to mitigate risks related to aerodrome operations in reduced visibility or at night' We agree that this is an important safety responsibility of the aerodrome operator. However, while doing so, it should assured that airport capacity is not excessively reduced in reduced visibility or night without clear safety reasons for doing so. Therefore there should be some common safety criteria for implementing procedures in those conditions (this could be addressed in the implementing rules).</p> <p>Justification:</p>	not accepted	The Essential Requirements address the mitigation of safety hazards and not the issue of aerodrome capacity. However, when drafting the implementing rules, both needs will be balanced and subject to stakeholders' consultation.
0159	B 1) j)	AEA	<p>Comment: The AEA proposes to reword this para to read as 'An aerodrome operator is responsible to interface with all organisations and staff that operate airside, including air traffic services, and with non-airside organisations whose activities may have an effect on aerodrome aircraft safety, to ensure continuing compliance with the essential</p>	not accepted	The effect of organisations external to the aerodrome operator could have an effect on

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			requirements' Justification:	all aircraft operating on and in the vicinity of the aerodrome.	
0160	B 1) k)	AEA	Comment: The AEA proposes to reword this para Part B Part 1) k) to read as 'An aerodrome is responsible to establish and incident and accident reporting and analyses system Justification: Similar to the airline responsibilities in other fields, incident and accident reports related to aerodrome operations should be analyzed by the aerodrome operators in order to make recommendations for mitigating potential hazards. Such a requirement should be part of the Safety Management System (SMS) for the aerodrome.	partially accepted The comment is accepted but text will not be exactly worded as proposed.	
0231	B 2)	BAA Heathrow	Comment: same as comment from BAA (comment No: 212) Justification:	partially accepted The comment is accepted but text will not be worded exactly as proposed.	
0185	B 2)	Gloucestershire Airport	Comment: We support the common wording below as agreed by UK airports. Justification:	partially accepted The comment is accepted but text will not be worded exactly as proposed	
0248	B 2)	Guernsey Airport	Comment: We support the common wording as agreed by UK airports. (same comment from BAA) Justification:	partially accepted The comment is accepted but the text may not be worded as proposed.	
0168	B 2)	BAA Aberdeen Airport	Comment: The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual Justification: The criteria used in B2 are not considered necessary. The same framework of ER's should be applied to all aerodromes in an appropriate and commensurate way related to the scale and nature of the local operation. It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC). The details of the management system, its application, suitability and continuous improvement should be included in the IRs. The details and format of the aerodrome manual should also be expanded within the IRs.	partially accepted The comment is accepted but text will not be worded exactly as proposed.	
0212	B 2)	BAA Central Airside Operations	Comment: The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual Justification: The criteria used in B2 are not considered necessary. The same framework of ER's should be applied to all aerodromes in an appropriate and commensurate way related to the scale and nature of the local operation. It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC). The details of the management system, its application, suitability and continuous improvement should be included in the IRs. The details and format of the aerodrome manual should also be expanded within the IRs.	partially accepted The comment is accepted but text will not be worded exactly as proposed.	
2985	B 2)	BBGA (ECOGAS)	Comment: It is not clear what justification there is for such parameters. The BBGA therefore proposes that the same parameters be applied to aerodromes as that contained in Article 4 of Commission Regulation (EC) No 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services. Justification: No explanation is given as to the justification for such parameters.	partially accepted On the light of the received comments the segregation between "large" and "small" aerodromes will not be proposed by the Agency. However, using widely spread terms, the Agency will propose to exempt from "heavy" and disproportionate management requirements the small/medium enterprises.	

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1044	B 2)	IAA	<p>Comment: The IAA proposes that this section should apply to all aerodromes open for public use and accepting aircraft for hire or reward.</p> <p>Justification: It is the view of the Authority that all fare paying passengers within the Community should be afforded the same level of safety.</p>	<p>noted</p> <p>This issue is addressed through the question 6.</p>	
3010	B 2)	EUROCONTROL	<p>Comment: It is essential for aerodromes operators to agree and apply similar SMS principles with those for the ATM providers, by developing their own means of compliance (Aerodrome Manual) which shall be subject of approval/authorization/certification. At the same time, the main issue is what criteria will be used to determine which aerodromes are subject of such authorization/certification. The criteria listed in Part II, section B, 2nd paragraph shall not be related to the number of personnel employed, but more to the fact that the aerodrome services (ATM and other) are provided for aircraft that can operate in different conditions (VMC and IMC, low visibility conditions) and at such locations a certain number of movements per year are recorded (including GAT, commercial/passenger flights) for which the safety levels have to remain at or above an established levels. Finally, it is important that all aerodromes shall comply at least with the safety requirements despite the aerodrome size (this is also relevant for the "public use" term used in question 3 and paragraph 24).</p> <p>Justification:</p>	<p>partially accepted</p> <p>Stakeholders have mainly refused the criteria proposed to segregate "large" and "small" aerodromes. Therefore in the CRD the Agency proposes indeed to base the segregation on other factors, like e.g. the type of traffic (IFR or VFR) as proposed in your comment.</p>	
1016	B I and B II	DGAC, France	<p>Comment: It is proposed to delete B-II-A-1-c-ii and B-II-A-1-c-iii and to replace them by a new B-II-A-1-c-ii:</p> <p>"The landing and take-off area must be surrounded by defined areas. These areas are intended to protect aircraft flying over them during take-off or landing operations, or inadvertently landing short, running off the side, or overrunning the end, of the take-off and landing area.</p> <p>i) These areas must have dimensions appropriate to the aircraft operations anticipated;</p> <p>ii) The geometry of these areas must be such that they constitute no hazard to aircraft operations.</p> <p>iii) These areas must be free from objects which might constitute a hazard to aircraft operations.</p> <p>ii) These areas should be prepared to minimize so as the consequences of the occurrences here above.</p> <p>Justification: The paragraph B-I-12 and the description in B-II-A1-c of the "ERs" mention the runway strips and runway end safety area. The ADWG (aerodrome Design Working Group) part of the ICAO aerodrome panel (in charge of Annex 14 review) is presently working for the review of the specifications related to runway strips and runway end safety area. Thoughts are under way to give the possibility to equip a part of these areas to limit the damages (especially corporal) caused by a runway exit aircraft. Such equipment surely consists of objects which could create danger in a large sense of the term.</p> <p>The paragraph B-II-A-1-c-iv is handled in the form 23.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA is not aware of any proposal by ADWG to install equipment that would cause a hazard to aircraft in these areas</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>
0737	B I and II	Belgian Gliding Federation	<p>Comment: Fundamental/basic requirements will count for every aerodrome</p> <p>Justification: We are in favor of a single EU-system to stop all local/member state variants in requirements and restrictions on condition that a special approach is followed in regard to the as called "general aviation", (for us sport and recreational aviation).</p> <p>The only survival ticket for the air sports are adequate and appropriate rules</p>	<p>noted</p> <p>This point is addressed through question 6.</p>	
1015	B I and II	DGAC, France	<p>Comment: The expressions used in some essential requirements does not exactly reflect the description and the approach described in the associated explanatory paragraph, creating confusion on what is really wished in the essential requirement. So for example:</p> <ul style="list-style-type: none"> - requirement B-II-A-1-a-iv could seem redundant with requirement B-II-A-1-a-I concerning the dimensions of the landing and takeoff area whereas only runway slopes are mainly concerned; - requirement B-II-A-1-v remains relevant in a large extent, although the associated paragraph B-I-9, makes understand that the requirement is restricted to friction aspects and to surface irregularities neglecting the state of the overlay (for example, concrete desegregation, cracks); - requirement B-II-A-1-vi let understand that visual aids equipments which would be located on the landing and take-off area, should be removed whereas foreign objects and debris are concerned; - etc. <p>Justification:</p>	<p>partially accepted</p> <p>The Basic Regulation with its Essential Requirements are an enabling document leading to implementing rules that will expand on these requirements thus lifting any possible confusion that may be created by a lack of detail.</p> <p>Nonetheless, as the word geometry seems to be misunderstood, EASA proposes to change it.</p>	<p>Replace 'geometry' by 'slope' in the Essential Requirements related to Physical Characteristics and Infrastructure.</p>
1018	B II - B1a - BI -28 -30	DGAC, France	<p>Comment: These paragraphs underline the fact that the aerodrome operator could implement appropriated mitigation measures for non-compliances with the regulation. It would be advisable to stress in the NPA that these measures should be validated by the competent national authority,</p>	<p>noted</p> <p>This issue will be addressed at the level of</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>this one choosing the process which should be the most suitable for this authority.</p> <p>Justification: As the necessity to validate the mitigation measures by the competent national authority is not indicated, it could mean that the aerodrome operator could have the possibility to derogate in its own way. This is not directed at safety where all operational aspects should be dealt with. Such validation is a State matter.</p>	implementing rules.	
0946	B II A 2)	CAA Greece	<p>Comment: It is found that the term "Local Area Surrounding" used, should be replaced by the term "Local Airspace Surrounding". It is also found that part of the rationale of subparagraphs a) and b), should also be the prevention of the aerodrome from being unusable because of the presence and/or growth of obstacles.</p> <p>Justification: The change in the term is proposed because it is the airspace that has to be protected and not the surrounding area in general, while the usability of the aerodrome should also be ensured.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome. The issue of obstacle monitoring is addressed under paragraph C1. Finally, it is accepted that the word airspace could be more suited for the paragraph but this may create confusion with the ATM regulations.</p>	
1016	B-II-A-1-c and B-II-A-12	DGAC, France	<p>Comment: It is proposed to delete B-II-A-1-c-ii and B-II-A-1-c-iii and to replace them by a new B-II-A-1-c-ii:</p> <p>"The landing and take-off area must be surrounded by defined areas. These areas are intended to protect aircraft flying over them during take-off or landing operations, or inadvertently landing short, running off the side, or overrunning the end, of the take-off and landing area.</p> <p>i) These areas must have dimensions appropriate to the aircraft operations anticipated;</p> <p>ii) The geometry of these areas must be such that they constitute no hazard to aircraft operations.</p> <p>iii) These areas must be free from objects which might constitute a hazard to aircraft operations.</p> <p>ii) These areas should be prepared to minimize so as the consequences of the occurrences here above.</p> <p>Justification: The paragraph B-I-12 and the description in B-II-A1-c of the "ERs" mention the runway strips and runway end safety area. The ADWG (aerodrome Design Working Group) part of the ICAO aerodrome panel (in charge of Annex 14 review) is presently working for the review of the specifications related to runway strips and runway end safety area. Thoughts are under way to give the possibility to equip a part of these areas to limit the damages (especially corporal) caused by a runway exit aircraft. Such equipment surely consists of objects which could create danger in a large sense of the term.</p> <p>The paragraph B-II-A-1-c-iv is handled in the form 23.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA is not aware of any proposal by ADWG to install equipment that would cause a hazard to aircraft in these areas</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
1078	B-II-B-1	DGAC, France	<p>Comment: The wording used for the aerodrome operator responsibilities should be modified to better take into account legal and administrative organisation specificities of the different European Union member states, knowing that what is proposed in the NPA goes outside the scope of the aerodrome activity. Without prejudging specificities in other states, the following wording is proposed:</p> <p>Proposition de redaction</p> <p>1) An aerodrome operator is responsible for the operation of an aerodrome. The responsibilities of an aerodrome operator are the following:</p> <p>a) To verify that the requirements of Section A are complied with at all the times or to take appropriate measures to mitigate the risk associated with the non-compliance which will be validated by the National Authority.</p> <p>b) To ensure that all users are made aware of measures taken in accordance with paragraph (a) above with necessary urgency.</p> <p>c) To ensure that any person in its staff involved in aerodrome operations or maintenance, in activities that may have an impact upon the safety of aircraft operations, is adequately trained and qualified for such activities and to make sure that a training programme is correctly implemented for the persons which may have an impact on the aerodrome safety.</p> <p>d) To ensure that any person permitted unescorted access to the movement area or other operational areas is adequately trained and qualified for such access.</p> <p>e) To ensure that an effective aerodrome emergency plan, covering emergency scenarios that may occur at the aerodrome or in the immediate vicinity is established and implemented. This</p>	<p>partially accepted</p> <p>This section will be reworded following many comments. The new wording addresses most of DGAC's comments.</p> <p>Concerning RFFS, the paragraph will be reworded. The responsibilities of the aerodrome have been left unchanged. The actual implementation will be addressed through implementing rules that can be adapted to reflect national constraints on the subject.</p> <p>Concerning ATSP, it is felt essential that the aerodrome operator has strong interface with this organisation.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
1019	B-II-B-1-e and B-II-C-3 Para 33 and 45	DGAC, France	<p>plan must include the interface, coordination and co-operation with non-aerodrome emergency services required after an incident or accident has occurred. Such emergency plan must provide for coordination with the emergency plan referred to in paragraph 3, Section G.</p> <p>f) To ensure that an aerodrome rescue and fire fighting service, including at least equipment, extinguishing agents and manpower, is provided at the aerodrome as appropriate for the size of aircraft utilising the aerodrome. Such a service must respond to an incident or accident in a timely manner.</p> <p>g) To establish and implement a programme to reduce the risk associated with birds and animals, and to take or initiate appropriate measures.</p> <p>g) To ensure that manoeuvring areas are checked so as to be kept clear of any foreign objects or debris that might cause damage to an aircraft.</p> <p>h) To ensure that the movement of vehicles and persons on the movement area and other operational areas, is coordinated with the movement of aircraft to avoid collisions and damage to aircraft.</p> <p>i) To establish and implement procedures to mitigate risks related to aerodrome operations in reduced visibility or at night.</p> <p>j) To interface with all organisations and staff that operate airside, including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety, to ensure continuing compliance with these essential requirements.</p> <p>k) To establish and implement an incident and accident reporting system and to organize feedback on incidents and accidents with the aim to mitigate such events at the airport.</p> <p>Justification: The proposal related to responsibilities imposes an organisation which is not necessary the only one adapted to aerodrome safety problems and not applicable in all member states.</p> <ul style="list-style-type: none"> - Concerning B-II-B-1-a see form F29. - Disposition B-II-B-1-c imposes that the aerodrome operator has enough authority and competence to work on some organizations, notably air navigation services, which is not the case in some countries. - The disposition B-II-B-1-e implies that the aerodrome operator ensure the implementation of an emergency plan, which is beyond his competence (see also form F31). - New specification B-II-B-1-g) is based on the necessity to establish manoeuvring area (at least runway) inspection or surveillance to take out foreign objects and debris. Question remains for the traffic area. Recent occurrences have shown the risk due to objects left on the runway. Moreover ICAO is writing new specifications on this subject (annex 14 volume 1 – 2-9-1 to 2-9-11). This task should be performed by the aerodrome operator as the logical continuation of the requirement concerning safe infrastructure placed at disposal. - Concerning B-II-B-1-i, it is also necessary to limit the risks in current operations and there is no reason to restrict this requirement to low visibility operations. This is otherwise in the scope of the aerodrome management system. - B-II-B-1-j proposed is sufficient because more general. - B-II-B-1-k, as written in the NPA, is not sufficient. Actually, the incidents-accidents report system can be efficient only if this one is well-provided and managed, so as to guarantee the good working of the safety management system. The feed back should be so well organized. Even if it could be judged desirable that only one actor coordinates safety aerodrome, it is not always appropriate for the present situation and a progressive implementation should be looked for. <p>Comment: Change B-II-B-1-e as follow: B-II-B-1-e) To ensure that an effective aerodrome emergency plan, covering emergency scenarios that may occur at the aerodrome or in the immediate vicinity, is established and implemented. This plan must include the interface, coordination and co-operation with non-aerodrome emergency services required after an incident or accident has occurred. Such emergency plan must provide for coordination with the emergency plan referred to in paragraph 3, Section G.</p> <p>B-II-B-1-e) To integrate in its procedures the requirements, which concern the aerodrome operation, of the potential emergency plan managed by the competent authority.</p> <p>Delete B-II-C-3: II-C-3) A local community emergency plan must be established for aviation emergency situations occurring in the aerodrome local area.</p> <p>Change paragraph 33 as follow: 33. According to the current ICAO framework, aerodrome emergency planning is a process of preparing an aerodrome to cope with an emergency occurring at the aerodrome or in its vicinity. This plan must provide for the coordination of the response of all relevant actors at an aerodrome and in the surrounding community. An incident initially benign could become very serious and lead to loss of life if not properly handled. It is therefore essential to mitigate related risks with emergency measures planned beforehand. These measures are mandated in paragraph B-I-e and reflect provisions in ICAO Annex 14, Volume I, Chapter 9.4.</p> <p>There is a need on larger aerodromes for an emergency plan for aviation emergency situations occurring at the aerodrome or in the aerodrome surrounding area. These plans involve many actors including certainly the aerodrome operator and other services which are not under the control of the aerodrome operator, for example local rescue and fire fighting services, hospital services... So, these plans are managed by national and/or local authorities. What is expected from the aerodrome operator is to take into account and implement all the requirements due to the emergency plans and to manage what is under its responsibility.</p> <p>Delete paragraph 45: 45. Paragraph 33 above already requires aerodromes to establish an emergency plan to cope</p>	noted	The existing text, using the word "ensure" does not seem to go against what is wished.

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			<p>with emergencies occurring at the aerodrome or in its immediate vicinity. There is sometimes a need for an emergency plan for aviation emergency situations occurring in the aerodrome local area too, as the means are shared between the aerodrome and the local rescue and fire services. This would be a type of a safety activity in which one can not impose, at least totally, a legal responsibility to the aerodrome owner or to the operator. Therefore, paragraph C.3 imposes on the Member State to enforce the coordination of the emergency plan with local rescue and fire services and possible associated services. This is described in ICAO Annex 14, Volume 1, Chapter 9.</p> <p>Justification: Emergency situations occurring at an aerodrome and in the aerodrome local area follow the same logic. In both cases the means are shared between the aerodrome owner / operator and local rescue agency. In both cases there is a need for interface, coordination and co-operation with non-aerodrome emergency services. In both cases the emergency plan must be established with coordination between the aerodrome owner / operator and those non-aerodrome services as local rescue and fire fighting services, hospitals, police etc. In both cases there is the possibility of requisition of equipment and services that do not belong to the aerodrome operator as bus, taxis, ambulances, beds, specific research devices etc. These elements lead to the conclusion that emergency plan, in both cases, is managed by national or local authorities and not by the aerodrome operator.</p> <p>Nevertheless the aerodrome operator should be in charge to integrate in its procedures and management all the requirements mentioned in the emergency plans that are related to the aerodrome operation.</p> <p>Concerning the provision B-II-C-3, the emergency plans are related to public safety and do not seem of Community competence, neither under the first pillar, nor the third pillar (as its local dimension does not justify cooperation between States). Therefore this provision and the related paragraph 45 should be deleted.</p>		
0947	B, II, A 4	CAA Greece	<p>Comment: An explicit requirement as to "data accuracy" should be included.</p> <p>Justification: It is felt that the term "quality" used in the NPA, does not quite reflect the relevant requirement contained in ANNEX 14 para 2.1.1.</p>	partially accepted	
0948	B, II, B 1	CAA Greece	<p>Comment: It is found that the aerodrome operator should also ensure that all services needed for the safe operation of the aerodrome and the aircrafts (e.g. air traffic services, MET) are provided, as necessary.</p> <p>Justification: In this way, the provision of the services necessary is ensured</p>	noted	This is reflected in the essential requirements by imposing contracts or interfaces between aerodrome operators and service providers.
0949	B, II, B, 2	CAA Greece	<p>Comment: The essential requirements contained in subparagraphs a) and b) should be applicable to all aerodromes that fall within the scope of the NAP (public use aerodromes).</p> <p>It is found that paragraph 2 should be more precise. Thus, activities such as dumps, quarries, smoke emissions, ground lights that may constitute a danger to air-navigation (other than lasers), windmills, cranes, balloons, sailing and similar activities (in case the aerodromes is close to the sea) should be included in paragraph 2.</p> <p>Justification: The conditions set in this paragraph are not justified. Furthermore, it is understood that no undue burden will be put on the aerodromes, as the requirements contained in subparagraphs a) and b) are understood to be to be fulfilled in a way which will be analogous to the general characteristics of the each aerodrome (traffic, complexity, etc).</p>	noted	This point is addressed through question 6 Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.
0950	B, II, C 2	CAA Greece	<p>Comment: It is found that paragraph 2 should be more precise. Thus, activities such as dumps, quarries, smoke emissions, ground lights that may constitute a danger to air-navigation (other than lasers), windmills, cranes, balloons, sailing and similar activities (in case the aerodromes is close to the sea) should be included in paragraph 2.</p> <p>Justification: Those activities being among the more usual hazards that have to be mitigated, should be included in the relevant paragraph.</p>	noted	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the IRs on a case by case basis
0161	C	AEA	<p>Comment: Part C 'Mitigation of hazards not directly under the control of the aerodrome owner or operator'</p> <p>The AEA's understanding is that these requirements would be a responsibility of the Member States. Therefore this should be clearly stated in the proposed amendment to the EC 1592/2002 Regulation establishing EASA. The intention of the proposed E.R. is also rather unclear in particular how the proposed measures (f.e. related to use of lasers, wildlife etc) could be implemented in practice unless a wide no-mans land-zone is created around the airport.</p>	partially accepted	1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation. a) An infringement to these surfaces will require an assessment to identify

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			<p>Therefore, it might be more appropriate to delete the entire paragraph or reduce it to a list of practical measures within the responsibility of the Member States.</p> <p>Justification:</p>	<p>hazards.</p> <p>The rewording will alleviate some of the concerns expressed.</p>	<p>whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0810	C 1)	CAA - UK	<p>Comment: The Member State shall ensure that appropriate procedures are in place to ensure the airspace that surrounds aerodromes is kept free from obstacles or activities that create a hazard to aircraft operations, or, in the event this is not possible, appropriate mitigation measures are in place to minimise the risk.</p> <p>Justification: • The proposed ER does not expressly state that the responsibility lies with the Member State, only that it does not lie with the aerodrome. • The level of detail regarding specific surfaces and monitoring of these surfaces should be specified in the Implementing Rules. • This statement will replace the original II C 1) and II C 2).</p>	<p>partially accepted</p> <p>The implementation means and the actors responsible (eg: Member State, aerodrome operator, local community...) for this implementation will be developed in the Articles of the Basic Regulation. The Essential Requirements give mitigating measures to known unacceptable hazards.</p> <p>The rewording will alleviate some of the concerns expressed.</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation. a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk. b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0520	C 1)	CAA, Slovak Republic	<p>Comment: Part C 1) Wording of paragraph C 1) should be changed.</p> <p>Justification: The paragraph C 1) is confusing and do not contain control of obstacles. Wording used in the paragraph evokes that it is not possible to regulate construction of objects within obstacle limitation surfaces.</p> <p>According to Annex 14 it should be possible to remove existing obstacle that could adversely affect the safety of air operation and under defined conditions it shall be possible not to allow construction of new objects that could create obstacles.</p> <p>Above-mentioned provisions of Annex 14 shall be included in C 1).</p>	<p>accepted</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation. a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk. b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
2986	C 1)	BBGA (ECOGAS)	<p>Comment: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. 2) Included in 1) above</p> <p>Justification: Any detail should be included in the Implementing Regulations.</p>	<p>not accepted</p> <p>Land-use planning is a responsibility of EU Member States or their local Authorities. The ERs aim at establishing the obligation for coordination with aviation stakeholders, in order to balance local land-use policies with aviation safety, in the light of the priorities for local development. Imposing to States the obligation not to develop the areas around the aerodromes, is both legally unfeasible and too extreme.</p>	
0232	C 1) + 2)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 213)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles.</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation. a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk. b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0249	C 1) + 2)	Guernsey Airport	<p>Comment: We support the common wording below as agreed by UK airports. (same as comment from BAA)</p> <p>Justification:</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles.</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation. a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk. b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0186	C 1) + 2)	Gloucestershire Airport	<p>Comment: We support the common wording below as agreed by UK airports. See comment BAA for full text)</p>	<p>partially accepted</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			Justification:	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.	conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.
				Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles	a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk. b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.
0213	C 1) + 2)	BAA Central Airside Operations	<p>Comment: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0169	C 1) + 2)	BAA Aberdeen Airport	<p>Comment: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0811	C 2)	CAA - UK	<p>Comment: Delete the text currently proposed for II C 2)</p> <p>Justification: • The intent of this paragraph has been included in the proposed text for II C 1). See UK comment on II C 1) (NPA_2006_06_cmtForm29)</p> <ul style="list-style-type: none"> • The proposed ER does not expressly state that the responsibility lies with the Member State, only that it does not lie with the aerodrome. • The level of detail regarding specific examples of land use and development should sit in the Implementing Rules. 	<p>partially accepted</p> <p>The implementation means and the actors responsible (eg: Member State, aerodrome operator, local community...) for this implementation will be developed in the Articles of the Basic Regulation. The Essential Requirements give mitigating measures to known unacceptable hazards.</p> <p>The rewording will alleviate some of the concerns expressed on the level of detail.</p>	
0250	C 3)	Guernsey Airport	<p>Comment: We support the common wording as agreed by UK airports. (same comment as from BAA)</p> <p>Justification:</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
0187	C 3)	Gloucestershire Airport	<p>Comment: We support the common wording below as agreed by UK airports. (see comment BAA for full text)</p> <p>Justification:</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
0188	C 3)	Gloucestershire Airport	<p>Comment: We support the common wording below as agreed by UK airports. (see comment BAA for full text)</p>	<p>not accepted</p> <p>Part C addresses external bodies or</p>	

