

Ageing Aircraft Info Session for TCHs, Q&A.

Q1.

Are you going to define Level 1 for CPCP?

Answer: Yes, it is defined in AMC 20-20A. For CPCPs that are already approved (See CS 26.304) the definitions used in those programmes apply.

Q2.

Will the time between the effective date of Part-26 and Part 21 result in a gap in compliance (e.g., repairs or modifications installed in between those dates)?

Answer: Yes, theoretically for the initial approval of the design that is possible for very old aircraft. Nonetheless, the vast majority of the fleet operating now in Europe are damage tolerant by certification basis and even when it is not, it is common practice to use damage tolerance in a way that satisfies the intent of the amendment to Part 21.

Note: regulation (EU) 2021/699 amending Part 21 has been published since the info session and applies from 22 May 2021. Furthermore, point 26.370 of Part-26 requires operators to address all major changes and reinforcing repairs so any that any that were not subject to a DTE during this period will be addressed by operators in the near future. For these reasons the risk presented by the gap is considered negligible.

Q3.

How are safe life parts considered by EASA in the frame of Part-26?

Answer: The acceptable means of compliance for Part-26 DTE follow JAR, FAR and CS 25.571 requirements, therefore application of damage tolerance is not required on parts approved as safe-life only.

Q4.

Please advise what happens if the OEM does not submit their Compliance Plan by the end of May 21?

Answer: The Agency will endeavour to assist the TCH to address this non-compliance. The EU can impose penalties if a situation involving non-compliance with the basic regulation and its implementing rules cannot be otherwise resolved. Procedures to be followed are to be found in regulation (EU) 646/2012 <https://www.easa.europa.eu/document-library/easy-access-rules/easy-access-rules-fines-and-penalties-regulation-eu-no-6462012>

Q5.

Is there any mechanism envisaged to prevent operators delaying until 2023 before requesting DTIs under 25.307/309, i.e. to try and force them to phase such requests between 2021 and 2023.

Answer: Point 26.370 applies to operators and is provided with detail means of compliance in CS 26.370 that, if followed, will mean operators make requests as soon as practical.

Q6.

Can TCH take credit from already approved compliance to FAR-26?

Answer: Yes, where the requirement is equivalent, CFR14 Part 26 data may be used to support compliance demonstrations.

Q7.

How to demonstrate that repaired structure is at least equivalent to the level of structural integrity for the baseline structure (by DTE/DTI, by test or by both)?

Answer: Performing a DTE and providing DTI in compliance with a specified amendment of the fatigue and damage tolerance requirements fulfils this requirement. The AMC to point 21.A.433 of Part 21 will provide further details.

Q8. And Q9.

In the US 14CFR Part 26 Subpart C rules (like for LOV for example). some of Bombardier's aircraft were exempt (such as our BD-700 [Global business jets])?

EU part 26.300 & CS-26.300 doesn't allow exemptions or exclusions if even a single airframe is operating anywhere in the world. Could we use more broad justification such as the one used to exclude from 14CFR Part 26, such as very limited Design Service Goals like 15,000FC or 20,000FC and lower annual utilization.

Furthermore, some of our aircraft (like the older Challenger 600 / CL-600-1A11) are not operating in Europe, there's less than 60 remaining in other parts of the world, & it is unlikely they will ever be registered in Europe. 26.303 LOV doesn't apply to these aircraft, and they comply with 26.304 since they do have a CPCP, however 25.305 does apply but these are MSG-2 aircraft so there is no sampling program.

Could those not be excepted as well since they have a DSG of 30000FH and BA has used our existing CAW processes with TCCA CAW focal to assess any information we become aware of that could represent unsafe conditions, and recommend TCCA issue ADs when appropriate... Furthermore, similar aircraft like the Gulfstream I, II, & III are exempted via the EU Part 26 Appendix 1 Table A.1. it raises questions about a level playing field...

Answer: All exclusion requests received following publication of the NPA were considered and addressed in setting the applicability of the requirements and exclusion criteria. The Agency's experience is that the largest business jets can have locations susceptible to WFD.