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			Justification:	organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.	
0170	C 3)	BAA Aberdeen Airport	<p>Comment: Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	not accepted	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.
0214	C 3)	BAA Central Airside Operations	<p>Comment: Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment.</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	not accepted	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.
0233	C 3)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 214)</p> <p>Justification:</p>	not accepted	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.
0812	C 3)	CAA - UK	<p>Comment: The Member State shall ensure that local community emergency plans are established in liaison with the aerodrome for aviation emergency situations occurring in the aerodrome local area.</p> <p>Justification: • The proposed ER does not expressly state that the responsibility lies with the Member State, only that it does not lie with the aerodrome. • Section B places a responsibility on the aerodrome operator to co-operate with the local community, and this reciprocates by placing a responsibility on the State to require the local community to co-operate with the aerodrome. • The Implementing Rules must include a definition of what is meant by "the Local Community" and "the aerodrome local area".</p>	not accepted	The implementation means and the actors (eg: Member State, aerodrome operator, local community, etc.) responsible for the implementation will be developed in the articles of the Basic Regulation. The Essential Requirements give mitigating measures to known unacceptable hazards.
1045	C 4)	IAA	<p>Comment: Essential Requirement C4 should be deleted in its entirety.</p> <p>Justification: The paragraph is in contravention of the ICAO philosophy which is that the ultimate decision regarding operation of an aircraft rests with the pilot in command. It is therefore inappropriate that the State or aerodrome operator would dictate the suitability of the use of an aerodrome. It is the responsibility of the aerodrome operator to comply with the Essential Requirements and to promulgate information relating to the aerodrome. It is then the decision of the aircraft operator to decide whether or not to use that aerodrome. It is not the function of the Aerodrome Operator to undertake performance calculations relating to aircraft operations.</p>	not accepted	<p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the IRs on a case by case basis</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for</p>

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
				<p>certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>	
0171	C 4)	BAA Aberdeen Airport	<p>Comment: Delete. Not required.</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue, deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>	
0215	C 4)	BAA Central Airside Operations	<p>Comment: Delete. Not required.</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue, deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>	
0234	C 4)	BAA Heathrow	<p>Comment: same as comment from BAA (comment No: 215)</p> <p>Justification:</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue.</p>	

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				Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue. This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.	
0910	C 4)	Birmingham Airport	Comment: We support the common wording below as agreed by UK airports. Delete. Not required. Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.	not accepted Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis. The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue. This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.	
0251	C 4)	Guernsey Airport	Comment: We support the common wording below as agreed by UK airports. (same comment as from BAA) Justification:	not accepted Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis. The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue. This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.	
0162	C 4)	AEA	Comment: Part C 4) 'Except for aircraft emergency situations, or under specific conditions specified in each case, an aerodrome or parts thereof must not be used by aircraft for which the aerodrome design and operating procedures are not normally intended' This paragraph should be deleted. Justification: In line with the spirit of ICAO Annex 14, safety rules on Airports should be enforced on the European airports but should not be confused with safety rules affecting the airline operators. The airline operator's responsibilities (including whether or not a certain airport can be used) should be regulated through the operational rules (future IR-OPS).	not accepted The Agency disagrees with the statement that the choice of an aerodrome should only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue. This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators	

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0813	C 4)	CAA - UK	<p>Comment: ER C 4) should be deleted, as it is an issue regulated by JAR-OPS (EU-OPS).</p> <p>Justification: This is not an aerodrome regulation issue, but a flight operations one.</p>	not accepted	<p>who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator or another organisation. It could also, in some cases, concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>
0967	C, page 26	Avinor AS	<p>Comment: The introduction of requirements to mitigate hazards not directly under the control of the aerodrome owner or operator can only take place by amending associated non-aviation law. Even though the responsibility to introduce these requirements is the obligation of each State, we still foresee conflicting interests that will result in decisions not always being made in favor of aviation safety.</p> <p>Justification:</p>	noted	<p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>
1020	ER (Pages 20-21) pages 25-26	DGAC, France	<p>Comment: The NPA stresses that all aerodromes should not be submitted to a certification or checking of their management system: only the aerodrome operators on aerodromes of a certain size and complexity should be subject to the obligation to hold a high-level management system. Now the criteria proposed in the NPA to estimate the size and complexity of an aerodrome (staff, opening in LVP, night opening, annual movements, weight / configuration of the most constraining aircraft accommodated) are not satisfactory. In order to define a threshold from which aerodromes should have a management system and to be certified, it is proposed:</p> <ul style="list-style-type: none"> - to withhold only a single criterion for the definition of the threshold, - and to set as criterion "the annual passenger traffic of the platform" so as to reflect the size and complexity of the aerodrome. <p>However, such a criterion should not necessarily be set in the ERs themselves.</p> <p>Justification: All possible criteria to define a threshold above which it would be necessary to certify an aerodrome – about the quantity of staff of the airport operator, about the opening in LVP, about the night opening, about the number of the annual movements, about masses of the most constraining accommodated aircraft, about the annual passengers traffic - translate, each with more or less of aptness, various aspects of the complexity and/or the size of an aerodrome. Nevertheless, and while being conscious that no criterion taken in isolation is perfect, it is recommended to hold only a single criterion, because the future European rule in airport safety has to aim to be as simple as possible to be the most effective possible. Choosing a combination (overall) of criteria would lead to complicate needlessly (the criteria do not complement each other fully and thus cannot seize in whole the complexity of aerodromes) at the same time the regulation itself, but also the follow-up of airports in the scope of the regulation.</p> <p>The unique, simple criterion should be the most representative possible one of the complexity and the size of an aerodrome. The criteria proposed in the "ER" (cited above) are not satisfactory, each for different reasons, to translate the complexity and the size of the aerodrome. Indeed, the number of persons required for the operation of the aerodrome is not a reliable indicator. This numeric criterion is difficult to follow and can evolve very quickly. It makes reference to a general organization rather disconnected from the safety problems. It is noteworthy that with the threshold proposed by "5 persons ", aerodromes operated by aero clubs should be also certified.</p> <p>The opening in "IMC" (instrument conditions) does not appropriately express the complexity of operations of an aerodrome. Thus, a big aerodrome located in a geographic area allowing almost constantly VMC approaches can have a strong traffic leading to a very complex management of the traffic area, of the rescue and fire fighting service, of operation maintenance and making hardly justifiable an exemption of safety management system. With the threshold proposed in the NPA (aerodrome open to public use and in IMC), the very large majority of aerodromes would be concerned with the certification.</p>	noted	See Questions 5 and 6.

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>The aerodrome operation at night does not express either the complexity of operations at an aerodrome. A big aerodrome with a heavy traffic can be opened only during daytime (for example for environmental reasons) and require an important organization for complex operations. On the contrary, some very small aerodromes without commercial traffic are forced to be opened at night to accommodate for example a cargo flight by night.</p> <p>The number of aircraft movements expresses the density of an aerodrome use, but not necessarily the complexity of its operation. An aerodrome with no commercial traffic but accommodating a dynamic aero club or aeronautical school could have a heavy general aviation traffic and enter in the scope of the aerodrome certification. But the aerodrome operation could be rather simple (few people, few procedures) and would not really need a management system. On the contrary, an aerodrome having a heavy peak traffic with wide bodies could be under the threshold, while such aerodrome would have a powerful rescue and fire fighting service, a very complex traffic area management due to the cohabitation of many ground handling services (catering, refueling...) and a mixed traffic wide bodies-light aircraft to manage too. It is to note that with the threshold proposed in the NPA (50 000 movements a year) only 7 French aerodromes should be certified.</p> <p>The maximum takeoff weight is related to the aircraft using a given length for the take off. To take this criterion is not pertinent because an aircraft type at a given mass could use the aerodrome without problem while another one with a lower mass could not. To want to use this criterion to take into account the pavement bearing strength is not pertinent too because according to the gear characteristics an aeroplane with a lower maximum takeoff mass can be more detrimental and because the pavement bearing strength is not a safety issue (see form F23). The passenger seat configuration is not appropriate either for similar reasons. Moreover these two criteria do not express the complexity of an aerodrome seeing that an aerodrome having accommodated one unique aeroplane satisfying to one of this criteria would be certified while aerodrome with heavy smaller aeroplanes traffic (business aviation for example) would need a safety management system. The maximum takeoff weight and the passenger seat configuration are criteria difficult to apply. The traffic of the most detrimental aircraft should be precised for both criteria which lead to define a traffic level for the certification threshold.</p> <p>The segregation between aerodromes that should be certified and requiring a safety management system and aerodromes that could be exempted from certification could be advantageously made with a threshold linked to the passenger traffic. Actually, the complexity of the aerodrome operation and the size of the aerodrome can be simply expressed through the passenger traffic.</p> <ul style="list-style-type: none"> • The complexity of the aerodrome infrastructure (number of taxiways etc) is directly related to the movement traffic which has generally an impact on the passenger traffic; • The complexity of the traffic area management is more important when there are passengers notably due to the number of ground handling equipment and actors and then connected to the passenger traffic. • The rescue and fire fighting service complexity is not only related to the category which depends of the longest aeroplanes using normally the aerodrome and their fuselage width, but also to the number of aircraft movements and is mainly connected to passenger traffic (there is a rule to reduce the category for aircraft not having passengers). Moreover, the main objective for the RFF is to save first and foremost lives rather to limit damages caused to aircraft. • The aerodrome size (maneuvering area and traffic area) is related to the managed traffic, which generally depends of the number of accommodated passengers. <p>Besides, the criterion "number of passengers per year" is a simple, understandable numeric criterion easy to use and that can be endorsed easily by the users, the public and the staff working at on the aerodrome. It would be difficult to admit that an aerodrome with only aero-club flights, so with flights for leisure, should be certified before (it means seen as more strongly controlled from a safety point of view) an aerodrome with a heavy commercial passenger traffic even if the movement traffic is much below. The choice of the «number of movement» criterion instead of the "passenger traffic" criterion could not be well understood by the public opinion. Human lives should be privileged before material and it is so logical to take care first and foremost the commercial flights and to take into account the passenger traffic.</p>		
1017	ER II ER I	DGAC, France	<p>Comment: delete paragraph II-A-2-a and b) of Ers (and B-I-17)</p> <p>Justification: This point related to air procedures rather belongs to « single sky » regulation and so should not be in this NPA.</p>	noted	The framework that is being created by EASA ensures that there is no overlap or blank spaces between the aerodrome operator and the air navigation service provider legal responsibilities.
1343	ER, page 23, A.1a.	IFATCA	<p>Comment: Recommendation: new text to be added:</p> <p>- Landing and take-off areas must be segregated from other areas, except those specifically intended to protect them or to line-up and vacate aircraft</p> <p>Justification: This in order to prevent runway incursions</p>	not accepted	The Agency believes that the draft Essential Requirements, as drafted and further complemented in this consultation process, do allow for appropriate implementing rules to address aerodrome design and operations issues related to runway incursions by vehicles, animals or persons. Furthermore, some existing aerodromes, by design, oblige aircraft to taxi on the landing and take off area. It is due to the use of proper procedures this takes place safely. Secondly, this document addresses the issue of a single aircraft using an aerodrome. The future work on ANS/ATM will address the issue of the interaction between aircraft.

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0934	General	CAA Greece	<p>Comment: NPA should be available in all EU languages</p> <p>Justification: In this way, wider participation of all interested persons may be achieved</p>	<p>not accepted</p> <p>The Agency Opinion and the Commission Proposal to amend the Basic Regulation will be available in all EU languages.</p>	
0078	General	FAA	<p>Comment: The FAA has reviewed the subject NPA and has no comments.</p> <p>Justification:</p>	noted	
0508	General	Malcom Hay	<p>Comment: See all comments from British Airport Operators Ass (483 - 507)</p> <p>Justification:</p>	noted	
0140	General	British International	<p>Comment: The relevance of heliports and how they are meant to be address should be covered in the ER's.</p> <p>Justification:</p>	<p>noted</p> <p>The scope of this legal act is dealt with in Question 3, covering also heliports. Definitions will be specified in the article 2 of the Basic Regulation as necessary. The Agency takes note of these opinions on specific heliports, such as offshore installations and vessel helidecks. Further definitions may be necessary in the future implementing rules.</p>	
0764	General	Janet Christie	<p>Comment: My view is that the NAA is best suited to make such regulation in accordance with local conditions</p> <p>Justification:</p>	noted	
0518	General	CAA, Slovak Republic	<p>Comment: It is necessary to clearly define to whom is this regulation appointed and how it should be handled.</p> <p>Justification: Essential requirements proposal is aiming to all aviation stakeholders and several state bodies and assigns them obligations and responsibilities:</p> <p>Aerodrome operator (ADO) – most of paragraphs Aircraft operators (ACO) – C 4 Air Navigation Service providers (ANSP) – A 2) a) and b) Aeronautical Information Service provider (AISP) – A 4) b) and c) State and local communities – C 1), C 2) and C 3)</p> <p>CAA of the Slovak Republic fully supports implementation of above mentioned relations between ADO and the other stakeholders because it is creating missing link in operation of all aviation elements related to aerodrome operation.</p> <p>In order to ease the implementation of this regulation it is of high importance to explain to whom is this regulation appointed and how it should be handled.</p>	<p>noted</p> <p>The EASA Opinion and the Commission Proposal to amend the Basic Regulation will address clearly these responsibilities.</p>	
0439	General	PG Barker	<p>Comment: I herby confirm that I am in full agreement to the response of the Helicopter Club Great Britain for the reasons given in their response</p> <p>Justification:</p>	noted	
0048	General	Aircraft Owners and Pilots Association	<p>Comment: P.21 (para 40): the requirement for an aerodrome used at night to comply with the preceding requirement (eg a need for 5 people) is wholly impracticable and must be deleted.</p> <p>Justification:</p>	<p>noted</p> <p>The criteria mentioned in the comment are related in the NPA to some of the ER's and it is also requested through Questions 5 and 6 whether these criteria would be appropriate in segregating small aerodromes in order to allow more flexibility for them in this legal framework. The Agency takes note on these proposals.</p>	
0643	General	Manchester Airport	<p>Comment: We are conscious that currently, ICAO is not able to respond quickly to the need for regulatory change and would want to seek assurance that EASA will be able to react better in order to make safety improvements</p>	<p>noted</p> <p>One of the reasons to extend the common European safety rules to cover also</p>	

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			Justification:	aerodromes is indeed to be able to ensure a prompt and quick response to different safety regulatory needs.	
0706	General	Nottingham East Midlands Airport	<p>Comment: We are conscious that currently, ICAO is not able to respond quickly to the need for regulatory change and would want to seek assurance that EASA will be able to react better in order to make safety improvements.</p> <p>Justification: Not applicable</p>	<p>noted</p> <p>One of the reasons to extend the common European safety rules to cover also aerodromes is indeed to be able to ensure a prompt and quick response to different safety regulatory needs.</p>	
3001	General	EUROCONTROL	<p>Comment: Paragraph 11: the justification for distinguishing aerodrome regulation from ANS regulation is not really clear. The discussions on certification and Common Requirements show that the two are very much interlinked.</p> <p>Justification:</p>	<p>noted</p> <p>It is true that aerodrome operations and ATM are interlinked, but the Air Navigation Service Providers are presently regulated through the "Single European Sky", while the scope of the envisaged proposal will address mainly the aerodrome owners and operators, not yet regulated at EU level.</p>	
3003	General	EUROCONTROL	<p>Comment: Paragraph 18: this paragraph does not describe the disadvantages of such option (discrepancies - see comment no.7). By experience (e.g. charging scheme Implementing Rule), we know what terms such as "compatible", "consistency" mean in reality.</p> <p>Justification:</p>	<p>noted</p> <p>The text of the explanations in the NPA will not necessarily become legal material. The need to use in the legislation clearly defined terms is fully shared.</p>	
1218	General	Christian Marek, Austria	<p>Comment: To mitigate the hazards related to physical characteristics and infrastructure and linked to Operations and Management considerations should also be focused on a Safety Management System (SMS) according to ICAO-standard for certified aerodromes.</p> <p>Justification:</p>	<p>noted</p> <p>This will be developed on the implementing rule level.</p>	
0333	General	EGU - Roland Stuck	<p>Comment: For gliding aerodromes no regulation of aerodrome equipment at community level is needed. Safe gliding operations do only require a wind direction indicator and some sort of a marking of the runway or a sign for the landing direction which clearly requires no special regulation.</p> <p>Justification: No special comment is necessary.</p>	<p>noted</p> <p>Question 3 of the NPA addresses the scope of Community competence. Unless stakeholders contradict, it is not the intention of EASA to promote the extension of such competence to aerodromes not open for public use such as those mentioned in the comment.</p>	
0038	General	Aircraft Owners and Pilots Association	<p>Comment: As a general comment, the NPA is unnecessarily repetitive and the subject matter could have been covered more clearly in one-third of the words. Also, one must wonder at the source, with reference to 'aerodromes', 'airplanes', and the statement that aerodrome operators are 'actors'.</p> <p>Justification:</p>	<p>noted</p>	
0708	General	Nottingham East Midlands Airport	<p>Comment: In the event that EASA produces an objective based implementing rule that is less demanding than an existing ICAO requirement, what will be the approach to adopting a change? Will the Community or states be required to file a difference? To what extent will EASA be able to influence a change with ICAO to meet the assessment reached</p> <p>Justification: Not applicable</p>	<p>noted</p> <p>ICAO is continually revising its Annexes. In particular the Air Navigation Commission has established the Aerodrome Panel, whose first meeting took place in December 2006. It is expected that the Agency will participate to the activity of this Panel, in order to contribute to maintain the ICAO and EU rules as close as possible. The common EU rules are expected to include in general a common legal transposition of the ICAO standards, as well as common choices about the possible implementation and extent of the practices recommended by ICAO. For the latter any decision is allowed by the Chicago Convention. Therefore no notification is required at all. Should on the contrary a common EU rule deviate from a mandatory ICAO standard, a proper notification procedure will be followed.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0645	General	Manchester Airport	<p>Comment: In the event that EASA produces an objective based implementing rule that is less demanding than an existing ICAO requirement, what will be the approach to adopting a change? Will the Community or states be required to file a difference? To what extent will EASA be able to influence a change with ICAO to meet the assessment reached?</p> <p>Justification: Not applicable.</p>	<p>noted</p> <p>ICAO is continually revising its Annexes. In particular the Air Navigation Commission has established the Aerodrome Panel, whose first meeting took place in December 2006. It is expected that the Agency will participate to the activity of this Panel, in order to contribute to maintain the ICAO and EU rules as close as possible. The common EU rules are expected to include in general a common legal transposition of the ICAO standards, as well as common choices about the possible implementation and extent of the practices recommended by ICAO. For the latter any decision is allowed by the Chicago Convention. Therefore no notification is required at all. Should on the contrary a common EU rule deviate from a mandatory ICAO standard, a proper notification procedure will be followed.</p>	
0049	General	Norwegian Owners and Pilots Association	<p>Comment: Based on our area of expertise, the Norwegian Ministry of the Environment has no comments to the proposed amendments to Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency since the amendments are limited to the safety of ground infrastructure and its operation.</p> <p>Justification:</p>	noted	
0064	General	CAA-Belgium	<p>Comment: "Aerodromes have indeed for their prime objective to provide for the safety of an individual aircraft by ensuring that the appropriate means are provided to allow its safe take off, landing and taxiing. During these phases while air navigation services aim at may play an important role in managing its the interaction between with other aircraft."</p> <p>Justification: Safe operation of aircraft on the ground, including taxiing (and parking), is the prime objective for aerodromes; this is not limited to take-off and landing. It's not limited to the safety of an individual aircraft either, but also has to take into account the potential interaction with other aircraft (e.g. Essential Requirements A.1.b and A.1.d, related to multiple runway separation, taxiway separation, aircraft stand separation...).</p> <p>On a non-controlled aerodrome, air navigation services (if available) will play a less important role than on controlled aerodromes.</p>	noted	
1084	General	AIRBUS, France	<p>Comment: The Essential Requirements should remain at a very high level. The proposed Essential Requirements are too detailed and some of the requirements should be part of the Implementing Rules (e.g.: protection from animal intrusion in the movement area). The 4 pages list given in paragraph II could be reduced by grouping several items into more general statements.</p> <p>Justification:</p>	<p>noted</p> <p>The Essential Requirements should by their nature be general, but also comprehensive enough to allow to develop appropriate implementing rules and to allow for judicial control. However, most of them will be revised based on this consultation.</p>	
0906	General	J. Thorpe	<p>Comment: Occasional night time operation of smaller aerodromes is essential in allowing pilots to obtain and maintain a night rating. Furthermore aerodromes that have occasional night use perhaps with lighting that is switched on by pilot use of the radio frequency should not face the same level of Essential Requirements as aerodromes which are used at night on a permanent basis.</p> <p>Justification: Encouragement and maintenance of flying skills is an essential part of safe night flying, particularly in the north of the UK where daylight hours are very limited in winter.</p>	<p>noted</p> <p>The ERs do not prevent this practice from continuing.</p>	
0139	General	British International	<p>Comment: To date EASA has impacted negatively on industry with regard to costs. Why has EASA produced an NPA without a full Regulatory Impact Assessment. The RIA should assess and list the safety benefits of introducing EASA requirements, particularly as States are either ICAO compliant (with Annex 14) or have declared differences. The benefits should then be assessed against the additional costs.</p> <p>Justification:</p>	<p>noted</p> <p>The Basic Regulation may only be adopted to cover the safety regulation of aerodromes through co-decision by the EU Council and Parliament based on a proposal by the EU Commission. The Commission has already launched a Preliminary Impact Assessment in 2005 on the extension of the Agency's remit to aerodromes and ANS/ATM. The Agency Opinion on the issue, based on this</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
				consultation, will be accompanied by Regulatory Impact Assessment.	
0163	General	BAA Aberdeen Airport	<p>Comment: It is not clear from the NPA what constitutes 'aerodrome specific equipment' nor why such equipment should be regulated. A suggested way forward is to set performance requirements at Community level. It should then be the responsibility of the aerodrome operator to procure equipment that is 'fit for purpose'</p> <p>Care needs to be taken not to conflict with SES requirements on interoperability that</p> <p>Justification: There is no evidence that regulating certain aerodrome specific equipment would enhance safety. It is very likely, however, to add unnecessary costs, restrict the market and increase bureaucracy.</p>	noted	This issue is the subject of Questions 4 and 9 and it will be further developed, based on this consultation, in the forthcoming Opinion of the Agency .
1021	General	DGAC, France	<p>Comment: The paragraph B-I-40 refers to demonstrations introduced thanks to a « list of dangers ». This list and these demonstrations are not clear. From these ones, conclusions would have been taken and transposed in provisions. So it should be necessary to provide this list as well as the related demonstrations, and if this is not possible, delete « as demonstrated by the list of hazards » from the text.</p> <p>Justification:</p>	noted	The hazards are listed throughout section B-I that constitutes the "list of hazards".
1002	General	DGAC, France	<p>Comment: The terminology used in the NPA is not clearly defined, which cause some problems because some terms could be understood differently which could change considerably the meaning of the NPA content. It would be necessary to add a preliminary heading with the definitions of all the words that could be interpreted in various ways. At last, all definitions should be translated in all European Union languages.</p> <p>Justification: Many terms are used without being precisely defined, which makes the NPA text subjected to various interpretations. For example:</p> <ul style="list-style-type: none"> - airside, - aerodrome, - small aerodrome, - emergency plan, - safety objectives, - level of safety, - landing and take off area, - mitigating measures (B-I-29), - level of conformity (B-I-30), - vicinity. <p>Some of these terms are dealing with risk assessment .They should be defined so that everyone could have same understanding. Moreover, it seems necessary to translate each concerned term in all European Union languages. In fact, some terms could be translated in two different languages with terms whose meanings correspond finally to different realities.</p>	noted	<p>Definitions that are different to those in a normal dictionary will be specified in the Basic Regulation.</p> <p>The Opinion of the Agency, the legislative proposal of the Commission and the Basic Regulation shall be translated in all EU languages as it is legally mandatory.</p>
0604	General	Glasgow Airport Airfield Operations	<p>Comment: It is not clear from the NPA what constitutes 'aerodrome specific equipment' nor why such equipment should be regulated. A suggested way forward is to set performance requirements at Community level. It should then be the responsibility of the aerodrome operator to procure equipment that is 'fit for purpose'</p> <p>Care needs to be taken not to conflict with SES requirements on interoperability that already exist.</p> <p>Justification:</p>	noted	This issue is the subject of Questions 4 and 9 and it will be further developed, based on this consultation, in the forthcoming Opinion of the Agency .
0886	General	Schweizer Flugplatzverein	<p>Comment: The Swiss Aerodrome Association recommends to limit the scope of EASA activities and not to extend it to the aerodromes. Should the extension to the aerodromes be considered as necessary - which we think it is not - it should either not exceed the frame needed to get mutual recognition an aerodrome would decide to apply for, or remain at a level where the essential requirements would be not more than recommendations.</p> <p>Justification:</p>	noted	The extension of the EASA's legal remit will be decided by the EU Council and Parliament. This consultation seeks advice from the stakeholders on how it should be proposed to the legislator. The Agreement between the European Community and Switzerland will then be amended, if this extension were to be applicable on Swiss aerodromes.
0642	General	Manchester Airport	<p>Comment: The future role and powers for the existing NAA regulators is not proposed clearly in the NPA. This raises the concern that Member States, through their NAA, may be able to extend the scope of essential requirements and implementing rules where it may be seen to be more appropriate to the needs of that State? If this is possible, it will result in inconsistency and a</p>		The nationally designated competent authorities will continue to be the overseeing body. As regards regulations, the EU law will

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			<p>potentially uncompetitive environment, in contrast to the Community objectives.</p> <p>Justification: Not applicable.</p>	<p>supersede the relevant national laws, which will then become obsolete. Member States continue to be fully responsible for those areas not contained in the scope of the regulation, and those then not being protected against potential inconsistencies.</p>	
0705	General	Nottingham East Midlands Airport	<p>Comment: The future role and powers for the existing NAA regulators is not proposed clearly in the NPA. This raises the concern that Member States, through their NAA, may be able to extend the scope of essential requirements and implementing rules where it may be seen to be more appropriate to the needs of that State? If this is possible, it will result in inconsistency and a potentially uncompetitive environment, in contrast to the Community objectives.</p> <p>Justification: Not applicable.</p>	<p>noted</p> <p>The Agency has so far anticipated only a role of centralised rulemaking and standardisation of competent authorities in this field. These functions are financed by the Community. As regards regulations, the EU law will supersede the relevant national laws, which will then become obsolete on those levels. The nationally designated competent authorities will continue to be the overseeing body. There will not be any duplicate processes.</p>	
0047	General	Aircraft Owners and Pilots Association	<p>Comment: In addition to answers to the numbered questions, on page 17 (para 17) and page 21 (para 43) page 24/2 and page 26C1, the overall issues relate to safeguarding, which, under present requirements, call for agreement between aerodrome operators and local planning authorities. Many of the latter fail to understand or accept the significance of this and there is a clear need for a more efficient way in which aerodromes can be protected from nearby obstructions.</p> <p>Justification:</p>	<p>noted</p> <p>For this very reason it is anticipated to impose obligations on Member States to ensure this objective.</p>	
1152	General	ENAC Italy	<p>Comment: Even if so stated in the consideration from 42 to 46, there is no mention on the allocation of responsibilities for paragraphs 1 to 4 under this section. It is essential that explicit mention to the responsible bodies are made. It could be shared that National aviation administration retain such a kind of responsibilities. Paragraph 3 should be rephrased leaving Member State adequate flexibility to allocate responsibilities according to national regulatory framework.</p> <p>Justification: Allocation of responsibilities where local and national bodies could interfere should take into account the different national legislations.</p>	<p>noted</p> <p>The purpose in part C of the Essential Requirements indeed is to impose these obligations to Member States without defining in more detail how this should be implemented on national level. This will be addressed more clearly in the regulation itself.</p>	
0095	General	Dr. David G. Watt	<p>Comment: I hope that consideration is being given to exemption of small airstrips. For example, I fly from my own field in open airspace and am the only user. It is use for perhaps 50 or fewer movements per year. There is no need for marking the field in any way or publication of data. If the field is boggy or full of stock, I move to another field. Regulation of the thousands of possible strips like this would have little point and be expensive. Please may common sense prevail.</p> <p>Justification:</p>	<p>noted</p> <p>Question 3 of the NPA addresses the scope of Community competence. Unless stakeholders contradict, it is not the intention of EASA to promote the extension of such competence to aerodromes not open for public use such as your field.</p>	
1264	General	Luton Airport	<p>Comment: Paragraph 27 does not reflect the situation of Luton, U.K. where delegation by the owner to the operator is given for "aerodrome management". Any safety regulatory framework should only apply to that entity that holds the license to operate the aerodrome. Such a unique concession agreement is not alone and other aerodrome operators are often different entities to the owner. Equally in "Essential Requirements" para 28 this requires specific clarification and legislative direction.</p> <p>Justification: Not applicable for answers to section A questions</p>	<p>noted</p> <p>The issue of certification of aerodromes is indeed part of this consultation, and will be further developed in the draft Basic Regulation and in the related implementing rules.</p>	
2987	General	BBGA (ECOGAS)	<p>Comment: Paragraph 1: There is no definition in the document of an "aerodrome" nor a definition of a "small" aerodrome nor a definition of an "aerodrome open for public use".</p> <p>The BBGA proposes that derogation be applied to aerodromes on the same basis as that contained in Article 4 of Commission Regulation (EC) No 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services.</p> <p>These aerodromes would then be subject to the National Supervisory Authority.</p> <p>Justification: In the United Kingdom any aircraft may take off or land from any site with the permission of the landowner. To extend the scope of certification to all such sites would be counter productive to the promotion of aviation, and particularly helicopters.</p>	<p>noted</p> <p>Definitions where not in the NPA because it was considered better to preliminary acquire stakeholders' suggestions. Draft definitions are published in the CRD as far as necessary. All aerodromes covered by the proposed legislation will be subject to oversight by the local CAA.</p>	

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			JAR-Ops 1 puts the responsibility for safe operation on to the operator of the aircraft. While the BBGA accepts that international flights should expect uniformity of aerodrome standards, this should be covered by ICAO SARPs.		
0150	General	AEA	Comment: It is felt that the proposed E.R. are too detailed and include too many aspects which should be addressed at the level of implementing rules. Therefore, a Regulatory Impact Assessment should be performed also for the proposed E.R. to assess the potential economic impact on existing airports and possible safety benefits to be gained from those proposed E.R. In the absence of such a more in-depth assessment, the AEA is not able to decide whether or not the E.R. would be appropriate to regulate aerodromes at European level. Justification:	noted	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules and provide for judicial control on the safety objectives laid down by them.
1206	General	CAA Norway	Comment: This Ministry supports a common framework at a European level for aerodromes concerning requirements for physical characteristics and infrastructure as well as operation and management. A common framework will ensure a "level playing field" between the operators of aerodromes, which might become more important in the future, in view of increased competition between aerodromes as well as competition for the operation of aerodromes. Such a framework should apply to relevant aerodromes without regard to their legal status or ownership. Justification:	noted	
0141	General	British International	Comment: The ER's themselves are too detailed and require a complete revision to make them more-over-arching as a principle and less prescriptive, eg: 1. Movement area. a) An aerodrome shall have areas designated for the landing and take-off of aircraft. b) Each type of operating area shall be of dimensions appropriate to the type of aircraft intended to use the facility. c) The load bearing characteristics shall be appropriate to the aircraft intended to use the facility, etc. The details contained in the proposed text are too detailed for ER's Justification:	noted	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules and to allow for judicial control. However, some of them will be revised based on this consultation.
0607	General	Glasgow Airport Airfield Operations	Comment: Distinguishing between large and small aerodromes is considered inappropriate and unnecessary and the criteria suggested should not be used. ER's should cover all aerodromes irrespective of size. The ER's should set out the overall safety framework and high level objectives for all aerodromes. This will allow the IR requirements to be set at an appropriate and proportionate level on a sliding scale approach related to the complexity of operations at the aerodrome. This should allow the differences between aerodromes to be taken into account. Justification: The approach for large and small separation is not risk based and the NPA rationale is not adequately explained. The use of numbers of personnel, or movement rates is not considered appropriate. Irrespective of size or complexity of operations and aerodrome operator must have adequate measures in place to mitigate their risks. The ER's will form part of the Community primary legislation, intended for the long term and are not intended for frequent change. As the aviation industry is constantly changing the ER's should not include such detail that is not easily changed. A better way forward would be to define the level of implementation and regulatory oversight appropriate to the size and complexity of aerodromes in the implementing rules where the detail can be included and amended as necessary.	noted	Relevance of the proposed segregation has indeed been addressed in Questions 5 and 6. Necessary proportionality in relation to some of the safety objectives may also be introduced on the level of implementing rules, as many stakeholders seem to suggest. This issue will be further developed in the forthcoming Opinion of the Agency. What comes to the latter part of the comment, ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules and enable judicial control on the safety objectives provided for by them.
0299	General	Aubrey Bristow	Comment: I believe that the application of regulation to private sites is unnecessary based on current safety statistics. Any attempt to regulate would be financially prohibitive leading to loss of sites with commercial damage to EU individuals and communities which would cost jobs and put us at a disadvantage to US and other competitors. The regulation would impose an unfair burden on private and commercial rotary operations which could be massive and in turn damage the commercial interests of that industry as well as the commercial, medical and humanitarian ventures they supports. Justification:	noted	Question 3 of the NPA addresses the scope of Community competence. Unless stakeholders contradict, it is not the intention of EASA to promote the extension of such competence to private sites.
1258	General	Luton Airport	Comment: "Essential Requirements" should demonstrate specific safety measures and standards to be achieved or at least outline these clearly. The definition of safety objectives in this way may lead to diverse standards if unclear. The airport owner/operator is unlikely to be skilled particularly to make some judgment on the requirements. An umbrella approach is required for	noted	The Agency agrees that ER's alone do not provide for legal clarity needed by regulated

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			<p>the level of safety objectives concerning aerodrome regulation. The focus here should reflect the strategic and executive level for fundamental guidance to operators for their core activities and competencies.</p> <p>Justification: Not applicable for answers to section A questions</p>	<p>persons. It is indeed the total extended Basic Regulation and its implementing rules, which will provide for that.</p>	
1274	General	FOCA Switzerland	<p>Comment: As a general comment we would like to emphasize the following principles that have to be respected as prerequisites for a successful implementation of a Community regulation for aerodromes:</p> <ol style="list-style-type: none"> 1. ICAO Annex 14 SARPs, defining world-wide and common safety levels, remains applicable as a basis for EASA regulations. 2. Regulations regarding land-use planning and environmental protection remain within national competence. The scope of EASA shall address safety regulations only. 3. EASA establishes the regulatory framework, whereas the safety oversight remains within national competence. <p>Justification: Today, aerodrome infrastructure planning and approval procedures are strongly dependent from nationally and/or regionally driven processes and needs. National/regional and political aspects as well as land-use planning and environmental protection regulations have a strong impact on approval procedures and operations on aerodromes. Therefore, national approval, oversight and enforcement procedures for aerodromes are a more appropriate way to ensure the application of EASA regulations.</p>	<p>noted</p> <p>The Agency can share these basic assumptions provided for in this comment. In addition and as a detail, the paragraph 2 in the comment should not be read to contradict in any way the ER's proposed under its Chapter C.</p>	
0606	General	Glasgow Airport Airfield Operations	<p>Comment: It should be the responsibility of the aerodrome operator to ensure that the equipment that it sources and uses should be 'fit for purpose', and be able to demonstrate that the required performance has been achieved and maintained. This does not require additional regulation as suggested in the NPA. The consultation paper makes no compelling case for imposing a regulatory framework for such unspecified 'certain aerodrome equipment'. If regulation of some kind is required it should be progressed through the Single European Skies framework to ensure an overall consistency with the work already initiated.</p> <p>Justification: All equipment must be fit for purpose and meet applicable safety performance requirements according to the operating environment which in the case of aerodromes may be localized and site specific.</p> <p>Regulating equipment in both aerodrome ER's and SES will cause confusion in implementation and oversight difficulties.</p> <p>There is no evidence to show an improvement in safety through further regulation, only unnecessary costs and additional administrative burden.</p>	<p>noted</p> <p>This issue is the subject of Questions 4 and 9 and it will be further developed, based on this consultation, in the forthcoming Opinion of the Agency .</p>	
0491	General	British Airport Operators Ass.	<p>Comment: Paragraph 27 of the consultation paper attempts to draw a distinction between an "owner" and "operator" of an aerodrome and makes some sweeping assertions as to the roles and responsibilities of each. This is unnecessary as any safety regulatory framework should only apply to that entity that holds the license to operate the aerodrome.</p> <p>It is essential that any safety regulatory framework only applies to the entity or body that holds the license to operate the aerodrome. In some cases in the UK, aerodromes are owned by an entity that is separate and distinctive from the entity that operates the aerodrome e.g. under a leasing arrangement.</p> <p>Justification:</p>	<p>noted</p> <p>The issue of certification of aerodromes is indeed part of this consultation, and will be further developed in the draft Basic Regulation and in the related implementing rules.</p>	
0644	General	Manchester Airport	<p>Comment: In defining Europe wide standards for aerodromes through the essential requirements and implementing rules, there is potential for some aerodromes to fall below the expected standards and some to exceed them. This raises two questions:</p> <ol style="list-style-type: none"> a. What is the process to be applied to aerodromes where the essential requirements or implementing rules are not met? This will need an appropriate assessment of a realistic timescale for making any necessary changes. b. Where an aerodrome may currently exceed aspects of essential requirements of implementing rules, does EASA expect the more strict standards to be maintained or would a relaxing of an existing standard be permitted? <p>Justification: Not applicable.</p>	<p>noted</p> <p>The Basic Regulation 1592/2002 distributes tasks between the Agency and the nationally designated competent authorities. The latter are normally responsible for inspecting, certifying and overseeing the organizations and operators. Presently Article 5 of the Basic Regulation confers to the Commission the power to adopt implementing rules dealing with the conditions to issue, maintain, amend, suspend or revoke certificates and approvals. This principle is expected to remain in force and to become applicable also to aerodromes. In such a case the competent Authorities will also have the duty to document possible non-conformities with respect to the applicable implementing rules and to assess their</p>	

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0707	General	Nottingham East Midlands Airport	<p>Comment: In defining Europe wide standards for aerodromes through the essential requirements and implementing rules, there is potential for some aerodromes to fall below the expected standards and some to exceed them. This raises two questions:</p> <p>a. What is the process to be applied to aerodromes where the essential requirements or implementing rules are not met? This will need an appropriate assessment of a realistic timescale for making any necessary changes.</p> <p>b. Where an aerodrome may currently exceed aspects of essential requirements of implementing rules, does EASA expect the more strict standards to be maintained or would a relaxing of an existing standard be permitted?</p> <p>Justification: Not applicable.</p>	noted	<p>correction within a reasonable time. It should however be noted that in the Community system, legally binding implementing rules are normally expressed at a sufficiently general level, in order to apply different Acceptable Means of Compliance (AMC). For the latter, alternatives can always be proposed, with the burden of proof to be borne by the proponent. Some of the current ICAO provisions might in the end belong to the level of AMC. Should the above not provide enough flexibility in specific circumstances, it is in addition expected that Article 10 of the Basic Regulation will continue to be in force, allowing Member States to adopt AMC attaining an equivalent level of safety or even to grant temporary exemptions in documented and specific cases.</p>
3002	General	EUROCONTROL	<p>Comment: Paragraph 17: this paragraph only describes the disadvantages and not the major advantage of such option which is the avoidance of discrepancies between ICAO SARPs and EC law (see the experience of ESARRs and common requirements) – which is of paramount importance in the safety field. It would be interesting to ensure that ICAO is aware of this initiative and to know their views on this issue. Nothing prevents the EC to complement the SARPs with additional provisions. Nothing prevents the EC to exclude the filing of differences. Additionally, the "safety culture based on responsibility rather than enforcement" reason might be dangerous and not allow a level playing field.</p> <p>Justification:</p>	not accepted	<p>The EC and the Agency have informed stakeholders, including ICAO, through the web and at any possible opportunity on the existence and envisaged future role of EASA. But no formal coordination with ICAO is needed since the EU rules replace national legislation in the Member States, not the ICAO standards, the latter remaining the principal reference when developing the common EU implementing rules.</p>
0885	General	Schweizer Flugplatzverein	<p>Comment: Essential Requirements: Most of the requirements are obvious, already implemented and part either of ICAOs field of regulation, or part of the national legal framework. Hence, there is no need for a further layer of regulation on an European level.</p> <p>Moreover, the Swiss Aerodrome Association does not consider the segregation criteria mentioned in paragraph B2 as appropriate. For instance, a leisure aerodrome without special geographical or airspace constraints, even having more than 50'000 aircraft movement per year and being open to public use, should not be subject to supplementary requirements. Nor is the number of people needed to operate the aerodrome a relevant criteria.</p>	noted	<p>European regulations supersede national rules and are not added to them. Furthermore, the ERs are designed to allow compliance with ICAO recommendations. As regards the latter part of the comment, relevance of the proposed segregation has been addressed in Questions 5 and 6. Necessary proportionality in relation to the aerodrome operator's management system could also be introduced</p>

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			Justification:	on the level of implementing rules, as many stakeholders seem to suggest.	
1207	General	CAA Norway	<p>Comment: The division of tasks and responsibilities between airport/aerodrome and Air Navigation Service Providers needs to be clarified.</p> <p>Consistency of the EASA NPA also has to be ensured with existing and future Single European Sky/ICAO rules and requirements. No parallel processes to Single European Sky should be established. CNS/ATM is sufficiently regulated by Single European Sky and does not require additional regulatory measures by EASA.</p> <p>It needs to be furthermore clarified whether the EC wants to transfer the execution of existing competencies (e.g. Single European Sky) to EASA or whether the EC/EASA seek for additional competencies currently still being national competence.</p> <p>Justification:</p>	<p>accepted</p> <p>The legal framework proposed here by EASA aims to ensure that there is no overlap or blank spaces between the aerodrome operator and the air navigation service provider legal responsibilities. It is also accepted that there will be an interaction between ANS/ATM and aerodrome responsibilities. This regulation concerns aerodromes.</p> <p>This consultation does not address issues related to ANS/ATM or more specifically to the Single European Sky.</p>	
2999	General	EUROCONTROL	<p>Comment: This is an extension of the tasks of EASA to cover aerodromes within the existing scope of the basic Regulation vis-à-vis civil aviation safety. To do that, a new article on "aerodrome safety" will have to be inserted in the enacting terms of the basic Regulation (in addition to the new articles - probably articles 6a and 6b - relating to air operations (OPS) and flight crew licensing (FCL) which are currently discussed by the Council and European Parliament).</p> <p>The NPA is incomplete as the consultation concerns only a "technical" annex to the basic Regulation. The consultation should also concern the new article on aerodrome safety which has to be inserted in the basic regulation.</p> <p>Justification:</p>	<p>noted</p> <p>Indeed any extension of the scope of the Agency mission shall be included into amendments to the Basic Regulation 1592/2002 approved by the Legislator.</p>	
0918	General	Birmingham Airport	<p>Comment: Paragraph 27 of the document attempts to draw a distinction between an "owner" and "operator" of an aerodrome. However, it makes some over-simplified statements about the roles and responsibilities of each. This is unnecessary as any safety regulatory framework should only apply to the entity that holds the licence (or certification) to operate the aerodrome.</p> <p>It is essential that any safety regulatory framework only applies to the entity or body that holds the licence (or certification) to operate the aerodrome. In some cases in the UK, aerodromes are owned by an entity that is separate and distinct from the entity that operates the aerodrome; for example, this may be under a leasing arrangement.</p> <p>Justification: Not applicable for answers to section A questions</p>	<p>noted</p>	
0690	General	Nottingham East Midlands Airport	<p>Comment: The NPA does not make any substantive mention of how the regulation of aerodromes will be funded. We are particularly concerned that there is a risk of a duplicate process of certification and regulation being created, which would unnecessarily increase operating costs for aerodromes. It is our view that EASA should be responsible solely for rulemaking and the setting of pan European standards and that this should be funded by the Community. Remaining State regulation by the NAA should then be funded in a consistent and fair manner across Europe. Currently in the UK, the cost of this regulation is borne by the aerodromes, however this may not currently be a consistent practice throughout the Community.</p> <p>Justification: Not applicable</p>	<p>noted</p> <p>The Agency has so far anticipated only a role of centralised rulemaking and standardisation of competent authorities in this field. These functions are financed by the Community. As regards regulations, the EU law will supersede the relevant national laws, which will then become obsolete on those levels. The competent authorities will continue to be the overseeing body. There will not be any duplicate processes.</p>	
0627	General	Manchester Airport	<p>Comment: The NPA does not make any substantive mention of how the regulation of aerodromes will be funded. We are particularly concerned that there is a risk of a duplicate process of certification and regulation being created, which would unnecessarily increase operating costs for aerodromes. It is our view that EASA should be responsible solely for rulemaking and the setting of pan European standards and that this should be funded by the Community. Remaining State regulation by the NAA should then be funded in a consistent and fair manner across Europe. Currently in the UK, the cost of this regulation is borne by the aerodromes, however this may not currently be a consistent practice throughout the Community.</p> <p>Justification: Not applicable.</p>	<p>noted</p> <p>The Agency has so far anticipated only a role of centralised rulemaking and standardisation of competent authorities in this field. These functions are financed by the Community. As regards regulations, the EU law will supersede the relevant national laws, which will then become obsolete on those levels. The competent authorities will continue to be the overseeing body. There will not be any duplicate processes.</p>	
0051	General	Bundeswehr Air Traffic Services Office	<p>Comment: Having analysed "NPA No 6/2006 - Basic principles and essential requirements for the safety and interoperability regulation of aerodromes", Amt für Flugsicherung der Bundeswehr (AFSBw), the German military regulator for ATM, regards the described procedures as not</p>	<p>noted</p> <p>Question 3 addresses the issue of the scope</p>	

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			<p>applicable to military aerodromes, even to those with a mixed civil-military environment. We refer to regulation (EC) No 550/2204 "service provision regulation", Art. 7, 5. Nevertheless, the German military has in the past and will also in the future adhere to civil safety criteria in ATM as far as ever possible (e.g. ESARR 5 is completely fulfilled). Deviations from civil safety criteria are and will only be allowed by AFSBW as far as urgent military necessities these deviations prescribe.</p> <p>Justification:</p>		<p>of the extended Basic Regulation. It will be developed based on this consultation, and will be specified in the EASA Opinion and in the future Commission Proposal on the extended regulation.</p>
1001	General	DGAC, France	<p>Comment: 29 to 32 and all NPA in a widely way</p> <p>The methods for a surveillance authority to verify the conformities at an aerodrome are mentioned in the NPA. Three control means are indicated in the NPA:</p> <ul style="list-style-type: none"> - Aerodrome operator's certification by the authority; - Demonstration by the aerodrome operator to a third party after demand (which it is stressed elsewhere the difficulties); - Spontaneous declaration of the non-conformities by aerodrome operator (which should be avoided – see form F01). <p>EASA does not mention the possibility of continuous surveillance by the authority in charge of surveillance. This one is complementary to punctual surveys performed with a long periodicity included in the aerodrome certification process. But it appears that this type of control made by national authorities is necessary.</p> <p>Justification: Numerous controls should have to be planned for the entities in charge of the aerodromes surveillance. It could be notably quoted:</p> <ul style="list-style-type: none"> - Controls to verify the good implementation of actions on which the aerodrome operator is engaged to cancel its non-conformities; - Specialized controls (for example, in the event of snowing, LVP, works etc) which can not watched during all the year. - Controls to verify the real implementation of the safety studies at each change in aerodrome system (in the scope of aerodrome operator safety management system). - Thematic controls (for example: RFF, wildlife hazard) requiring a specific high expertise from surveillance authorities. <p>Consequently, a general aerodrome surveillance performed only with punctual controls with a long periodicity (for example every 3 or 5 years) as it will be the context of the aerodrome certification, should be insufficient, because it should lead to disregard a many important elements for the aerodrome safety. An additional surveillance should be necessary and it should be performed in a more continuous manner.</p> <p>It could be also noted that EASA considers that the essential requirements should apply whatever aerodrome open to public use, while the aerodromes should be certified only from a definite threshold. In this case, the surveillance of a non-certified aerodrome should be implemented outside the aerodrome certification scope. The principle of a continuous surveillance should be in this case the most appropriate.</p> <p>Moreover, for the certified aerodromes such surveillance appears to be also relevant, despite the implementation of an aerodrome safety management system.</p> <p>Firstly, it could be noted that the safety management system (SMS) should be continuously adjusted to the aerodrome development.</p> <p>It appears inappropriate to consider a complete review of the SMS for each change by virtue of the high frequency of the changes. The only verification of these systems with punctual audits should clearly insufficient. It appears justified to carry out surveys between two certification audits in order to be sure that aerodrome SMS remains operative. Aerodrome SMS changes should be a subject of controls being included in the scope of the aerodrome continuous surveillance. Then, the aerodrome certificate could be provided with a demand for measures to implement progressively. The follow up of such implementation can be performed only in a continuous way.</p> <p>It can also be noticed that ICAO in its aerodromes certification manual considers such a continuous surveillance (see § 5.2.3 doc 9774) for the certified aerodromes, notably to be sure that the aerodrome operators should respect the obligations related to the aerodrome certificate and despite the aerodrome SMS implementation.</p> <p>At last, for performing an effective and useful control, the entity in charge of the aerodrome surveillance should perfectly know the context (regulation, historical, geographical etc) of the aerodrome. This is only possible if the aerodrome has got the continuous and careful follow-up by this entity. Thus, this entity should be the the State Administration.</p>	noted	<p>This NPA seeks the advice from stakeholders on the most appropriate framework for the safety and interoperability regulation of aerodromes. It is set to the level of the existing Basic Regulation 1592/2002 and is not aiming to recognise the various objectives and tasks of the overseeing safety authority. Those will be developed on the level of implementing rules. Secondly, the NPA does not assume, as is suggested in this comment, that small aerodromes should not be certified, while this is a question to the stakeholders. Finally, the Agency shares the view expressed in this comment that the safety oversight should be normally done at local level.</p>
3005	General	EUROCONTROL	<p>Comment: Paragraph 27 (and also link to paragraph 11): it is not excluded for the aerodrome operator to be an ANSP. Paragraph 11 states that "aerodrome operators may not be air navigation service providers, but only that the requirements to be met in this case are separate from those related to their basic airport activity". But the ANSPs are already subject to requirements specific to ATM/ANS. What is exactly the difference between the aerodrome operator and the ANS (ATS mainly) provider at an aerodrome? Isn't a risk of overlapping requirements? See also Annex B for aerodrome operator. On the other hand, not only the owners/operators should be addressed, but possibly also the ANSPs may, under existing legal</p>	not accepted	<p>Legally the obligations and privileges of the Air Navigation Service Providers are defined in the "Single Sky" legislation, while the proposed extension of the Basic EASA Regulation will cover aerodrome operators. This does not prevent a certified ATS provider</p>

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			<p>regimes, be responsible for NAV aids etc. even for parts of their regulation (see the situation in Germany).</p> <p>Justification:</p>	<p>(e.g. AENA in Spain) to be certified also as an aerodrome operator. On the other side since C, N, S and AIS services are "liberalised" in the "Single Sky" (i.e. not subject to designation), nothing prevents an aerodrome operator, if so wished, to become the provider of e.g. ILS or VOR signals in space (i.e. a navigation service according to Article 2.30 of Regulation 549/2004).</p>	
0987	General	Eric Clark	<p>Comment: The safety objectives are intended for the safety regulation of aerodromes. In ICAO Annex 14 – Heliports, definitions are given as follows:</p> <p>Aerodrome. A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of helicopters.</p> <p>Helipport. An aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.</p> <p>Helideck A heliport located on a floating or fixed offshore structure</p> <p>Therefore, by inference an aerodrome can be a heliport but not all heliports (e.g. a defined area on a structure) can be an aerodrome. Those 'defined areas on a structure', when located offshore, will generally be helidecks or shipboard heliports</p> <p>Justification: Currently under the broad definitions of the NPA, it appears that offshore oil & gas installation and vessel helidecks may come under the proposed legislation.</p> <p>However when applying the ICAO definitions, an offshore installation or vessel helideck is clearly a heliport on "a defined area of structure" and this is not classed as an aerodrome.</p> <p>Offshore installation and vessel helidecks (e.g. heliports) are solely constructed and operated to provide landing sites for the highly specialist offshore helicopter operations that are involved with offshore oil & gas exploitation.</p> <p>For this reason, EASA should consider inserting appropriate text that excludes heliports "on a defined area of structure" from the rule making intended for the safety regulation of aerodromes. Thus both helidecks and shipboard heliports will be excluded.</p>	<p>noted</p> <p>The scope of this legal act is dealt with in Question 3, covering also heliports. Definitions will be specified in the article 2 of the Basic Regulation as necessary. The Agency takes note of these opinions on specific heliports, such as offshore installations and vessel helidecks, since further definitions may be necessary in the future implementing rules.</p>	
0118	General	DFS - Deutsche Flugsicherung GmbH	<p>Comment: The division of tasks and responsibilities between airport/aerodrome and Air Navigation Service Providers needs to be clarified (as described in DFS comment to A.IV.11.). Without this clarification we question the feasibility of the approach presented in NPA No 06/2006.</p> <p>Consistency of the EASA NPA also has to be ensured with existing and future Single European Sky/ICAO rules and requirements. No parallel processes to Single European Sky should be established. CNS/ATM is sufficiently regulated by Single European Sky and does not require additional regulatory measures by EASA.</p> <p>It needs to be furthermore clarified whether the EC wants to transfer the execution of existing competencies (e.g. Single European Sky) to EASA or whether the EC/EASA seek for additional competencies currently still being national competence.</p> <p>Justification: Consistency with Single European Sky has to be ensured</p>	<p>noted</p> <p>The legal framework proposed here by EASA aims to ensure that there is no overlap or blank spaces between the aerodrome operator and the air navigation service provider responsibilities. It is also accepted that there will be an interaction between ANS/ATM and aerodrome responsibilities. This regulation concerns aerodromes.</p> <p>This consultation does not address issues related to ANS/ATM or more specifically to the Single European Sky.</p>	
0104	General	DFS - Deutsche Flugsicherung GmbH	<p>Comment: The division of tasks and responsibilities between airport/aerodrome and Air Navigation Service Providers needs to be clarified (as described in DFS comment to A.IV.11.). Without this clarification we question the feasibility of the approach presented in NPA No 06/2006. Consistency of the EASA NPA also has to be ensured with existing and future Single European Sky/ICAO rules and requirements. No parallel processes to Single European Sky should be established. CNS/ATM is sufficiently regulated by Single European Sky and does not require additional regulatory measures by EASA.</p> <p>It needs to be furthermore clarified whether the EC wants to transfer the execution of existing competencies (e.g. Single European Sky) to EASA or whether the EC/EASA seek for additional competencies currently still being national competence.</p> <p>Justification: Consistency with Single European Sky has to be ensured.</p>	<p>noted</p> <p>The legal framework proposed here by EASA aims to ensure that there is no overlap or blank spaces between the aerodrome operator and the air navigation service provider responsibilities. It is also accepted that there will be an interaction between ANS/ATM and aerodrome responsibilities. This regulation concerns aerodromes.</p> <p>This consultation does not address issues related to ANS/ATM or more specifically to the Single European Sky.</p>	

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			Justification: Consistency with Single European Sky has to be ensured.		
0010	General	KLM	<p>Comment: Common regulations in Europe shall not mean that the European level playing field is more restrictive than the rest of the world. When ICAO is used as reference it is not possible to implement recommendations as standards without a proper justification and figures to prove that safety is enhanced by such requirement. Increasing costs doesnot automatically mean a safer environment. Missing are definitions and criteria that are taken into account. What is defined as safety-related. Only a feeling that safety may be affected is not sufficient; a criterion has to be given. The level playing field is disturbed when Europe implements the Annex14 recommendations as standards while the rest of the world can still consider these as recommendations only. Any recommendation in Annex14 that will be included in the legislation must be justified as enhancing safety and with clear justification of this enhancement and a cost/benefit analysis.</p> <p>Justification: Justification:</p> <ul style="list-style-type: none"> - The level playing in Europe but also of the world shall be considered. When Europe has common rules but these are more restrictive than the rest of the world this will mean a disadvantage to the European operators and also to airport operators. - Definitions and the criteria used to come to these ER's but also that are going to be used for the Implementation Rules have to be given so that it is clear what basis is used and the extend it may have on the regulations in the end. - Safety related has to be specified and shown with statistics and figures. Increased requirements because of a good feeling only is not a proper justification. - An ICAO recommendation has to be shown as safety related to justify it to become a standard requirement. 	noted	<p>The proposed regulation is an enabling regulation that allows the compliance with ICAO SARPs. The object of the consultation is to define how we ensure a high and even level of safety in Europe, as close as possible to the ICAO SARPs and without imposing a costly total harmonisation. In a more detail, any implementation rule introduced will go through extensive consultation and will be accompanied by proper justification of its safety objectives and of the means proposed for their implementation. Moreover, it is a normal practise of all EU legislation that specific terms used in the legal context has to be clearly defined, as indeed is stressed in this comment.</p>
0132	General	British International	<p>Comment: Implementation – any move by EASA to implement aerodrome requirements should occur only after EASA has fully digested operation and certification. Furthermore it should occur only once Europe has agreed through negotiation and consultation. Commitology is neither appropriate nor acceptable, particularly as EASA is not staffed to produce appropriate IR's nor professionally competent to assess any IR's produced. "There seems to be a strong consensus" is no justification for introducing EASA rules at this stage, nor "for the sake of uniformity ... it seems appropriate" (both in para 33). All rules to date introduced by EASA have led to increased charges and costs to industry. Unlike aeroplanes, airfields do not generally travel between member States (some offshore helidecks can). There needs to be therefore, a strong safety argument to justify introducing requirements that lead to cost increases. This paper does not achieve that or even begin to address it.</p> <p>Justification:</p>	noted	<p>The extension of EASA's competence to cover the safety of aerodromes can only take place by amending the Basic Regulation, which can only be adopted by the EU Council and Parliament and which definitely is up to negotiation and consultation, as is expected in this comment. The staffing of EASA is not related to this consultation and would be absolutely premature to have been solved at this early stage. It would also be premature to make a conclusion that a centralised rulemaking and standardisation of competent authorities in this field would lead to increased charges and costs.</p>
0605	General	Glasgow Airport Airfield Operations	<p>Comment: The term 'public use' must be clearly defined and clarified to ensure a standardized and consistent approach across all European states and avoid potential misunderstanding. In the UK, for example, 'public use' has a specific legal meaning, ICAO also uses the term which member states may be currently using with differing interpretations. Other types of aerodromes operated by the military, government, or aircraft manufacturers for example are also used by commercial air transport and there is a need to establish whether they should be subject to the same requirements. As a general principle all aerodromes should be –</p> <ol style="list-style-type: none"> a) Subject to an appropriate level of risk based safety regulation and oversight. b) Regulation should be determined by compliance criteria contained in the implementing rules. c) There should be provision made for States to allow operations of aerodromes serving remote communities which may not be able to meet certification criteria. <p>Justification: Defining of 'public use' is important to ensure aerodromes are regulated on a consistent basis across Europe.</p>	noted	<p>Definitions will be specified in the article 2 of the Basic Regulation. The term 'public use', if used in the final legal text, is indeed very important and defines the scope of this legal action. Proportionality, as is the case for instance with aerodromes serving remote communities, is included in the ER's and will be further developed in the implementing rules.</p>
0610	General	Glasgow Airport Airfield Operations	<p>Comment: The issues of assessment with physical infrastructure and management of operations should not be separated. The certification process should be standardized and applicable to all aerodromes irrespective of size, but be tailored to the size and complexity of operations. One process should be developed to assess compliance with operations and infrastructure as a whole, and one certificate issued on a site specific basis would be the most appropriate way forward.</p> <p>It could be possible for independent assessment bodies, other than the NAA, to carry out combined audits on the above issues. It could be possible for the Agency to carry out these assessments but this would not be the most appropriate way forward. The Agency would be better placed to audit the States rather than individual aerodromes. With regard to independent assessment bodies care would need to be taken on setting the criteria for how to become and 'EASA Approved Supplier'. Additionally thought need to be given to the insurance and liability issues for bodies taking up this function.</p> <p>Justification: The certification process needs to be simple, not bureaucratic and understandable</p>	noted	See Question 8

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			by all. Therefore over complicating the process with multiple assessors, multiple layers of certification would not enable the EU to obtain its aerodrome regulatory requirements. Keep it simple, EASA audits the States, the States audit the aerodromes, the aerodromes apply the requirements appropriately to their local scale of operation.		
0068	General	CAA-Belgium	<p>Comment: Suggested new text (replacing the original text): "Although in some cases different legal persons act as owner and operator of an aerodrome, it is the operator who is fully responsible for all requirements of this regulation (infrastructure, design, operations and management). Of course, the operator may pass some tasks to the legal owner or to another organization, but the operator will ultimately remain accountable for these responsibilities. E.g. if there are non-compliances in infrastructure and design, the operator shall take all necessary actions to correct them, including negotiations with the owner where applicable." The Agency considers that States, which are ultimately responsible to organise the provision of adequate aerodrome capacity, should also be required by Community law to fulfil certain obligations that cannot be placed on the operator (or the owner) as their fulfilment requires the exercise of police powers vis-à-vis the public at large. The attached essential requirements have been drafted to take into account such allocation of roles."</p> <p>Justification: It is in the interest of safety that each aerodrome has a single (legally) accountable person or organization (the 'operator'). This avoids misunderstanding about accountability between owner and operator. It allows the regulator to have a single person of contact (the operator) and to look at the aerodrome as a single entity, hence 1 certificate for aerodrome infrastructure and operations. The operator's safety management system cannot be limited to operations and management, but has to take into account infrastructure and design as well. One cannot be accountable for the safe operation of an aerodrome without being accountable for the infrastructure and design.</p>	noted	At the level of implementing rules the precise accountability of the aerodrome operator will be defined, taking into account a need for a single accountable manager for safety. The issue of certification is dealt with under Questions 6 and 7.
1150	General	ENAC Italy	<p>Comment: In some parts of the text there are references to Annex 14 vol II that associate heliports to aerodromes. These two infrastructures intended to serve aeroplane and helicopters present substantial differences and the extension of Community competence also to heliports does not seem to be explicitly dealt in the past. The inclusion of heliports into the definition of aerodromes is not shared as can not be shared the view to comment essential requirements for both the two kind of infrastructures because it is not technically sound. ENAC opinion is that in any case they should be dealt separately. This inclusion should have be dealt with one or more question under section A of the NPA. According to the comments on the nine questions ENAC does not believe that heliports should be included in the Community legislation. Not withstanding this an option to include essential requirements for heliports into Basic Regulation could be finally envisaged in order to determine the obligations of Member States in regulating such specific field. In any case it should be part of dedicated section to be commented.</p> <p>Justification: The relevance of heliports and associated level of operations for the establishment of Community competence on them is not clear and should be evaluated in a more precise way. The value of an explicit regulatory text and associated regulatory impact is of a undeniable value for the aviation community and stakeholders.</p>	noted	Essential Requirements have been developed in a wording applicable to both aerodromes with runways and to heliports. From safety point of view the Agency does not see any reason to distinguish between commercial transport by helicopters or fixed wing aircraft. Finally, it is indeed the purpose of this question 3 to ask stakeholders' views on what the scope of this legal action should be.
1237	General	Lyon Airport	<p>Comment: Certification process in place already with technical support manuals.</p> <p>Summary: The suggestion that Europe has its own regulation for aerodromes or that it decides to create a flexible official body to implicate European rules does not shock me at all.</p> <p>My remarks are as follows:-</p> <ul style="list-style-type: none"> • If an agency like yours needs to exist why do you want to go too far in the process? • Make the rules, leave every European country to regulate and control the rules. • Do not expose the aerodrome operators to more risks linked with regulations too flexible and non explicit. • Do not add on another audit process on aerodromes, for the time consecrated and especially the costs. • Do not separate the system in two parts; it will create a lot of problems for aerodromes. <p>The EASA agency seems to want to replace the certification process which already exists, why? Is EASA required to go so far? We ha the impression that EASA wants to control the airport operators and what about the States?</p> <p>And finally please, please make sure that you do not expose the airport operators to major risks linked with bad flexibility systems.</p>	noted	The comment provided contains several different aspects. To address them the Agency wants first to emphasize that the European regulations supersede national rules and are not added to them. So there will be no duplication of any processes related to the safety of aerodromes. Secondly, it is indeed foreseen by the Agency too that it should be the competent authority designated at national level responsible for overseeing the implementation of common rules and approving (certifying) their compliance. Furthermore, the ERs are designed to allow compliance with ICAO recommendations and there is no reason to expect that common rules could be non explicit, as is suggested in the comment. And finally, the Agency's standardisation inspections have an object to oversee the implementation on common rules by the competent authority - not to audit individual aerodromes.

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0781	General	CAA - UK	<p>Comment: This paragraph states that: "Aerodromes have indeed for their prime objective to provide for the safety of an individual aircraft by ensuring that the appropriate means are provided to allow its safe take off and landing, while air navigation services aim at managing its interaction with other aircraft."</p> <p>This statement makes the presumption that the aerodrome provides an air traffic management service to ensure the separation between aircraft, both in the immediate vicinity of the aerodrome and on the movement area. The scope of these proposed ERs has not yet been defined; therefore it is possible that some of the aerodromes included within the scope will not offer such an air traffic management service.</p> <p>The UK CAA therefore considers that the detailed risk assessment upon which these ERs are based should include the hazard of aircraft interacting with other aircraft or objects in the immediate vicinity of the aerodrome and on the movement area. Dependant upon the applicability criteria of the ERs, provision should be made for the operation of an aerodrome where air navigation services are not provided.</p>	noted	<p>This document addresses the issue of a single aircraft using an aerodrome. The future work on ANS/ATM will address the issue of the interaction between aircraft. Furthermore, the separation of aircraft on aerodromes without ATC is addressed by the rules of the air. Essential requirements will apply to all aerodromes in the scope of the regulation, regardless of whether ANS services are provided or not.</p>
			Justification:		
1076	General	Exeter & Devon Airport Ltd	<p>Comment: 1.a) For simplicity and clarity Exeter Airport does not support the proposed Amendment. The Exeter position is that Regulation (EG) No. 1592/2002 of the European Parliament and of the Council of 15 July, 2002, on Common Rules in the field of aviation and establishing a European Aviation Safety Agency (The Basic Regulation) should NOT extend its scope.</p> <p>1b) Paragraph 1 General Paragraph 1 Page 3 of 26 Paragraph 14 Page 5</p> <p>It is suggested that NPA 06/2006 be withdrawn and reissued dealing with two categories influencing the proposed management and structure as the basis for a realistic evaluation of the proposed extension.</p> <p>a. Management:</p> <ul style="list-style-type: none"> - Financial Implications - Standardisation of Documentation - Language - Management of Risk and Standard Techniques - Policies – for example, Occurrence Reporting - Pros and Cons specific to each identified Regulation <p>b. Structure:</p> <ul style="list-style-type: none"> - Review the timetable and consider a 10-15 year programme - Specify a modular change to the proposed new structure - Proceed against National and International agreements - Clear financial implications for change, administration, etc. - Remove generalities from policy statements 	noted	
			Justification:		
2966	General	Europe Airports	<p>Comment: With this NPA the Agency seeks to find out the opinions of all aviators concerned by asking the main question which aerodromes should be subject to common rules. All other questions in the NPA depend on the answer to this question.</p> <p>Europe Air Sports as the overarching body for airports and recreational flight operations can give a short but precise answer to this main question which makes the answering of the follow on questions obsolete.</p> <p>EAS strongly objects to develop Essential Requirements and consequently Implementing Rules for all aerodromes, irrespective of their use. It appears vital to us, because only Commercial Air Transport is of that mentioned global nature, that only aerodromes used for that category of operations are put under the regulation.</p> <p>We recommend to use the following criteria as dividing line for applying community law to aerodromes: International/National Commercial Air Transport requiring a Air Operator Certificate with Aircraft above 10 t /19 seats and Commercial emergency and rescue services.</p> <p>Alternatively, a segregation according to aircraft mass could be considered, like community rules only for aerodromes where aircraft above 5,7 t are operated from.</p>	noted	See Question 3

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	General	JAA Ops Procedure Group	<p>Justification: It is fully agreed that aerodromes for CAT and rescue operations should become subject to Community law and common ER and IR.</p> <p>For all other airfields within in the Member States the better regulations are applied by the Regional Authorities of the Member States who are able to take into consideration all local parameters concerned, from all legal aspects like local and regional landscape planning activities up to the different kinds of operation with different categories of aircraft.</p> <p>The difference in facts determining airfields for gliders, balloons and light aircraft in connection with the geographical location in Europe, the density of the population affected and the density of traffic in different airspace structures do not allow a standardized rulemaking to cover all airfields for GA. Local knowledge is an absolute requirement for small airfields and rules for an International Airport cannot be applied to a site where a small club operates its sailplanes during the thermal season.</p> <p>A second important complicating issue is the wide spread legal situation for approving and applying the procedures concerning those airfields in the Member States.</p> <p>We strongly believe and are convinced that those tasks can be performed much more effectively at a more immediate or local level.</p>	noted	
0216	General	JAA Ops Procedure Group	<p>Comment: EASA should consider draft JAA NPA-OPS 59 RFFS. The proposed JAA-OPS NPA tries to counter balance the ICAO Annex 14 requirements for aerodrome management regarding RFFS by providing operational rule material to aeroplane operators. Evidence shows a strong need for more flexibility on the operator's side when it comes to RFFS categories. Therefore the future EASA RFFS requirements should have the type of approach proposed in the JAA-OPS NPA 59 where different levels of alleviation (in regard of Annex 14 requirements for aerodrome management) are given to the operator depending on the intended use of the aerodrome (DEST, ALT, ETOPS,...).</p> <p>The idea in the JAA-OPS NPA 59 is following:</p> <ul style="list-style-type: none"> - an aerodrome has implemented RFFS category N - NPA-OPS 59 allows an aeroplane corresponding to RFFS category N+1 in Annex 14 to land on that aerodrome - If that aeroplane lands more than a given number of times on the aerodrome, the rule applicable to the aerodrome management (Annex 14) requires the RFFS category of the aerodrome to be raised to N+1. - This principle is adapted for Destination Alternates, En route alternates, ETOPS alternates,... <p>In that regard proposed ER B, 1, f) is or too precise or not precise enough.</p> <p>Justification: Operational flexibility but within clear limits.</p>	noted	
2978	General	CAA Netherlands	<p>Comment: B – Operations and Management</p> <p>Paragraph 2:</p> <p>The CAA Netherlands is of the opinion that it is not necessary to have more than one condition to require a management system and an aerodrome manual. From a principle point of view it is proposed to have only the condition "open for public use" to require a management system and an aerodrome manual for aerodromes. For the rationale behind this opinion reference is made to the comment on question 3.</p> <p>C – Mitigation of hazards not directly under the control of the aerodrome owner or operator</p> <p>In the title of this Chapter the expression "aerodrome owner" is used. This expression is never mentioned in the rest of the Essential Requirements. The CAA Netherlands does not differentiate between an aerodrome owner and an aerodrome operator. Ownership is not a relevant issue. It is relevant who is operating the aerodrome and who is responsible for the management of safety. In all cases this is the aerodrome operator.</p> <p>The title of Chapter C is referring to responsibilities. This is not the case in the title of Chapter A and B. Confusion can arise. It is proposed to change the title of Chapter C into "Local environment" and leave the issue of responsibilities out of the title and thus the Essential Requirements. The issue of responsibilities can be highlighted in the implementation rules.</p> <p>Justification:</p>	partially accepted	
0710	General	the Popular Flying Ass.	<p>Comment: The UK Popular Flying Association is a national body representing some 6000 members and managing the airworthiness of some 2000 light aircraft on behalf of the UK CAA. Many of our members and aircraft operate from small airfields and landing strips, many of which amount to no more than a farmer's field.</p> <p>We have no comment on EASA's proposal in relation to commercial airports used for the public transport of passengers. However because the term "aerodrome" is not defined in the document, it could be used to apply inappropriate standards to small airfields, private airstrips and other landing sites. As some of these may be open to the public although not used for the public transport of passengers or freight, they may fall under the terms of this rule.</p>	noted	
				See Question 3	

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0998	General	DGAC, France	<p>In addition, many non-commercial airfields throughout Europe have very large numbers of aircraft movements. For example, busy gliding sites may have tens of thousands of movements but should not fall within the terms of this rule.</p> <p>We therefore consider that it is fundamental to this legislation that if it is taken forward, it is applied to the type of commercial airports that members of the public use to access scheduled and charter flights. We would also be content for it to apply to airports that operate commercial freight flights. This will require a very careful definition of the airports – and we think it must be airports not airfields – to which this legislation will apply.</p> <p>Justification:</p> <p>Comment: All along the NPA, ICAO SARPS are mentioned. In implementing an EASA regulation on safety of aerodromes, it is suitable to transpose the related ICAO standards, in order to ensure consistency between international rules and Community rules. It has two objectives:</p> <ul style="list-style-type: none"> - for aerodromes not to have to comply with different – and possibly contradictory – sets of rules; - to have for flight crews information (AIP indications, markings, lightings etc) similar rules among European and non-European airports (for example a runway end light should be red and not be with another colour). <p>However, the numerous differences between ICAO standards and their rules that States notify to ICAO show that some ICAO rules are not always appropriate anymore. It should be noted that ICAO annex 14 is being revised on various matters (European countries are actively involved in this revision), and any annex 14 specifications have to be discussed before being implemented in EASA regulation. It would be detrimental that the EASA adopts rules which are strongly questioned notably by number of European states, notably when these rules are unnecessarily detrimental.</p> <p>We propose to refer, at IR level, to the appropriated ICAO specifications, which should allow to take into account the differences notified by States of European Union. This corresponds to the solution taken in the EC 2096/2005 regulation.</p> <p>Therefore, it seems suitable that Community rules should be sufficiently clear on the looked for objectives and should not be too precise regarding the means used to reach these objectives (ER and IR).</p> <p>Justification:</p>	noted	<p>As stated in this comment too, the proposed regulation is an enabling regulation that allows the compliance with ICAO SARPS. This may however be achieved only through several implementing rules, which be developed on a case-by-case basis and will go through an extensive consultation process and, which will be adopted in the comitology process. However, it would be premature to prejudge at this stage on the most appropriate way of addressing the different SARPS.</p>
0449	General	Teuge Airport	<p>Comment: The first part of the question is on comments to the attached essential requirements. The proposed essential requirements offer the possibility to very strict rules and regulations. I'll give some examples in order to clarify the point:</p> <p>Q The proposed text outlined in B.2 under Essential Requirements2 outlines conditions that form the basis for a certain organisation set up and writing a aerodrome manual. One of the indications is that "the operation of the aerodrome requires more than 5 people"3 . It is vital to detail the work of these five people. Do they include staff that is hired for maintenance? Is it including the finance and administration? Is it including management? As long as the definitions are not accurate enough, it might lead to many discussions with government authorities at different airfields.</p> <p>Q The same is the case with the number of movements. Does the number of movements only form the basis for getting all kind of obligations or is the kind of movements an item as well? It's quite a difference when 50.000 movements are made by Cessna 152s or by the larger 50+ passenger aircraft.</p> <p>Q Similar to the aforementioned points is the situation with limits to the MTOM of aircraft. There's quite a difference between the situation where larger aircraft [MTOM > 10tons or pax > 19] incidentally land at airfields or the situation where visit several times per day.</p> <p>The question contains the text "bearing in mind the envisaged scope". As long as the proposals outlined in "II – Essential Requirements" are that less detailed or in rough lines only, it is not possible to give a well documented answer on the question.</p> <p>Justification:</p>	noted	<p>The Essential Requirements are drafted to be general enough them being applicable to all in the scope of the regulation. On the other hand, they have to be detailed enough to allow for judicial control and to mandate relevant implementing rules to be developed. Such details mentioned in the comments will be included on that level. Those examples given, however, are related to criteria to segregate on small and large aerodromes in the scope of the regulation. They will be revised or dropped totally out based on this consultation.</p>
1075	General	Exeter & Devon Airport Ltd	<p>Comment: 1a) General: This paragraph highlights the "the extension of the Scope of the Regulation to provide:</p> <ol style="list-style-type: none"> a. Overall consistency of regulation b. All elements being inter-dependent c. Removal of unclear sharing of responsibilities between Community and its Member States. <p>This paragraph does not address the detail, nor does the paper. There is, therefore, little logic to</p>	noted	<p>The applicable international standards are those contained in the ICAO Annexes. The aim of common EU rules is not to systematically depart from those standards, but on the contrary transpose them at the</p>

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			<p>change unless Member States follow the argument, that there are international standards which can be influenced or changed by extending the scope of the Basic Regulation. As this means global standards, not simply European standards, it is difficult to see how this will be achieved.</p> <p>1. b) the key elements of Paragraph 9 -</p> <ul style="list-style-type: none"> - Overall Consistency of Regulation - Interdependency - Removal of unclear sharing of responsibilities <p>Are not examined in depth. As these are fundamental principles, surely the stakeholders need to know the proposals, structures, etc. As the NPA is seeking the agreement of the stakeholders, should not the Agency be providing answers, options or proposals to key matters rather than asking for the stakeholders' comment. If stakeholders' comment is required, should it not be a comment along the line: "Do you agree with the Agency's Option to Establish" "Do you agree with the Agency's proposed timetable?" etc., etc. It is difficult to rationalise why stakeholders are commenting on unresolved matters rather than ratifying or not ratifying a clearly argued Amendment.</p> <p>2.) The proposed text should argue the Amendment, its feasibility and arrangements. The stakeholders should be asked to agree or disagree with the Amendment. A supplementary paper should be offered regarding detail and ways and means.</p> <p>Justification: Exeter Airport would require some substance answering the question: "Why extend the powers?" There is no substance in argument or reason supporting the competency of EASA to deal with change and regulate the national airlines and airports.</p> <p>Obviously, it is essential that the Amendment explains how it will accomplish standardization and incorporate the parameters of ICAO, Chicago Agreements and NAA. At the same time, a realistic review of costs, timetables, etc., must form key elements for decision making by the stakeholders.</p> <p>The current NPA does not address the practical organisational issues which are paramount should the scope be extended. At this stage, therefore, Exeter Airport votes against the proposed Amendment</p>	<p>same date and through a single legal instrument directly applicable throughout the EU.</p> <p>The NPA 06/2006 focused only on the basic principles and essential requirements formulated at a general level. Further details will be added, in due time, through implementing rules. Even on them stakeholders will be consulted. So it is impossible to submit the details of the implementing rules today, before the adoption of the principles by the legislator.</p> <p>An official impact assessment on the matter, including estimation of the saved costs, will be adopted by the European Commission, when it will table the legislative proposal (currently planned in the spring of 2008).</p> <p>The presently expressed adverse opinion by Exeter Airport is noted.</p>	
0822	General	UK Flying Farmers Association	<p>Comment:</p> <p>The Flying Farmers Association of the United Kingdom (FFA) is a national association that represents some 370 members throughout the UK. Our members own and operate in excess of 250 private aerodromes, almost all of which are not open for public use.</p> <p>The FFA is aware of the ICAO definition of an aerodrome – "A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft".</p> <p>Many FFA members have designed and laid out their aerodromes for their own specific use, and do not make their aerodromes available to other aircraft owners/operators; nevertheless, these private-use aerodromes are aerodromes under the ICAO definition.</p> <p>The FFA is a member of the UK General Aviation Awareness Council (GAAC), and fully supports the response submitted by GAAC on behalf of its members in reply to NPA-06-2006. The FFA also supports the aims and operations of the many UK Sport and Recreational General Aviation organisations whose members either always or occasionally operate from sites that are in no sense actual aerodromes, but which are technically aerodromes according to the ICAO definition.</p> <p>The FFA considers that it is essential that, when Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 is eventually amended as a result of consultations arising from NPA-06-2006, there is provision built in to the Regulation such that small aerodromes and airstrips (a term perhaps unique to UK), private flying sites, and other small sites used for occasional Commercial Air Transport (CAT) operations, can continue to be used – as in UK at the present time – under the guidance of a suitable Code of Practice agreed with the relevant National Aviation Authority (NAA).</p> <p>Justification:</p>	<p>noted</p> <p>Question 3 of the NPA addresses the scope of Community competence. Unless stakeholders contradict, it is not the intention of EASA to promote the extension of such competence to aerodromes not open for public use such as those mentioned in the comment.</p>	
1077	General	Exeter & Devon Airport Ltd	<p>Comment: 1a. Page 3 Explanatory Note Paragraph 1</p> <p>General: The Notice of Proposed Amendment No. 06/2006 is a requirement under Article 43.1. The Amendment which is proposed is to amend Regulation (EC) No. 1592/2002 of the European Parliament and of the Council 15 July 2002.</p> <p>Consultation: The requirement under Rule 43.1 is to seek consultation. The consultation is regarding the proposal "To extend "(the Basic Regulation)", to extend its scope to Safety and interoperability regulation of aerodromes.</p> <p>1b. – Paragraph 14</p> <p>The objective of this document paradoxically is to seek the opinion of all parties "on the ways and means to regulate the Safety and interoperability of European Aerodromes so that "the Agency</p>	<p>noted</p> <p>Based on Article 43 of the Basic Regulation, the EASA Management Board has established the EASA Rulemaking Procedure (MB/7/03, 17 June 2003), which includes consultation of the Advisory Group of National Administrations (AGNA) and of the Safety Standards Consultation Committee when initiating a rulemaking task. The same procedure then prescribes consultation of all stakeholders through NPA and subsequent</p>	

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			<p>can make". This statement is an erroneous basis for the paper. The Article 43.1 calls for consultation and this is the reason for the NPA, which is to comment regarding extending the scope of the Basic Regulation, not to discuss options regarding ways and means, etc.</p> <p>Opinion on ways and means follow the agreement to extend the scope. So far agreement is not evident.</p> <p>The proposed text should be more structured indicating the Aim of the NPA with clarity that it is seeking comment regarding "Extending the Scope of the Basic Regulation". The objectives should then be related to the Aim which are the factors covering feasibility, cost effectiveness, risk benefit analysis, etc. For example, the Objectives are:</p> <p>a. To examine the key areas where change will be made.</p> <p>b. To examine the strengths and weaknesses of the current international organizations.</p> <p>c. To explain how international limitations – ICAO, SARPS of Annex 14 can be changed while still having international recognition.</p> <p>Further objectives would be to illustrate the ability of the Agency or proposed organization, to effect change, monitor and audit it. While clearly stating how existing NAA minimum standards will be rationalised and standardised.</p> <p>Justification:</p>	<p>Comment Response Document (CRD). In this case the procedure is being exactly followed. Part of the procedure is to propose to stakeholders, in the NPA, a number of alternative options. The Agency will, as it always does, take into account all the received replies to the related questions, before developing its Opinion on the matter. The NPA text is therefore constructed in order to promote brainstorming and debate among stakeholders. The final legal text will obviously be much shorter and precise. It will be contained in a legislative proposal by the European Commission, based on the Opinion, which the Agency plans to deliver in the summer 2007.</p>	
1092	General	CAA Sweden	<p>Comment: 2) Whenever an aerodrome is open to public use and;</p> <ul style="list-style-type: none"> - the operation of the aerodrome requires more than 5 people, or - it is open in IMC, or - it is operated at night, or - it has more than 50,000 aircraft movements per year, or - it is open to aircraft with - a maximum take-off mass of 10 tonnes or more, - or an approved passenger seat configuration for 19 or more <p>Then;</p> <p>a) The aerodrome operator must implement and maintain a management system to ensure compliance with these essential requirements for aerodromes. The aerodrome operator must also aim for the continuous improvement of this management system.</p> <p>And;</p> <p>b) The Aerodrome operator must develop an aerodrome manual and operate in accordance with that manual. Such a manual must contain all necessary instructions, information and procedures for the aerodrome, the management system and for operations personnel to perform their duties.</p> <p>Comment:</p> <p>The Swedish CAA finds the expression "public use" is not a proper discriminator for certification or not and the expression "large and small aerodromes" is vague. The SCAA therefore submits a proposal to be considered for a future application.</p> <p>"When ever an aerodrome is satisfying one or more of the points below the aerodrome shall be subject to certification;</p> <ul style="list-style-type: none"> - it is open in IMC, or - it is operated at night, or - it has more than 50,000 aircraft movements per year or - it is open to aircraft with - a maximum take-off mass of 10 tonnes or more, - or an approved passenger seat configuration for 19 or more <p>Then;</p> <p>a) The aerodrome operator must implement and maintain a management system to ensure compliance with these essential requirements for aerodromes. The aerodrome operator must also aim for the continuous improvement of this management system.</p> <p>And;</p> <p>b) The Aerodrome operator must develop an aerodrome manual and operate in accordance with that manual. Such a manual must contain all necessary instructions, information and procedures for the aerodrome, the management system and for operations personnel to perform their duties".</p> <p>Justification: As a general comment to proposed text of the SCAA the number of people employed has relevance only in how the aerodrome is managed. It must be the choice of the aerodrome operator to establish the aerodrome organisation to fulfil the commitment to safe and efficient management.</p> <p>The rest of the paragraphs relating to night or IMC operations have a definite impact on safety during these circumstances because there are less visual references or cues in comparison with daytime VMC operations.</p> <p>The number of aircraft movements i.e. 50.000 per year in average equals to 6 movements per hour which definitely has gone beyond the lower limit where the Air Traffic Control is needed to manage traffic flow. Nevertheless this number of movements must be reconsidered but is for the time being accepted as a reasonable limit.</p> <p>A lower limit of aircraft MTOM 10 tons or more or an approved passenger seat configuration for 19 or more present a credible limit in respect of complexity in aerodrome operation where</p>	<p>partially accepted</p> <p>The scope of this legal act is dealt with in Question 3 and was proposed in the NPA to contain all aerodromes open for public use. If this term will be used in the legal text, naturally a clear definition will be specified in the article 2 of the Basic Regulation.</p> <p>The criteria mentioned in the same comment are related in the NPA to some of the ER's and it is also requested through Questions 5 and 6 whether these criteria would be appropriate in segregating small aerodromes in order to allow more flexibility for them in this legal framework. The Agency takes note on these alternative proposals.</p>	

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			<p>Community legislation should be applied. It seems reasonable that aerodrome offered for commercial transportation under these conditions constitute the level where Community legislation must be applied since this is where the passenger is paying a fare and has made an assumption that the flight will be safe and efficient.</p>		
2979	General	ECA, Brussels	<p>Comment: With respect to: B(1)(e) & B(1)(f):</p> <p>It appears that (e) will cover any emergency that may occur, and therefore having an effective plan must also by inference include a complete and adequate establishment of equipment and manpower. It appears that (f) will allow scope for service to be varied depending on the current usage at the time. However the requirement to respond in a timely manner is not sufficiently prescriptive enough, and further guidance is needed as to how the term "timely" is to be interpreted.</p> <p>With respect to visual and non visual aids the proposed Essential Requirements are too vague. ECA believes such requirements could lead to provision of visual aids that differ from standard, internationally specified visual and non visual aids. Specifically, the Essential Requirements should state:</p> <p>a) Visual and non visual aids shall be provided and maintained in accordance with ICAO SARPs. b) All portions of the movement area must be clearly identified and marked. c) When the aerodrome is used at night or during reduced visibility, certain markings must be supplemented by lights. d) Visual aids and non visual aids provided to assist in the use of the aerodrome must be fit for purpose and serviceable. e) Visual aids must at all times be clearly visible and unambiguous. f) When such equipment requires electrical power, any supply disruption must not result in incorrect visual or non visual guidance being provided to users; or any misleading information being given; or result in the lack of any essential service. g) Electrical system and electrical equipment design must ensure failures do not permit unsafe situations to develop or occur. h) Suitable means of protection must be provided to avoid damage or disturbance to such visual or non visual aids.</p> <p>The advantage to this approach is that EASA currently has no provision to file differences as does ICAO. Thus, additional standardization of visual aids could be achieved. EASA could become a model for other regions of the planet and provide a step toward real visual aids standardization.</p> <p>Justification:</p>	partially accepted	<p>What comes to the comments on B.1.e and B.1.f, the Agency will develop those aspects mentioned in the forthcoming implementing rules. However, wording of these ER's may be slightly modified based on many comments. The same will take place as regards the comments related to visual aids. Aspects mentioned will be addressed in the implementing rules. Again, the relevant ER will be slightly modified based on many other comments too.</p>
0028	General	The Air League	<p>Comment: The Air League supports attempts to improve aviation safety by standardisation where this is thought necessary on safety grounds and is designed to be as cost-effective as possible. Accordingly, it gives a guarded welcome to this NPA.</p> <p>However, the NPA does not give any evidence of the need to standardise the requirements for all civil aerodromes and there are no statistics of any sort provided to justify the possible imposition of standardised requirements for the sites used for take-off and landing of all aircraft. This deficiency is particularly important as it is generally accepted that the requirements for aerodromes used for CAT operations should be significantly more demanding than those used for recreational flying say, model aircraft or microlight flying, gliding and hang gliding, where the number of persons in the aircraft are limited to nil, one or two.</p> <p>Indeed, there seems no reason to have standardised requirements for aerodromes other than for those used for CAT operations – where there is a duty of care to protect fare-paying passengers - or for flying training in light aeroplanes or light helicopters - where there is a duty of care to protect pilot trainees in aircraft carrying significant fuel loads. (This would match the UK requirement for the licensing of aerodromes.) And there would be a very heavy administrative burden and cost associated with the necessary regular inspection, registration or certification if all sites used for take-off and landing by any form of aircraft were to be covered under the NPA and subsequent regulation.</p> <p>Regulation of recreational flying sites is best left to national representative organisations who have vested interests in making sure flying sites used by their members are safe and they do so in the UK with minimum cost. Self-regulation of these activities has been proven to work and there seems no reason to change unless future safety statistics prove otherwise.</p> <p>Further, the NPA makes a distinction between large and small aerodromes without ever defining just what these terms mean. This is an odd omission bearing in mind that ICAO specifies four runway reference codes depending on runway length and six code elements depending on the size of aircraft using them.</p> <p>While accepting that the NPA is explaining to Parliamentarians many of the factors to be considered in making and operating safe aerodromes and so the explanation must be in rather general terms, the requirements in the NPA are not comprehensive. Large aerodromes are more complex than the relatively simple generalisations mentioned in the essential requirements listed in the NPA. I can only refer you to the detailed ICAO requirements for aerodromes and to the UK CAA's new edition of CAP 168 dealing with the Licensing of Aerodromes.</p> <p>Justification:</p>	noted	<p>As regards issues related to the scope of this legal action - see Question 3.</p> <p>Definitions will be developed based on this consultation, and will be specified in the Basic Regulation. A segregation between small and large aerodromes, in the scope of this regulation, is proposed in ER's, and will also be developed based on this consultation. Necessary definitions (not necessarily 'large' and 'small') will be used in order to impose excessive burden on small/medium enterprises.</p> <p>ER's can not be too detailed, because they apply to all in the scope of the regulation. Implementing rules will define how the compliance with ER's has to be achieved.</p>
1205	General	ECA, Brussels	Comment: I – Description of ERs	partially accepted	

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2980	General	CAA Norway	<p>• Mitigation measures should not only be implemented when risk appeared unacceptable, but also when they are easily achievable (especially when there is little cost involved).</p> <p>• Within paragraph 11, concerning runway safety, the focus is mainly on crossing runways. Specific design criteria should also be applied to intersections of taxiways and runways. EASA should go further than ICAO Annex 14 in runway safety issues.</p> <p>• It seems that the NPA is not consistently using the terms manoeuvring area and movement area. Safety requirements shall apply to the whole Movement Area (i.e. the runways, taxiways and aprons). The document contains "manoeuvring areas" on page 17 in para 16; pg 18 para 25; this expression should be changed to "Movement Area".</p> <p>• Concerning paragraphs 18 and 19: Loss of situational awareness risk is not limited to night and low visibility. Therefore, safety nets (like red stopbars) should be used at all times.</p> <p>• The section "Aerodrome Data" should also make reference to the requirements of ICAO Annexes 15 (Aeronautical Information Services) and 4 (Charts).</p> <p>• The section "Operations and Management of an Aerodrome" should also refer to the provision of Air Traffic Services (according to ICAO Annex 11) and to the responsibilities of and the necessity to coordinate with the Air Navigation Service Provider.</p> <p>• Security is an Essential Requirement to achieve safe operations. Although Security Requirements for Airports are probably specified elsewhere, there should be a statement about Security in this regulation and/or a reference to the Security Requirements Regulation.</p> <p>II – ERs</p> <p>• In general, the ERs should as closely as possible stick to the ICAO text.</p> <p>• The experience of ten-thousands of professional pilots operating world-wide has resulted in a collection of operational requirements (IFALPA Policies) on aerodromes and ground equipment that ECA will be happy to provide as input to the ensuing discussions on Implementing Regulations, Community specifications, AMCs and Guidance Material.</p> <p>A – Physical Characteristics and Infrastructure</p> <p>• 3 a) + c) "understood by all flight crew" is a good objective, however bad language for a regulation, as this cannot be checked; wouldn't it be better to word the requirement "... that complies with ICAO Annex NN"?</p> <p>• 3 b) the "certain markings" (or rather the requirements for lights) should be more clearly specified</p> <p>B – Operations and Management</p> <p>• "the operation requires more than 5 people" needs to be detailed; does this mean 5 at the same time or does it include those that are not currently in a working shift?; 50,000 movements is way to high; something like "commercial (passenger) air transport" needs to be added to ensure that fare paying passengers are protected by the same level of safety everywhere.</p> <p>Justification:</p> <p>Comment: CAA-N has the following suggestions for improvements. Text to be deleted is underlined and in brackets, and new text is written in italics.</p> <p>A - Physical characteristics 1) a) iii): The landing and take-off area must, where applicable, be designed (to ensure water is drained) to prevent (standing) water or other contamination becoming a hazard to aircraft operation.</p> <p>Comment: Also snow, slush and ice represent a hazard to aircraft and may to a certain degree be avoided with a good design of the landing and take-off area.</p> <p>3) Visual and Non-Visual Aids a) All areas within the movement area have to be clearly identified and marked in a way that can easily be understood by all flight crew. e) When such equipment requires (electrical power) energy supplies, any supply disruption must not result in incorrect (visual or non-visual) guidance provided to aircraft or aircrew; or any misleading information being given; or result in the lack of any essential service. f) (Electrical system and electrical equipment) Visual aids design must ensure failures do not permit unsafe situations to develop or occur.</p> <p>Comment: The ERs should include future technical developments if possible.</p> <p>4) a): Aerodrome data as relevant for (to) the (aerodrome) safe operation of aircraft must</p>	<p>I – Description of ERs;</p> <p>EASA disagrees with the first comment. The aim of the ER are to mandate mitigating measures for known unacceptable risks.</p> <p>Paragraph 11 only addresses the issue of landing and take off areas (runways). The issue of taxiways (including their interaction with runways) is addressed in the essential requirements in the paragraph concerning taxiways.</p> <p>The term manoeuvring area was used erroneously in the explanatory note only, there is nothing to change in the ERs.</p> <p>The Agency agrees with the general comment. The ERs have been changed and seem to better take the comment into account.</p> <p>It is not planned to use the ICAO SARPs by reference but to include their contents in the regulatory framework for all EASA rules. The two prior consultations on ER have shown that a vast majority of stakeholders do not wish the referencing to take place.</p> <p>It is not foreseen to extend the scope of Agency competence to security. The role of the Agency is to ensure that Security requirements do not lead to an unacceptable lowering of safety. Transport security is competence of EC DG-TREN.</p> <p>II – ERs;</p> <p>ICAO text does not only address safety issues but also addresses implementation methods. These ERs only address safety issue. It is therefore not possible to full copy ICAO text.</p> <p>The Agency thanks ECA for their offer, and is sure that the document will be helpful in developing the implementing rules.</p> <p>A – Physical Characteristics and Infrastructure;</p> <p>The texts may be modified.</p> <p>B – Operations and Management;</p> <p>Alternative definitions different from 'large' and 'small' will be used to avoid imposing disproportionate burden on small enterprises.</p>	<p>partially accepted</p> <p>As regards the note under physical characteristics it is assumed that this ER with revised ER's related to aerodrome operations do adequately address the hazards created by snow and/or slush. This issue will be furthermore developed in the relevant implementing rules.</p> <p>As regards visual and non-visual aids it is the purpose to regulate on their performance requirements and allowing technological development and innovation to take place.</p> <p>The proposed addition in relation to the aerodrome data would not be wrong as such, but has not been accepted in order to maintain the consistency with other ER's.</p> <p>As regards comments on aerodrome operations; - a reference to manpower under RFFS ER</p>

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0986	General	German Airports Association	<p>be established and kept current.</p> <p>Comments: CAA-N suggests that subpart a) more clearly define a legal base for implementing rules regarding AD data. By adding "as needed for the safe operation of aircraft" the objective should be clearer.</p> <p>B – Operations and Management 1) f): CAA-N suggests "manpower" to be deleted. The ER should cover all AD, independent of size. As CAA-N sees it, it should not be required to have RFF personnel at AD only for small airplanes and small helicopters.</p> <p>2) CAA-N suggests the line "it is operated at night" to be deleted. We agree in requiring a management system for AD allowing IMC flights. Regarding nights operations however, we do not agree, because private AD for small airplanes and helicopters may have VMC night operations. See the answer to question 5 and 6 regarding safety and less stringent requirements for these operations.</p> <p>C – Mitigation of hazards 1) b): Such obstacles must be promulgated, and according to the need, be provided with lights (marked) and, where necessary, be marked (provided with lights).</p> <p>Comments: Lights should be the main requirement. Objects within the AD boundaries may also be marked (painted) for extended visibility, but outside the boundaries this is not adequate (red and white painted houses?).</p> <p>2) c): the use of high intensity visible radiation such as lasers</p> <p>Comments: The ERs should include future technical developments if possible. If non-visible radiation represents danger to aviation, this should be a part of the CNS-requirements.</p> <p>Justification:</p>	<p>has been deleted - a notion of night operations is now accompanied only by a need for appropriate procedure</p> <p>As regards comments on hazards outside the aerodrome's control; - marking of obstacles - words 'according to the need' allow for the flexibility indicated in this comment - use of dangerous lights - wording of this ER will be revised</p>	
			<p>Comment: Since the EU is not a sovereign state like the USA, it would not be very efficacious to invest EASA with executive functions vis-à-vis operators of commercial airports. This would be inappropriate if only because EASA cannot assume a position comparable to that of the FAA either externally (i.e. towards the ICAO) or internally (EU) as long as each EU member state has its own airport approval authorities (CAA).</p> <p>Investing EASA internally with the function of an approval authority similar to that of the FAA requires the political will of all EU member states and a corresponding legal act to disband the responsible national approval authorities and assign their tasks to such an agency. Since this does not change anything in the relationship of the EU members to the ICAO as signatory states, i.e. does not discharge them of the responsibility of providing standards-compliant airports in accordance with Article 28 in conjunction with Article 37 of the ICAO Convention, the expansion of EASA's competencies, for example to airport matters, as mentioned in the reason for consideration no. 2 of the regulation EC 1592/2002, is no more than a step towards setting up a new level of bureaucracy without any discernable benefit for the member states. The history of EUROCONTROL shows that at the end of the day such agencies in reality confine themselves to the role of advisors to the states as regards technical and operational development and can only propose operational regulations that can be elevated to the status of EU procedural rules by means of other legal institutions.</p> <p>Any further level with decision-making powers on airport matters between the ICAO and signatory state would disrupt and interrupt the clear lines of decision between the ICAO, signatory state and airport operator, slow down the main approval processes for aerodrome operators and so drive costs up. The special circumstances for the permissions necessary in airport matters can only be suitably reflected by the national or regional approval authorities who are familiar with the local conditions. Additional bureaucratic overheads would damage the aviation industry without meaning increased safety in it.</p> <p>Monitoring of the national authorities as regards fulfilment of the ICAO requirements for aerodromes (Annex 14) is carried out by the ICAO itself as part of the Universal Aviation Safety Oversight Programme (USOAP); further monitoring by the EASA does not promise any added safety.</p> <p>Given this starting position, we believe that it would be expedient to give EASA the task of creating regulations that have not been specified or have only been inadequately specified by ICAO. If these regulations are accepted by the EU, the member states would have to recommend them to the international aviation organisations and represent them there. In concrete terms, that means it would be necessary to foster supplementation of authoritative international documents in matters of safety as demanded, instead of merely repeating the facts regulated in Annex 14.</p> <p>Justification:</p>	<p>noted</p> <p>German Airports Association refers to several issues in this comment. First what comes to the executive tasks of EASA, they are indeed anticipated to contain only centralised rulemaking and standardisation of nationally designated competent authorities. They will continue to be the overseeing body. Therefore there will not be any duplicate processes. Secondly, referring here to Eurocontrol's advisory role might not be very relevant. As a Community agency EASA, unlike Eurocontrol, does have a regulatory role specified in the Basic Regulation. Third, the Basic Regulation also specifies the role of EASA in relation to ICAO. In other fields of aviation safety, which are already in the legal competence of EASA, such disruptions as mentioned here have not been experienced. And again, those local conditions referred to in this comment, remain to be dealt with at local level. Last, what comes to the anticipated standardisation role of EASA, that is the case in other fields of aviation safety and indeed has not been questioned by other stakeholders in this consultation.</p>	
0529	General	GAAC	<p>Comment: The UK General Aviation Awareness Council (GAAC) is a national body representing some seventy member associations and others with a specific remit for airfields (www.gaac.org.uk) and supports attempts to improve aviation safety by standardisation across EASA Member States where this is thought necessary on safety grounds and is designed to be as cost-effective as possible. Accordingly, it gives a guarded welcome to this NPA.</p> <p>Justification:</p>	<p>noted</p> <p>As regards issues related to the scope of this legal action - see Question 3.</p>	

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1000	General	DGAC, France	<p>However, the NPA does not give any evidence of the need to standardise the requirements for all civil aerodromes and there are no statistics of any sort provided to justify the possible imposition of standardised requirements for the sites used for take-off and landing of all aircraft. This deficiency is particularly important as it is generally accepted that any requirements for aerodromes used for CAT operations should be significantly more demanding than those used for recreational flying say, model aircraft or microlight flying, gliding and hang gliding, where the number of persons in the aircraft are limited to nil, one or two.</p> <p>Indeed, the GAAC sees no reason to have standardised requirements for aerodromes other than for those used for Commercial Air Transport (CAT) operations in aeroplanes and scheduled flights in helicopters. Even then, exemption from standardised aerodrome requirements should be made for non-scheduled CAT helicopter flights and for CAT hot-air balloon flights. In both these cases, the safety of the sites used for individual flights will be regulated under the company's Air Operating Certificate by the relevant NAA's Flight Operations Department. There would be a very heavy administrative burden and cost associated with the necessary regular inspection, registration or certification if all sites used for take-off and landing by any form of aircraft were to be covered under the NPA and subsequent regulation.</p> <p>Regulation of recreational flying sites, including flying training sites, is best left to national representative organisations who have vested interests in making sure flying sites used by their members are safe and they do so in the UK with minimum cost. Self-regulation of these activities has been proven to work and there seems no reason to change unless future safety statistics prove otherwise.</p> <p>Further, the NPA makes a distinction between large and small aerodromes without ever defining just what these terms mean. This is an odd omission bearing in mind that ICAO specifies four runway reference codes depending on runway length and six code elements depending on the size of aircraft using them.</p> <p>While accepting that the NPA is explaining to Parliamentarians many of the factors to be considered in making and operating safe aerodromes and so the explanation must be in rather general terms, the requirements in the NPA are not comprehensive. Large aerodromes are considerably more complex than the relatively simple generalisations mentioned in the essential requirements listed in the NPA. Here, the GAAC refers you to the detailed ICAO requirements for aerodromes and to the UK CAA's new edition of CAP 168 dealing with the Licensing of Aerodromes.</p> <p>As to your questions, we would make the general point we believe that the 'Essential Requirements' might not be the best place for detail which might be more appropriately defined in the 'Implementation Rules' and that the meaning of 'Public Transport' and 'Public Use' along with other generic description need defining within a 'glossary' to avoid misinterpretation.</p> <p>Justification:</p> <p>Comment: It is stipulated in the NPA that its objective is to propose "basic principles and essential requirements for the safety and interoperability regulation of aerodromes". The principal objective of the 1592/2002 regulation, EASA birth certificate (under modification process) is "to establish and maintain a high uniform level of civil aviation safety in Europe". In the fields covered by this regulation, additional objectives are as follows:</p> <ol style="list-style-type: none"> to ensure a high uniform level of environmental protection; to facilitate the free movement of goods, persons and services; to promote cost-efficiency in the regulatory and certification processes and to avoid duplication at national and European level; to assist Member States in fulfilling their obligations under the Chicago Convention, by providing a basis for a common interpretation and uniform implementation of its provisions, and by ensuring that its provisions are duly taken into account in this Regulation and in the rules drawn up for its implementation; to promote Community views regarding civil aviation safety standards and rules throughout the world by establishing appropriate cooperation with third countries and international organisations. The Commission has proposed for the modification of the 1592/2002 Regulation to add the following objective: " to provide a level playing field for all actors in the internal aviation market." <p>If safety is explicitly indicated in the in the general objectives of the European Aviation Safety Agency, it is nowhere indicated that EASA has to promote "interoperability" or whatever domain of "interoperability"; unlike for example the Railway European Agency which has since the beginning the objective to reinforce the level of interoperability and safety for the European railway system. A particular attention should be turned to the meaning of "interoperability" in the NPA, because this concept, its objectives and its modes of enforcement have been never introduced in the EASA mandates. Now the concept of "interoperability" could be taken in more or less extensive senses according to the pursued objectives, the applicability and the context where it is used. The treaty of Maastricht (published in the official Journal NC 191 of July 29th, 1992) introduced the concept of "interoperability", without defining it explicitly. This concept is used about trans-European networks:</p> <p>Article 129 B</p> <p>"2. Within the framework of a system of opened and competitive markets, the action of the Community aims at favoring the interconnection and the "interoperability", of the national networks as well as the access to these networks. (...)"</p> <p>Article 129 C</p> <p>"1. To realize the objectives aimed at the article 129 B, the Community:</p> <ul style="list-style-type: none"> - establishes a set of orientations covering the objectives, the priorities as well as the main lines 	noted	<p>Obviously "the safety and interoperability regulation of aerodromes" have the ultimate goal of establishing and maintaining a high and uniform level of civil aviation safety in Europe. In the case of aerodromes, to ensure safety it is also necessary to ensure that any pilot, landing at any aerodrome, will find both visual and non-visual aids as well as procedures, responding to the same rules. This possibility for the pilot to safely "access" any European aerodrome has been defined as "interoperability" in this NPA. It is true that many other definitions of interoperability may exist, but they are not meant to be used here, albeit the concept of accessibility and harmonization of technical standards is common to many of them. Interoperability, as explained here, contributes directly to safety and cannot be split from it. Should it be necessary, the Agency will propose in its opinion a legal definition of interoperability in this context. Once the legislator will have approved the amendment to the Basic Regulation, proportionate implementing rules will be proposed by the Agency.</p>

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1148	General	ENAC Italy	<p>of the actions envisaged in the field of trans-European networks; these orientations identify projects of public interest;</p> <p>- implements any action which can turn out necessary to assure the interoperability of networks, in particular in the field of the harmonization of the technical standards; (...) »</p> <p>The concept of interoperability was then applied to various domains, but in different senses following the considered domain:</p> <p>So, the "interoperability", its objectives and its applicability strongly depend on the considered domain.</p> <p>In the case of the aerodromes which worries us here, the NPA does not really define the "interoperability" other and only indicates (§13 p.5): " Aircraft fly from place to place and the rules devised to provide for the necessary level of safety have also to be known and understood by all users. Such a need for interoperability is therefore not only a tool to facilitate the free movement of persons, but also an essential safety requirement. The Agency considers therefore that interoperability cannot be dissociated from safety when regulating civil aviation. This explains why the present consultation covers also interoperability requirements so as to ensure that the interoperability objectives contained in ICAO Standards and Recommended Practices are also taken into consideration and avoid disrupting the global system they underpin ».</p> <p>This definition is insufficient to clearly determine which level of harmonization EASA wishes to fix to ensure the safe free aircraft movements.</p> <ul style="list-style-type: none"> - The "necessary level of safety" is not defined; - The term "users" can concern a lot of people, not only pilots, but also aerodrome operators, ground handling staff, every person circulating in the aerodrome; - The "rules" introduced are not necessarily only technical ones (infrastructure, physical characteristics) and can also cover operational (operational procedures on the aerodrome), organizational, legal aspects (sharing of the responsibilities,) even economical (economic models). - "The objectives of interoperability contained in the ICAO standards and recommended practices" mentioned are not clear because this concept is not indicated in ICAO annex 14 and also because no precise definition is given by ICAO. The word "interoperability" is used in ICAO annex 10 relative to aeronautical telecommunications and in ICAO manual n°9859 (safety management system manual), but with a different connotation related to systems. It is to notice that ICAO safety management system manual marks a difference between "harmonization" and "interoperability". <p>In conclusion, the term "interoperability» is subject to many interpretations and the idea suggested in the NPA rather corresponds to an harmonization. Moreover, the objectives that EASA wishes to reach with this concept of "interoperability", as the applicability of this concept, are not clearly defined. As it is, the term of "interoperability", used in the NPA is only source of confusion and it would be necessary to delete it or possibly to replace it by the word "harmonization".</p> <p>Justification:</p> <p>Comment: The extension of Community competence to aerodromes and air traffic management will be in medium period a further step forward to build a European aviation regulatory system able to satisfy future demand for civil aviation growth.</p> <p>ENAC do support this important innovation in setting up a new system and already suggested a number of critical issues in order to better face the associated problems.</p> <p>For the sake of clarity in the contribution that ENAC wishes to provide, hereafter are listed a few important issues. Further details are provided into specific comments.</p> <p>Applicability of Community legislation</p> <p>ENAC believes that a common effort is needed to design a new system where Community, EASA and National Authorities work in an integrated manner in a regulatory frame where subsidiarity and proportionality concepts provide for a balanced sharing of competences.</p> <p>In general we should realize that aerodrome safety has been addressed since many years in Member States even if the way chosen by each State may differ. Those differences pose mainly a question of uniformity for all aerodromes open to commercial operations that compete in the European arena and than the size and extent of operations to which Community legislation constitute an added value and can provide a level playing field. A good basis to classify aerodromes in order to identify Community interests could be given by Commission Communication 2005/C 312/01 related to aerodromes and their capacity to compete. The classification provided in this communication identify four categories of aerodromes where the last one "small regional aerodromes" having less than 1 million passengers per year is considered not relevant in that context. In any case previous studies mentioned in the communication do not take in any account aerodromes having less than 250.000 or 200.000 passengers per year. One of these limits could than be used to discriminate between Community competence and National competence in determining an integrated regulatory framework where aerodromes over a certain size of operations shall be regulated by Community legislation, while aerodromes with limited commercial operations shall remain under national legislation without endangering level playing field and fair competition. Basic Regulation should than identify the field of application of the Community legislation and if any part of the essential requirements have to be complied with by Member States through National legislation.</p> <p>Implementing rules</p> <p>It is important to note that regulating and implementing safety regulation in the aerodrome field requires very often a complex management, specifically for design and construction requirements, due to the need to involve local land authorities, and other government bodies like environment. This situation requires Member States to manage the implementation of rules with adequate level of flexibility. So a careful approach should be devoted to establish the sharing of competences between Community and Member States.</p>	noted	The Agency takes note of these views and addresses them under more detailed comments from ENAC.

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			<p>Two basic options with different level of flexibility could be envisaged. A first option is that Implementing Rules for aerodromes subject to Community legislation are adopted by European Commission and implemented by National Authorities. In this case the rules in themselves should provide adequate flexibility in assessing compliance or in determining compliance timeframe, etc. to allow proper discharging of certification function.</p> <p>A second option could be that Community legislation provide for adoption of implementing rules for operations and management by European Commission, leaving to Member State the competence to issue IR for infrastructures and systems. Standardization and monitoring by EASA is required. This option could still provide a high level of uniformity on aerodrome operator certification while maintains a significant flexibility to manage implementation of design and construction requirements that are more critical in relation to land, environment and other interested bodies involvement.</p> <p>ENAC will support any effort to guarantee the best possible result but it is important to note that aerodrome field does not take advantage from a consolidated common regulation like the other previous sectors (airworthiness, flight operations and licensing), where the use of a mature set of rules has made possible to establish Commission regulations through slight modifications of the various JARs. In this sense the document produced by GASR is to be considered as a good basis and a recollection of requirements and options that need to be deeply discussed prior to test it in the field. This situation could also have an impact on the timeframe selected for the Agency to be operative.</p> <p>Basic principles</p> <p>The NPA is formally related to basic principles and essential requirements but the text only describes essential requirements. Basic principles are generally described into the Basic Regulation, art.4 or other articles fit for the purpose. ENAC recognises that the questions put in the explanatory note are meant to collect comments and suggestions useful to elaborate modifications of Basic Regulation. On the other side it would mean that a second NPA will be launched after this one with the proposed text. This issue is of a paramount importance because all the critical aspects, the applicability of Community legislation, the sharing of competence between Community and its Member States, the model chosen to manage implementing rules, etc. are dealt in this part of the basic regulation.</p> <p>ENAC believes that a new NPA is necessary and is confident that adequate timeframe will be established.</p> <p>For the above reasons and also to promote a sole modification of Basic Regulation to expand Community legislation to aerodromes and air traffic management, ENAC strongly supports the transfer of competence between Member States and Community in same date; considering the complexity of problems raised by this transfer planning of the date at which EASA will be operative should be carefully reviewed.</p> <p>Justification:</p>		
1151	I 1)	ENAC Italy	<p>Comment: This requirement should not be limited to operations in reduced visibility or at night. It should relate to any operation including those mentioned.</p> <p>Justification: Reports of runway incursions or incidents in the aprons between aeroplanes and vehicles show that they happen in any visibility condition. In some cases they tend to happen more in good visibility conditions than in poor conditions.</p>	accepted	It is indeed not the purpose to limit the risk mitigation to operations in reduced visibility or at night. The wording of relevant Essential Requirements will be revised based on many other comments too.
0280	I 2	FRAPORT AG	<p>Comment: There should be a reference made to the ICAO USOAP Is EASA perspective planning to perform SMS-audits (-> USOAP)? If so, how does the certification process look like and what "quality rating" is associated with such an EASA certificate? What are the potential parameters for qualifying the level of safety?</p> <p>Justification:</p>	noted	EASA is already a member of the USOAP programme and is implementing SMS in its present field of competence.
0281	I 40	FRAPORT AG	<p>Comment: The minimum size of 5 persons on which the implementation of a management system is based on is not traceable from our point of view. Which parameters have been consulted when establishing this figure? Are aerodromes beneath this numerical "barrier" completely excluded from these essential requirements?</p> <p>Justification:</p>	noted	This is an object of a question in this consultation. The definition was a proposal to be discussed.
0282	I 41	FRAPORT AG	<p>Comment: Basically the compilation of an aerodrome manual may be doubtful for relatively small airfields (-> human resources)</p> <p>Justification:</p>	noted	The document shall be proportionate to the size and scale of the operations.

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0283	I 41/42	FRAPORT AG	<p>Comment: According to our opinion the current safety related management system is inherently and reasonably integrated into the management and organizational structures of the aerodrome operator (-> IMS). Moreover full compliance is assured to all relevant ICAO documents. We therefore do not see any necessity for the implementation of additional supervisory entities.</p> <p>Justification:</p>	<p>noted</p> <p>There will only be one regulation, the EU law. There will only be one authority locally competent for oversight, to be defined through the answers to the questions asked.</p>	
1149	I 2)	ENAC Italy	<p>Comment: A different text should better reflects this requirement, see also comment to question 3. " Whenever an aerodrome open to commercial operations and: it is used by aeroplane with a MTOW of 10 tonnes or more, or an approved passenger configuration for 19 or more and has a traffic of more than 200.000 /1.000.000 passengers per year then a) the aerodrome operator must implement and maintain a safety management system to ensure compliance with Implementing Rules adopted to implement these essential requirements for aerodromes. The aerodrome operator must also aim for the continuous improvement of this safety management system. And b)"</p> <p>Justification: See justification to question 3. The use of Safety Management System is an added value and qualify the requirement. It is obvious that any organization has a management system, but must be verified that this system is adequate to manage safety issues. So the request for a SMS has specific value. It also satisfy obligation that any EC Member State has vis a vis with ICAO as contracting State.</p>	<p>noted</p> <p>Relevance of the proposed segregation has indeed been addressed in questions 5 and 6. Necessary proportionality in relation to the aerodrome operator's management system could also be introduced on the level of implementing rules, as many stakeholders seem to suggest.</p>	
1255	II	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment.</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed.</p>	
1035	II	IAA	<p>Comment: The provision of rescue and fire fighting services are dealt with by ICAO in Annex 14 based on the critical aircraft concept. If EASA were to permit a lower category of rescue and fire fighting services at an alternate aerodrome then States would be in contravention of Annex 14 if they followed EASA. The IAA holds the view that alternate aerodromes should not be treated in a different manner to other aerodromes and contends that there is no ambiguity in Annex 14 regarding this matter.</p> <p>Justification: All passengers and crew should be provided with the appropriate level of fire cover for the aircraft they are traveling in and safety standards should not be diminished to accommodate alternate aerodromes. The aircraft Operator should select alternate aerodromes which have appropriate services for the size and type of aircraft being operated.</p>	<p>noted</p> <p>This issue is dealt with in question 2 of this consultation. Moreover, any implementing rule in this field will be issued by the Commission and adopted in the comitology process.</p>	
0050	II	GJA Plaisier	<p>Comment: ER's have to be high-level requirements and should be more like: - For commercial air transportation, aerodromes have to be provided. - These aerodromes may be subject to regulation and certification. - Aerodromes shall at least have runways with markings, lights, signs, visual and non-visual aids, facilities and services to enable commercial air transportation to that aerodrome with the present types of aircraft and possibly future types. The type of aircraft mostly utilised at that aerodrome in terms of movements shall be the reference aircraft for RFF services. - A safety management system shall be available at the aerodrome - A reporting system and staff training shall be part of that system.</p> <p>Justification: For the extension of responsibility of EASA to include aerodromes the ER's are far too detailed and seem to be made towards specific implementation rules already. The overall intention of these ER's is to limit aerodrome operations while the extension of air transportation has to be promoted.</p>	<p>noted</p> <p>See Question 2</p>	

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0284	II 1	FRAPORT AG	<p>Comment: Internationally agreed definitions are missing. It is very unclear what is meant by the terms: "suitable, capable, adequate, sufficient"</p> <p>Justification:</p>	<p>noted</p> <p>The dictionary meaning should be understood. This is an explanatory note that does not have legal repercussions necessitating to define every word.</p>	
0286	II 4	FRAPORT AG	<p>Comment: What is meant by Aerodrome data? If Data are meant as under "A", there are commonly agreed ways and formats for publication existing. If other data are meant – this must be more precisely described. Already covered by existing SMS. All Training and Supervision of Staff is covered by SMS. Access and Security to the mentioned areas is covered by 2320/2002. No more bureaucracy can be accepted.</p> <p>Justification:</p>	<p>noted</p> <p>Further implementing rules will provide for the detail. There will only be one regulation, the EU law. This supersedes the relevant national laws. Safety regulation of aerodromes and security regulation are two different matters. The latter is responsibility of EC DG-TREN for all transport modes. Relevant essential requirement and implementing rules will be limited only to the safety aspects of movement areas and other operational areas.</p>	
0691	II A	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a) i - 1 a) vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c) i – 1 c) iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d) i – 1 d) v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e) – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>II, A, 2)</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefor proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>
0926	II A 2	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports.</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0096	II A 2	Bickerton's Aerodromes Ltd.	<p>Comment: I hope that consideration is being given to exemption of small airstrips. For example, I fly from my own field in open airspace and am the only user. It is use for perhaps 50 or fewer movements per year. There is no need for marking the field in any way or publication of data. If the field is boggy or full of stock, I move to another field. Regulation of the thousands of possible strips like this would have little point and be expensive. Please may common sense prevail.</p>	<p>noted</p> <p>Question 3 of the NPA addresses the scope of Community competence. unless stakeholders contradict, it is not the intention of EASA to promote the extension of such competence to aerodromes not open for public use such as your field.</p>	

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Justification:					
0692	II A 2)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: We believe that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules</p>	not accepted	The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.
0693	II A 3)	Nottingham East Midlands Airport	<p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted</p> <p>Justification: We believe that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. We propose changing the term "non-visual aids" into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance than a physical characteristic.</p>	partially accepted	The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.
1105	II A 4)	Humberside Airport	<p>Comment: Humberside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>	partially accepted	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.
0694	II A 4)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>	partially accepted	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0695	II B 1)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>1. There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. f) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. g) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. h) No change.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>	
0287	II B 1c, d, k	FRAPORT AG	<p>Comment: Already covered by existing SMS. All Training and Supervision of Staff is covered by SMS. Access and Security to the mentioned areas is covered by 2320/2002. No more bureaucracy can be accepted.</p> <p>Justification:</p>	<p>noted</p> <p>This is an empowering regulation. For the SMS to be mandated it must be enabled through the ERs. Moreover, safety regulation of aerodromes and security regulation are two different matters. The latter is competence of EC DG-TREN for all transport modes. Relevant ER's and implementing rules will be limited only to the safety aspects of movement areas and other operational areas.</p>	
696	II B 2	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>		
0289	II B2	FRAPORT AG	<p>Comment: An aerodrome manual is part of the Certification of aerodrome of Annex 14 in conjunction with SMS, covering the supervision. No need for an additional regulation.</p> <p>Justification:</p>	noted	The ERs will therefore not introduce any change to existing practices.
0288	II B2	FRAPORT AG	<p>Comment: If an certification once is issued on our opinion there is no necessity for an additional management system. The present regulations are sufficient to ensure compliance. It will be a crucial discussion to solve the problem about appropriate manpower e. g. for RFF Services.</p> <p>Justification:</p>	noted	There is no additional management system required. There are requirements imposed on the existing management system that for existing aerodromes complying with ICAO SARPs are already in place.
0290	II C	FRAPORT AG	<p>Comment: All the mentioned pints are covered by ICAO and transcribed into national law. Including building protections zones, events, peer reviews, emergency planning etc. This expands as well to the licensing of aerodromes and the classification of aircraft using the aerodromes. No need for additional rules.</p> <p>Justification:</p>	not accepted	European regulations supersede national rules and are not added to them. Furthermore, the ERs are designed to allow compliance with ICAO recommendations.
0697	II C 1 and 2)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>1. The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2. Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	partially accepted	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create unacceptable risk to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes an unacceptable risk.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0698	II C 3)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely</p> <p>Justification: This is not required as this issue is covered in B – Operations and Management e), and as proposed for amendment in the response to Para B-1 (e)</p> <p>It is felt that the form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties, (including local community organisations) likely to be involved in responding to an incident or accident as a matter of standard.</p>	not accepted	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.
0285	II 1,2,3	FRAPORT AG	<p>Comment: All points mentioned can only be considered as Headlines, which are clearly described by ICAO and transferred into German law. Another regulation with the same context of an agency with no relation to ICAO doesn't make sense. The airports point of view is that a differentiation between recommendation and Standard as by ICAO gives room to operate.</p> <p>Justification:</p>	noted	There will only be one regulation, the EU law. This supersedes the relevant national laws. The Basic Regulation establishing EASA provides for clear objectives and tasks to the Agency in relation to ICAO. Appropriate

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
				proportionality and flexibility will be built into future implementing rules.	
1251	II A	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	
0925	II A 1	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports..</p> <p>A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity).</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0602	II A 1	Glasgow Airport Airfield Operations	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f)</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity).</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
1091	II A 1 g)	AIRBUS, France	<p>Clarification of 'suitable' with regard to landing and take off areas needs to be included in the IR's. The statement 'not to create a hazard' should be amended to include such concepts such as 'low as reasonably practicable', and 'acceptable level of safety'. The use of the phrase 'no hazard' in 1) C, it is impracticable as there will always be residual hazards following risk assessment and implementation of control measures. Clarification of this area needs greater detail and be included in the IR's.</p> <p>Comment: "g) A fence or other suitable barrier must be provided to prevent the entrance to the movement area of unauthorized persons, vehicles or animals large enough to be a hazard to aircraft operations, unless the related risk can be mitigated by other means."</p> <p>As mentioned in another comment form, Essential Requirements must remain at a very high level. Detailed aspects should be found in the Implementing Rules. The above requirement is already a detailed requirement that should pertain to Implementing Rules, instead of being part of the Essential Requirements.</p> <p>Justification:</p>	accepted	<p>"g) A fence or other suitable barrier Suitable means must be provided to prevent the entrance to the movement area of unauthorized persons, vehicles or animals large enough to be a hazard to aircraft operations, unless the related risk can be mitigated by other means</p>
1102	II A 1)	Humberside Airport	<p>Comment: A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a) i - 1 a) vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c) i – 1 c) iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d) i – 1 d) v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e) – 1 f))</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>
0628	II A 1)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>A – Physical Characteristics and Infrastructure</p> <p>1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a) i - 1 a) vi)</p> <p>b) Delete. This is not relevant and should be in operational procedures.</p> <p>c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c) i – 1 c) iv)</p> <p>d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d) i – 1 d) v)</p> <p>e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e) – 1 f))</p> <p>f) See e) above</p> <p>g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	<p>Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".</p>

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
1248	II A 1) a)-g)	Luton Airport	<p>Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of</p> <p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>A – Physical Characteristics and Infrastructure 1) Movement Area - with appropriate consideration being given to at least the following characteristics: dimensions, bearing strength, drainage, geometry, surface characteristics, obstacles:</p> <p>a) An aerodrome shall have a designated area suitable for the landing and take-off of aircraft. (incorporates 1 a i – 1 a vi) b) Delete. This is not relevant and should be in operational procedures. c) The landing and take off area shall be surrounded by suitable areas, intended to protect aircraft flying over, inadvertently landing short, running off the side or overrunning the end of the landing and take-off area during landing or take-off operations. (incorporates 1 c i – 1 c iv) d) Suitable areas shall be provided for taxiing or parking of aircraft. (incorporates 1 d i – 1 d v) e) Objects located within the movement area shall not create an unacceptable risk to aircraft operations. (incorporates 1 e – 1 f) f) See e) above g) Measures shall be taken to control access to the movement area by persons or vehicles that create an unacceptable risk to aircraft operations.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as they are considered to be better placed in implementing rules - some rephrasing of other statements has been suggested (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>EASA recognises that the use of the term "No hazard" would make the certification of aerodromes impossible. A new wording is therefore proposed.</p>	Replace " hazard" in the Chapter A of Essential requirements by " unacceptable risk".
0500	II A 2)	British Airport Operators Ass.	<p>Comment: Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
1128	II A 2)	Dublin Airport Authority	<p>Comment: Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	
0595	II A 2)	Glasgow Airport Airfield Operations	<p>Comment: 'Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome'.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p>	<p>not accepted</p> <p>The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>		
1127	II A 2)	Dublin Airport Authority	<p>Comment: We wish to propose the following wording:</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	not accepted	The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.
0629	II A 2)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: We believe that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	not accepted	The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.
1103	II A 2)	Humbeside Airport	<p>Comment: Humbeside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: We believe that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p> <p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p>	not accepted	The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.
1249	II A 2)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.</p>	not accepted	The wording proposed would not reflect the intent of the paragraph, which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0501	II A 3)	British Airport Operators Ass.	<p>The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.</p> <p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.</p>	
0596	II A 3)	Glasgow Airport Airfield Operations	<p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph has not been reworded as proposed.</p>	<p>3) Visual and Non-visual Aids</p> <p>a) Aids shall be fit for purpose, recognisable, and provide unambiguous information to users under all intended operational conditions.</p> <p>b) The aids and their electrical supply system must be designed such that failures do not result in inappropriate, misleading or insufficient information being given to users.</p> <p>c) Visual aids and Non-visual aids provided to assist in the use of the aerodrome must be fit for purpose, serviceable, recognizable and understood by all aircrew.</p> <p>d) Visual Aids must at all times be clearly visible and unambiguous.</p> <p>e) When such equipment requires electrical power, any supply disruption must not result in incorrect visual or non-visual guidance being provided to aircraft or aircrew, or any misleading information being given, or result in the lack of any essential service.</p> <p>f) Electrical system and electrical equipment design must ensure failures do not permit unsafe situations to develop or occur.</p> <p>g) Suitable means of protection must be provided to avoid damage or disturbance to such visual or non-visual aids.</p>
1130	II A 3)	Dublin Airport Authority	<p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
1104	II A 3)	Humberside Airport	<p>comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p> <hr/> <p>Comment: Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: We believe that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. We propose changing the term "non-visual aids" into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance than a physical characteristic.</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.</p>	
0927	II A 3)	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports.</p> <p>Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			more closely related to the Operations and Management activity of maintenance.		
1250	II A 3)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>Visual and ground based radio navigational aids shall be provided as appropriate to the needs of the aerodrome and the operations being conducted.</p> <p>Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements. The term "non-visual aids" has been changed into the more relevant and descriptive phrase of "ground based radio navigation aids".</p> <p>The sub paragraphs a) to g) are paraphrased into the basic text proposed above. Specific comments are:</p> <p>a) Visual markings should form part of the implementing rules where suitable detail can be included.</p> <p>b) Aerodrome Ground Lighting visual aids would be better described in the implementing rules, allowing more detail to be added. If it is necessary to refer to the individual forms of visual and non-visual (ground based radio navigational) aids, we would propose that these are referred to as a supplementary list to the proposed text that forms an introductory paragraph within the implementing rules.</p> <p>c) This is in part more appropriate within the Operation and Management requirements as it relates to maintenance (serviceability).</p> <p>d) This phrase is effectively incorporated within paragraph c) and is more appropriate within the prescriptive detail of implementing rules under the Operation and Management dimension.</p> <p>e) This is too detailed for a high level essential requirement.</p> <p>f) The content of this paragraph is already covered in paragraph e) above.</p> <p>g) This is too detailed for a high level essential requirement, but is also a repeat of part of paragraph c) above, which already mentions being fit for purpose and serviceable. These are more closely related to the Operations and Management activity of maintenance.</p>	<p>partially accepted</p> <p>The intent of the comment is accepted but the paragraph will not be reworded exactly as proposed.</p>	
0928	II A 4	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports.</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	
0597	II A 4)	Glasgow Airport Airfield Operations	<p>Comment: 'Accurate, understandable and relevant aerodrome data shall be provided and made available to all users'.</p> <p>Justification: It is considered that the ER should be a simple high level statement of the requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). This detail should include - integrity, accuracy, readability and method of transmission.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	
1131	II A 4)	Dublin Airport Authority	<p>Comment: We wish to propose the following wording:</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p> <p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	
0631	II A 4)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Accurate, understandable and relevant aerodrome data shall be provided and made available to all users.</p> <p>Justification: It is considered that the ER should be a simple statement of requirement.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>The detail of the relevant aerodrome data should be included in the Implementing Rules (IRs). The integrity, accuracy, readability and method of transmission shall also be included in the IRs.</p>		
0503	II B 1)	British Airport Operators Ass.	<p>Comment: The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. k) No change.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will bedifferently</p>	
0504	II B 2)	British Airport Operators Ass.	<p>Comment: The aerodrome operator shall provide and maintain:</p> <p>a) a management system to ensure compliance with the Essential Requirements (ERs); and b) an Aerodrome Manua</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed</p>	
1132	II B 1)	Dublin Airport Authority	<p>Comment: The aerodrome operator is required to ensure:</p>	<p>partially accepted</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident</p>	<p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>	
			<p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p>		
			<p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. k) No change.</p>		
0598	II B 1)	Glasgow Airport Airfield Operations	<p>Comment: 1) The responsibilities of the aerodrome operator are to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organizations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organizations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>	
			<p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p>		

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances.</p> <p>b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above.</p> <p>c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organization is competent to provide suitably competent persons to undertake the work.</p> <p>d) has been incorporated into c)</p> <p>e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area.</p> <p>i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night.</p> <p>j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organizations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface.</p> <p>k) No change.</p>		
0929	II B 1)	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports. The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times.</p> <p>b) Promulgation of appropriate information to all users in a timely manner.</p> <p>c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations.</p> <p>d) (deleted as incorporated into c))</p> <p>e) The provision of an appropriate and effective emergency plan.</p> <p>f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service.</p> <p>g) The provision of an appropriate and effective aerodrome wildlife hazard management programme.</p> <p>h) (deleted as incorporated in II B 1) c))</p> <p>i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours.</p> <p>j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety.</p> <p>k) The establishment and implementation of an incident and accident reporting system.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances.</p> <p>b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above.</p> <p>c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work.</p> <p>d) has been incorporated into c)</p> <p>e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself.</p> <p>g) is accepted</p> <p>i) is accepted but will be worded differently</p>	

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1106	II B 1)	Humberside Airport	<p>i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. k) No change.</p> <p>Comment: Humberside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c)) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c)) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>1. There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e), f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. f) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. g) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. h) No change.</p>	partially accepted	<p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>
1252	II B 1)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c))</p>	partially accepted	<p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator</p>

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system.</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p> <p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances. b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above. c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work. d) has been incorporated into c) e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area. i) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night. j) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface. k) No change.</p>	<p>to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>	
0632	II B 1)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator is required to ensure:</p> <p>a) That the requirements of Section A are complied with at all times. b) Promulgation of appropriate information to all users in a timely manner. c) Oversight of activities that may impact upon the safety of aircraft operations, and that those activities are undertaken by suitably competent persons or organisations. d) (deleted as incorporated into c) e) The provision of an appropriate and effective emergency plan. f) The provision of an appropriate and effective aerodrome Rescue and Fire Fighting Service. g) The provision of an appropriate and effective aerodrome wildlife hazard management programme. h) (deleted as incorporated in II B 1) c) i) The establishment and implementation of appropriate procedures commensurate with the prevailing conditions during operational hours. j) The interface with all organisations that operate on the movement area whose activities may have an effect on aircraft safety. k) The establishment and implementation of an incident and accident reporting system</p> <p>Justification: It is considered that the level of detail contained in this section is too specific for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20. Accordingly, some items have been removed as it is felt they are better placed in implementing rules. Further, there is some rephrasing of other statements (renumbering of paragraphs will be necessary, but original numbering system has been maintained here for clarity):</p> <p>1. There is no need to state that the aerodrome operator is responsible for the operation of an aerodrome as this is self-evident.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Extra comments:</p> <p>c)The issue of competency is a subjective one that can vary from state to state and operator to operator. These ER are establishing minimum requirements for a person to have access to an activity. A person that has undergone proper training and qualification should be considered as having the minimum legal competency. The contrary would mean that the training or qualification requirements are insufficient. An organisation may of course have higher requirements for itself. g) is accepted i) is accepted but will be worded differently</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>a) The appropriate measures to mitigate risks associated with non-compliance with Section A should be outlined in the Implementing rules, along with the degree and complexity of measures needed in various circumstances.</p> <p>b) This phraseology encompasses the promulgation of all information, procedures and policies necessary for the safe operation of the aerodrome, not only the mitigating measures mentioned above.</p> <p>c) Not only should the aerodrome operator ensure persons are competent, but it should also have full oversight of all activities on the aerodrome which may affect aircraft safety. The word "qualified" has been removed and replaced with "competent", as some staff may be competent without having a need for a specific qualification or certificate. It will not be possible for the aerodrome operator to ensure that each and every individual employee of a contractor is competent. However, the aerodrome operator can ensure and verify (through audit) that the organisation is competent to provide suitably competent persons to undertake the work.</p> <p>d) has been incorporated into c)</p> <p>e) f) and g) It is felt that this form of wording is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>h) It is considered that the control of movement of vehicles and persons is included in c) under oversight of all activities and competence of persons with access to the movement area.</p> <p>f) This phraseology allows for operations in all anticipated conditions, and also provides flexibility for those aerodromes that are not open at night.</p> <p>g) There is no official definition of the word "airside". The deletion of "including air traffic services, and with non-airside organisations whose activities may have an effect on aircraft safety" has been removed, as this should be included at the level of Implementing Rules. "to ensure continuing compliance with these essential requirements" has been removed as this widens the scope of the interface.</p> <p>h) No change.</p>		
1133	II B 2)	Dublin Airport Authority	<p>Comment: We wish to propose the following wording: The aerodrome operator shall: (a) ensure compliance with the Essential Requirements (ERs); and (b) provide and maintain an Aerodrome Manual</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs and should be aligned with the existing requirements of the NAA in the particular State.</p>	partially accepted	
0930	II B 2)	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports.</p> <p>The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>	partially accepted	
1107	II B 2)	Humberside Airport	<p>Comment: Humberside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>	partially accepted	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0633	II B 2)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed</p>	
0599	II B 2)	Glasgow Airport Airfield Operations	<p>Comment: The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p> <p>Justification: The criteria used in B2 are not considered necessary. The same framework of ER's should be applied to all aerodromes in an appropriate and commensurate way related to the scale and nature of the local operation. It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs. The details and format of the aerodrome manual should also be expanded within the IRs.</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed</p>	
1253	II B 2)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>The aerodrome operator shall provide and maintain: (a) a management system to ensure compliance with the Essential Requirements (ERs); and (b) an Aerodrome Manual</p> <p>Justification: It is considered that all aerodromes intended for use should be subject to the same ERs regardless of size or complexity. Differences would be exercised through the application of the Implementing Rules (IRs) and Acceptable Means of Compliance (AMC).</p> <p>The details of the management system, its application, suitability and continuous improvement should be included in the IRs.</p> <p>The details and format of the aerodrome manual should also be expanded within the IRs.</p>	<p>partially accepted</p> <p>The comment is accepted but will not be worded exactly as proposed</p>	
0505	II C 1) and 2)	British Airport Operators Ass.	<p>Comment: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e) 2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C.2.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	
1090	II C 2)	AIRBUS, France	<p>Comment: "2) Hazards related to human activities and land use, such as but not limited to items on the following list, must be monitored and controlled or mitigated as appropriate;</p> <p>a) any development or change in land-use in the aerodrome local area b) the possibility of building induced turbulence</p>	<p>partially accepted</p> <p>The rewording will alleviate some of the concerns expressed on the level of detail.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0506	II C 3)	British Airport Operators Ass.	<p>c) the use of lasers d) the use of non-aeronautical ground lights e) the creation of areas that might encourage wild life activity in the surrounding of the aerodrome movement area both inside and outside the aerodrome boundary;"</p> <p>As mentioned in another comment form, Essential Requirements must remain at a very high level. Detailed aspects listed in sub-paragraphs a) to e) should be found in the Implementing Rules. The above list should pertain to Implementing Rules, instead of being part of the Essential Requirements</p> <p>Justification:</p>	not accepted	
0507	II C 4)	British Airport Operators Ass.	<p>Comment: Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment.</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	not accepted	
0699	II C 4)	Nottingham East Midlands Airport	<p>Comment: Nottingham East Midlands Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions.</p> <p>Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	not accepted	
1108	II C 1 and 2)	Humberside Airport	<p>Comment: HumbersideAirport supports the common phrases and proposals below, as agreed</p>	partially accepted	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>between UK airports.</p> <p>1. The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2. Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
1254	II C 1 and 2)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>noted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
1089	II C 1)	AIRBUS, France	<p>Comment: "1) The airspace around aerodrome movement areas must be maintained free from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object is an obstacle.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights."</p> <p>Parts of the sentences highlighted in bold seem conflicting. First, it is said that no obstacle are accepted in the airspace around aerodrome movement areas. Then, it is said that obstacles must be promulgated. The following wording is suggested:</p> <p>"1) The airspace around aerodrome movement areas must be maintained free from undue hazards to aircraft operations resulting from the presence of obstacles around the aerodrome. To achieve this..."</p> <p>Justification:</p>	<p>accepted</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0600	II C 1) und 2)	Glasgow Airport Airfield Operations	<p>Comment: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2) Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>partially accepted</p> <p>ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0601	II C 3)	Glasgow Airport Airfield Operations	<p>Comment: Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment.</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another</p>	

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	<p>organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
1135	II C 3)	Dublin Airport Authority	<p>Comment: Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment.</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
0635	II C 3)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely</p> <p>Justification: This is not required as this issue is covered in B – Operations and Management e), and as proposed for amendment in the response to Para B-1 (e)</p> <p>It is felt that the form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties, (including local community organisations) likely to be involved in responding to an incident or accident as a matter of standard.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
1109	II C 3)	Humberside Airport	<p>Comment: Humberside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely.</p> <p>Justification: This is not required as this issue is covered in B – Operations and Management e), and as proposed for amendment in the response to Para B-1 (e)</p> <p>It is felt that the form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties, (including local community organisations) likely to be involved in responding to an incident or accident as a matter of standard.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
0932	II C 3)	Birmingham Airport	<p>Comment: We support the common wording below as agreed by UK airports.</p> <p>Delete. Not required as this issue is covered in B – Operations and Management e), and as proposed for amendment</p> <p>Justification: It is felt that this form of wording proposed for B – Operations and Management e) is more appropriate for the setting of high-level safety objectives whilst maintaining appropriate flexibility as outlined in Part I paragraphs 19 & 20.</p> <p>The aerodrome emergency plan should integrate and co-ordinate with all parties , (including local community organisations) likely to be involved in responding to an incident or accident.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	
0594	II C 4)	Glasgow Airport Airfield Operations	<p>Comment: Delete. Not required.</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
0636	II C 4)	Manchester Airport	<p>Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions.</p> <p>Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	<p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p> <p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>	
1110	II C 4)	Humberside Airport	<p>Comment: Humberside Airport supports the common phrases and proposals below, as agreed between UK airports.</p> <p>Delete entirely</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions.</p> <p>Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.</p> <p>The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.</p> <p>This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.</p>	
1256	II C 4)	Luton Airport	<p>Comment: London Luton Airport believes that the proposed draft EASA Essential Requirements (ERs) are over prescriptive and that the following suggested amendments would be beneficial.</p> <p>Delete. Not required.</p> <p>Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and</p>	<p>not accepted</p> <p>Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the</p>	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedures.	implementing rules on a case by case basis.	
				The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.	
				This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.	
1129	II ER A 2)	Dublin Airport Authority	Comment: Objects located within the defined local area surrounding the movement area shall not pose an unacceptable risk to aircraft on approach to or departure from the aerodrome.	not accepted	
			Justification: It is considered that some aspects of this proposal are more appropriately contained in the detail of implementing rules. The statements have been simplified to the level felt to be required for the objective of setting essential requirements.	The wording proposed would not reflect the intent of the paragraph which is to require that the arrival and departure routes and areas are part of the design of the aerodrome.	
			The creation of arrival and departure routes is taken for granted as applied through current interoperability requirements set within ICAO Doc 8168. We do not feel that it is necessary to state that these must be established. We also believe that the need for provision of a required clearance is sufficiently described as not posing unacceptable risk. Detail of required clearances, taking into account the phase of flight and the type of navigational and visual aids in use should be described in the implementing rules.		
1134	II ER C 1) and 2)	Dublin Airport Authority	Comment: We wish to propose the following wording: 1) The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e) 2) Included in 1) above	partially accepted	1) The airspace around aerodrome movement areas must be safeguarded from obstacles so as to permit the intended aircraft operations at the aerodromes to be conducted without the creation of undue hazard by the growth of obstacles around the aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation. a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard . b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.
			Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.	ER's should by their nature be comprehensive enough to allow to develop appropriate implementing rules.	
				Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles	
1136	II ER C 4)	Dublin Airport Authority	Comment: We wish to propose the following wording: Delete. Not required.	not accepted	
			Justification: These provisions are covered in A – Physical Characteristics and Infrastructure and B) Operations and Management. They are also covered by existing international definitions. Specific conditions (e.g. air display) will be subject to specific planning, approvals and integrated procedu	Part C addresses external bodies or organisations over which the aerodrome operator may have no control. This could be a state, a local authority, an operator, or another organisation. It could also, in some cases concern the aerodrome operator itself. The responsibilities shall be defined in the implementing rules on a case by case basis.	
				The Agency insists that the choice of an aerodrome should not only be an aircraft operator issue. Choosing between appropriate aerodromes is an aircraft operator issue. Deciding if the aerodrome is appropriate for certain types of aircraft is an aerodrome operator issue.	
				This requirement has been put in the aerodrome ERs as EASA is of the opinion that the state of the aerodrome should also apply enforcement measures to aircraft operators who knowingly use aerodromes not designed for their aircraft against the aerodrome operator's will.	
0634	II, C, 1 and 2)	Manchester Airport	Comment: Manchester Airport supports the common phrases and proposals below, as agreed between UK airports.	partially accepted	
				ER's should by their nature be comprehensive	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>1. The Member State shall ensure that appropriate procedures are in place to maintain the airspace that surrounds aerodromes free from obstacles or activities that create a hazard to aircraft operations. (includes 1 a – 1 b & 2 a – 2 e)</p> <p>2. Included in 1) above</p> <p>Justification: It is believed that the statement at paragraph C1 adequately expresses the requirements at the high level that the Essential Requirements are intended to address, without being too prescriptive in nature or content. It is felt that such detail would be more aptly incorporated within the Implementing Rules. This would include details such as the relevant aerodrome protected surfaces, safeguarding principles, treatment of obstacles together with the items identified in paragraph C2.</p>	<p>enough to allow to develop appropriate implementing rules.</p> <p>Nonetheless the text will be changed in order to take into account the need to be less prescriptive on the issue of obstacles</p>	<p>aerodromes. To achieve this, obstacle monitoring surfaces must be developed, implemented and continuously monitored to identify obstacles that would create hazards to air navigation.</p> <p>a) An infringement to these surfaces will require an assessment to identify whether or not the object constitutes a hazard.</p> <p>b) Such obstacles must be promulgated, and according to the need be marked and, where necessary, provided with lights.</p>
0262	IV 11	FRAPORT AG	<p>Comment: Eventhough "the present consultation is limited to safety of the ground infrastructure and ist operation", from the airports side there is urgent need to define the status of aerodromes as certified units, in accordance with the requirements e. g. coming out of A-SMGCS and the Interoperability Regulation No 552, like it is presently for ANSP's.</p> <p>Justification:</p>	<p>noted</p> <p>The SES regulation applies independently of these essential requirements. To our understanding, an aerodrome operator can apply to become a certified ANSP for bundled or unbundled (e.g. radio navigation aids) services, if so wished. Certification of aerodromes as such is dealt with in question 6.</p>	
0106	IV 11	DFS - Deutsche Flugsicherung GmbH	<p>Comment: EASA comes to the conclusion that it is appropriate to distinguish aerodrome regulation from that of air navigation services. This conclusion is justified, inter alia, with the statement: "Aerodromes have indeed for their prime objective to provide for the safety of an individual aircraft by ensuring that the appropriate means are provided to allow its safe take off and landing, while air navigation services aim at managing its interaction with other aircraft." This statement needs to be verified / rectified as could be legally misleading. According to Article 2 of the Single European Sky Framework Regulation "Air traffic control (ATC) service is a service to provided for the purpose of</p> <p>(a) preventing collisions between aircraft, and in the manoeuvring area between aircraft and obstructions; and</p> <p>(b) expediting and maintaining an orderly flow of air traffic.</p> <p>The division of tasks and responsibilities between aerodromes and Air Navigation Service Providers therefore needs to be clarified in the present NPA. Indeed, the division of responsibilities between Air Navigation Service Providers and aerodromes can mainly be drawn as a geographical line at the ground. This is also described by ICAO, using the terms "apron" and "manoeuvring area".</p> <p>"Apron" is a defined area on a land aerodrome, intended to accommodate aircraft for the purpose of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance. As a consequence, the apron is the area of responsibility / area of competence of the airport authority. A further consequence is that the manoeuvring area, which is the part of an aerodrome to be used for take-off, landing and taxiing of aircraft excluding aprons, is the area of sole responsibility / area of competence of the air navigation service provider.</p> <p>The graph below explains the respective ICAO terms and areas of competence at the airside of an aerodrome.</p> <p>(See Appendix 2 for picture)</p> <p>According to article 2 of the Single European Sky Framework Regulation (EC No. 549/2004) the Air Navigation Service Provider is responsible „to prevent collisions between aircraft, and in the manoeuvring area between aircraft and obstructions; ..."</p> <p>It is therefore suggested that for the purpose of the Notice of Proposed Amendment the definitions of the Single European Sky Framework Regulation will apply.</p> <p>Assuming a positive reaction to the above suggestion, DFS comments are based on the definitions in conformity with those of the Single European Sky Regulations, especially of the Framework Regulation.</p> <p>The statement that this consultation is "limited to the safety of ground infrastructure and its operation" should be clarified to distinguish between the scope of the present NPA and the future EASA extension to ATM/CNS. Only the latter should – if required at all and not covered by Single European Sky - address CNS ground infrastructure operated by the responsible Air Navigation Service Provider.</p> <p>Justification: The Community Regulations on Single European Sky are already applicable; complementarity has to be ensured by any future Community legislation.</p>	<p>noted</p> <p>Firstly, as stated, this document addresses the issue of a single aircraft using an aerodrome, including the risk of runway incursions by animals or persons including due to insufficient training and awareness of staff operating air side. The future work on ANS/ATM will address the issue of the interaction between aircraft and between aircraft and vehicles and individuals on the manoeuvring area, and the associated responsibilities. Nonetheless, it should be noted that the aerodrome operator does hold responsibilities for traffic control on the manoeuvring area.</p> <p>Secondly, the document sets high level safety requirements for aerodromes. The implementing rules will address the detailed issues and will be used to ensure that the rules include provisions to comply with the SES regulations.</p>	
0263	IV 16	FRAPORT AG	<p>Comment: In our opinion the EU should become a direct contractor of ICAO. This would be the most easy way to adopt ICAO SARP's into community law and will also avoid parallel regulation from national european authorities.</p> <p>Justification:</p>	<p>noted</p> <p>This unfortunately is very difficult to achieve. Furthermore the need of the EU becoming a "direct contractor" of ICAO is not needed to prevent parallel national regulations. When the community obtains competence, the Member</p>	

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Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
					States may no longer impose national rules on an issue. This is similar to the system in place in federal countries: when an issue is to be addressed by the federal government it can not be addressed by the state government.
0264	IV 17	FRAPORT AG	<p>Comment: At first a "level of safety required by European citizens" has to be defined. Secondly it will have to be investigated and listed if or how far the members of the EU meet this predefined level. Next or parallel it should be investigated and listed which memberstates are below and which are above ICAO. This should be distinguished between standards and recommendations. Thereafter all memberstates which are below ICAO must be raised to minimum ICAO-level. Higher levels should only become affective if necessary according to e. g. A-SMGCS or Regulation 552.</p> <p>Justification:</p>	noted	
0267	IV 23	FRAPORT AG	<p>Comment: For the time being it exists a certification of aerodromes assigned by the national CAA. Secondly there is the certification of aerodromes defined by ICAO Annex 14 (including SMS), thirdly we will probably have another certificate issued by e. g. EASA. What will happen, if an aerodrome operator does not meet the requirements of the European certificate but fully complies with national law? It is essential that there will not be any competition disadvantage out of a regulation through th EU.</p> <p>Justification:</p>	noted	There will only be one regulation, the EU law. There will only be one competent authority to be defined through the answers to the questions asked.
0268	IV 24	FRAPORT AG	<p>Comment: It is not clearly defined what is meant by the "complexity of the aerodrome operations". Referring to paragraph 11 the NPA is "limited to the safety of the ground infrastructure and its operation". In case the definition of aerodrome operations is limited to the operations of the ground infrastructure it should be named likewise in every part of the document. Otherwise there is the possibility of misunderstanding to other definition of aerodrome operations, e. g. ICAO. In principle the regulation of aerodromes should be equally to all types of aerodromes in the sense of free competition of the market.</p> <p>Justification:</p>	noted	It is both illogical and impracticable to regulate and oversee a grass airstrip and a major international hub in the same way. Definitions will naturally be part of the extended Basic Regulation, as necessary (i.e. necessary only for aerodromes in the scope of the proposed legislation).
0117	IV 39 & 40	DFS - Deutsche Flugsicherung GmbH	<p>Comment: If EASA is seeking to acquire additional competencies (going beyond existing Community competences as e.g. established by Single European Sky), a full impact assessment is required.</p> <p>Justification: Competencies should not be extended without full knowledge of associated impacts</p>	noted	The Single European Sky Common Requirements will be complementary to these Essential Requirements that address the need for the equipment, data and routes and neither the responsibility nor the technical contents of these elements. We therefore agree that the terminology should as far as possible be the same. Unfortunately, aircraft operational terminology is already different from the SES terminology. It may be better in some cases to choose one over the other.
0563	IV 18 and 19	Chris Allen, HSSE Director	<p>Comment: The safety objectives are intended for the safety regulation of aerodromes.</p> <p>In ICAO Annex 14 – Heliports, definitions are given as follows:</p> <p>Aerodrome. A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of helicopters.</p> <p>Heliport. An aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.</p> <p>Therefore, by inference an aerodrome can be a heliport but not all heliports (e.g. a defined area on a structure) can be an aerodrome.</p> <p>Justification: Currently under the broad definitions of the NPA, offshore oil & gas installation and vessel helidecks appear to come under the proposed legislation.</p> <p>However when applying the ICAO definitions, an offshore installation or vessel helideck is clearly a heliport on "a defined area of structure" and this is not classed as an aerodrome.</p> <p>Offshore installation and vessel helidecks (e.g. heliports) are solely constructed and operated to provide landing sites for the highly specialist offshore helicopter operations that are involved with offshore oil & gas exploitation.</p>	noted	Offshore installation and vessel helidecks should not be considered as open for public use, therefore they should not come under the scope of Community competence unless the answer to question 3 of the NPA says the contrary. Helicopters open to commercial air traffic will be in the scope of the proposed legislation.

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			For this reason, EASA should consider inserting appropriate text that excludes heliports "on a defined area of structure" from the rule making intended for the safety regulation of aerodromes.		
0109	IV 23	DFS - Deutsche Flugsicherung GmbH	Comment: It can be questioned whether there is a need to "facilitate market access" because the market is already well established (e.g. BAA takeover by the Spanish building firm Ferrovial). Justification: Market forces already apply.	noted	
0271	IV 28	FRAPORT AG	Comment: There should be no competing development of regulations between EASA and the institutes mandated with parts of the regulation 552. EASA should bring in its expertise in developing the relevant implementing rules (IR) and community specifications (CS) in strong cooperation with the relevant institutions like Eurocontrol, ETSI, CEN, CENELEC and EUROCAE. Justification:	noted EASA is presently working with EUROCONTROL and other institutes in a regular manner in our present field of competence without any difficulty.	
0112	IV 28	DFS - Deutsche Flugsicherung GmbH	Comment: The Single European Sky Interoperability regulation provides a toolbox which can potentially address all aspects of safety with regards to CNS/ATM. Clarification whether any of the mentioned equipment would not fall under the Single European Sky Interoperability regulation should be achieved first before thinking about additional legal activities. The term "certain equipment" needs to be defined and should only address equipment not addressed by the Single European Sky Regulations. Justification: Consistency with Single European Sky has to be ensured.	noted Following the analysis of the received comments, the proposed legislation might cover only equipment mentioned in ICAO Annex 14 (e.g. visual aids) - CNS equipment will remain regulated through SES.	
0270	IV 28	FRAPORT AG	Comment: As already stated in comments to paragraph 11 and 24 the formulation gives the impression, that the entire aerodrome operations is meant. For this we see a contradiction in the ongoing argumentation. Owner and operator will always be interdependent. As stated in this paragraph the primary interest of an owner is a commercial one but an operator will have to have a safety related view. Nevertheless an operator will basically be dependent of the owner to have the necessary investments done. On the other hand the operator must be independent to fulfil his obligation coming out of a certificate. This will have to be regulated in case two separate certificates will be implemented. Another possibility is, that only one certificate is going to be applied to the owner and the owner has to ensure, that the aerodrome will be operated by a qualified operator. This could be part of the certification process Justification:	noted	
0273	IV 33	FRAPORT AG	Comment: As stated in comment to paragraph 27 we query the necessity of two separate certifications. This because, if two separate certifications would be implemented, it will have to be regulated that the owner always has to ensure a proper infrastructure to enable the operator keeping his certificate. This kind of regulation would increase the administrative tasks for the stakeholders without any benefit Justification:	noted The implementing rules that will be developed will need to take this aspect into account.	
0278	IV 38	FRAPORT AG	Comment: As stated in Question 4 this should be defined in the work programme of the regulation 552. On long term the programme SESAR also should be taken into account. Justification:	noted	
0116	IV 38	DFS - Deutsche Flugsicherung GmbH	Comment: which requires that verification of compliance be declared by the certified service providers themselves on the basis of a technical file issued by an accredited assessment body. Justification: Consistency with Single European Sky has to be ensured. The last part of the sentence should be deleted as especially Single European Sky does not require a declaration to be issued by an accredited body.	noted	
0261	IV 8	FRAPORT AG	Comment: It has to be defined clearly, what aerodrome operations includes and what does it exclude. In paragraph 11 it is described, that "the present consultation is limited to safety of the ground infrastructure and ist operation". Does that mean aerodrome operations is as well limited to those items? If yes, the wording is not compliant in the meaning of ICAO. So there is need for a precise definition of aerodrome operations. Justification:	noted The wording of the explanatory note does not need to be compliant with ICAO. The system that will be created will have to be as compliant as possible with ICAO bearing in mind the cost of compliance for aerodromes that today do not comply fully.	
0105	IV No.10 / footnote No. 6	DFS - Deutsche Flugsicherung GmbH	Comment: It seems that the terms and definitions are not in line with the terms and definitions as laid down in the Community Regulations on Single European Sky, especially Regulation (EC) No 549/2004 (the Framework Regulation).	noted The Single European Sky Common	

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			<p>The definitions used by (EC) No 549/2004 are summarized in the graph below and should also be applied for the purpose of NPA-06-2006.</p> <p>(See Appendix 1 for picture)</p> <p>Justification: The Community Regulations on Single European Sky are already applicable; complementarity has to be ensured by any future Community legislation.</p>		<p>Requirements will be complementary to these Essential Requirements that address the need for the equipment, data and routes and not the responsibility nor the technical contents of these elements. We therefore agree that the terminology should as far as possible be the same. Unfortunately, aircraft operational terminology is already different from the SES terminology. It may be better in some cases to choose one over the other.</p>
0039	IV. 16	Aircraft Owners and Pilots Association	<p>Comment: re self-administration, there is a clear need to establish an aerodrome operator's aims and purposes. At present we have unlicensed aerodromes, where CAP 428 (the old version of which is greatly superior to the current edition) gives recommendations and CAP 168 lays down requirements for licensed sites. 'Safety objectives' (quote) must lay more stress on the need for clear approaches and climb-out paths, clear side-slopes and sensible distance from runway edges for buildings, aircraft parks etc. In more than 530 planning/operative/safety issues at small aerodromes in which I have been involved, this is the biggest single shortcoming among unlicensed aerodromes. If flight training is to be allowed at unlicensed sites (which I support in principle) there is a need for some positive requirements for obstacle-free surfaces.</p> <p>Justification:</p>	noted	
1340	page 6, 17	IFATCA	<p>Comment: ICAO Annex 14 Standards is recommended, although IFATCA has very often declared that this is only a minimum. IFATCA would welcome the fact that these recommendation are reinforced by a possible EU legislative framework to assure that they are adopted by the member states.</p> <p>Justification:</p>	noted	
1004	Paragraph 20 and question 2 of the Explanatory Note. ER part A paragraph 2 + paragraph 4b and 4c	DGAC, France	<p>Comment: Some of the hazards identified and mitigated by the Essential Requirements concern the air navigation service providers and are covered by the 'Single Sky' requirements. This concerns the establishment of departures and arrival routes providing the required obstacle clearance, which take into account the equipment being used for determining the position of the aircraft and the requirements concerning non visual aids. Part of the requirements concerning Aerodrome data are covered also by the 'Single Sky' (Aeronautical Information Service)</p> <p>1) The scope covered by Part A of the Essential Requirements (ER) goes beyond 'Physical Characteristics and Infrastructure' as it encompasses issues that fall under the Single Sky requirements (SES) and are under the responsibility of the Air Navigation service providers. Any duplication of requirements must be avoided between the SES and airport requirements. Moreover, the responsibility of the aerodrome operator is clearly defined in Part B of the Essential Requirements, as being for example responsible for verifying the compliance at all times of the Essential requirements contained in Part A. The aerodrome operator cannot be responsible for issues that directly fall under the responsibility of the Air Navigation Service Providers (ANSP), and he may not be in position to "ensure that..." if the ANSP is not a subcontractor. Care must be taken of the variety of possible organization and share of work between airport operators, ANSP and public service providers.</p> <p>A reference to the SES should be made in the NPA in order to precisely define a global framework including all the operators on an airport.</p> <p>Consequently it is necessary to delete in the ER Part A paragraph 2), about local area surrounding the movement area, and paragraphs 4 b and c as they are already covered under SES requirements.</p> <p>In part B of the ER, a reference should be made to certified and designated SES service providers. The airport operator must ensure that the ANSP is certified and if required, designated...</p> <p>2) The choice made by EASA of separated certification for operator and owner creates un-useful and major difficulties to clarify responsibilities (links between Part A and Part B of the Essential Requirements). See answers to questions 5, 6, 7.</p> <p>3) To comment on Part C, it is necessary to know to whom these requirements apply and to have an explanation on the link between the three parts of the ER. Part C obviously does not apply to the aerodrome operator or to any other operator present on the aerodrome and seems to be a State responsibility. Who is going to assess compliance with the requirements of this Part?</p> <p>4) For RFFS the improvement of the Essential Requirements is proposed in the form F11.</p> <p>5) More generally, the certification that will be required to attest the compliance with these Essential Requirements (Part A and B only) may not be necessary for all aerodromes, but only for aerodromes receiving a certain level of traffic.</p>	noted	<p>1. The Single European Sky Common Requirements for will be complementary to these Essential Requirements that addresses the need for the equipment, data and routes and not the responsibility nor the contents.</p> <p>2. The opinions stated in the relevant questions will be registered</p> <p>3. The assessment of compliance by the Member State is today assessed by the EASA Standardisation teams. This should not change.</p> <p>4. The answer will be put in form F11</p> <p>5. The opinion of stakeholders is given in question 8</p>

CRD to NPA-06-2006 - Essential Requirements + General Comments

Cmnt nr.	Related paragraph	Name / Org.	Comment / Justification	Response	Resulting text
			Justification:		
0884	RIA	Schweizer Flugplatzverein	Comment: The ICAO aerodrome certification processes under way in Switzerland have already shown some dramatic consequences in terms of workload, costs, etc... Should the NPA 6/2006 not be abandoned at this stage, we then would request the Regulatory Impact Assessment to be conducted as soon as possible with the participation of the NAAs and aerodromes operators potentially affected by the NPA..	noted	A Regulatory Impact Assessment is being conducted and will be finished before issuing the Opinion once all the elements are available.
			Justification:		