Q10.

Just to clarify. For the >75,000 lbs A/c, do the 26.300, 301, 304 and 305 also apply?

Answer: Yes.

Q11.

Is the list of excepted airplanes only required for airplanes with an EASA TC? It is assumed that if the airplane model does not have an EASA TC, there is no requirement to list the exception?

Answer: Correct, CS-26 covers this.

Q12.

Will Appendix 1 Table A.1 be updated to list all aircraft who successfully apply for exceptions per 26.300 via their compliance plans?

Answer: No. EASA recommends that TCHs make such information available. EASA will consider if other means of increasing awareness are necessary.

Q13.

To whom should we submit the compliance plan to EASA? To the Panel 3 affected to the manufacturer?

Answer: A major modification application should be made in the normal way through the applicant portal.

Q14.

if you think that your A/C already meets the requirements could you send a compliance plan that also includes compliance demonstration?

Answer: Yes. For non-EU TCHs it may be advisable to wait until the compliance plan is accepted in case some compliance findings are delegated to your aviation authority.

Q15.

My understanding is that there is a distinct difference between existing DTE inspection programme, for discreet cracking in primary structure, and now additional WFD (MSD/MED) which will apply as a result of evaluations based on testing/in-service experience and analysis.

Can you please clarify this is EASA's understanding too?

Answer: Yes, in the context of this regulation, compliance with DTE requirements as you describe is addressed under point 26.302, 307 and 308 for TCHs. WFD evaluation is required to satisfy point 26.303 and follows specific means of compliance that are found in CS 26.303 and AMC 20-20A. In general, one

should take into account cracking scenarios that experience shows are probable when performing a new fatigue and damage tolerance evaluation. In addition, when CS 25.571 Amdt 19 or subsequent is applicable, specific requirements and means of compliance for testing and setting structural modification points apply when addressing WFD.

Note: From JAR 25.571 Change 7 to CS 25.571 Amendment 18, the damage tolerance requirement has always stated that *“The evaluation must include a determination of the probable locations and modes of damage due to fatigue, corrosion, or accidental damage. The determination must be by analysis supported by test evidence and (if available) service experience. Damage at multiple sites due to prior fatigue exposure must be included where the design is such that this type of damage can be expected to occur.”*

Q16.

For aircraft models that pre-date MSG-3, there are no sampling program requirements. How does the regulation "force" operator to provide service findings and operational utilization data to the design approval holder so we can assess and verify assumptions?

Answer: Certain national and international requirements oblige operators to report findings. In general, ICA request findings to be reported. The amendment to Part-26 introducing ageing aircraft requirements does not modify these processes. The TCH can only act upon available information. Requesting information is encouraged.

Q17.

For 26.305, since the SoD AA (TCCA, FAA,) does oversee these considerations via their existing CAW/COS processes, will EASA use the spirit of the Bilateral to delegate compliance findings to TCCA/EASA/ANAC?

Answer: A summary report must be submitted to the Agency per point 26.305 of Part-26. Subsequent to that the Agency will agree with the State of Design (SoD) authority on how to proceed.

Q18.

Could you send EASA the actual procedure instead of a summary report for it? They should say the same...

Answer: Yes one could. It should address all aspects described in CS 26.305 and AMC 20-20A.

Q19.

In fact, will EASA use the spirit of the Bilateral to delegate compliance findings to TCCA/EASA/ANAC for 25.302 to 305 (& possibly 306+) as much as possible?

Answer: Yes. It should be noted that for 26.302 and 26.304 no submission of data is required if the data is already approved according to CS 26.302 and 304.

Q20.

For implementing the continued validity of structural integrity programme, will EASA require a periodic review with TC holder to ensure compliance over time?

Answer: Yes, this could take place in conjunction with existing CAW processes.

Q21.

Is there an official definition of DSG?

Answer: A definition is provided in AMC 20-20A as follows:

Design service goal (DSG) is the period of time (in flight cycles or flight hours, or both) established at design and/or certification during which the aeroplane structure is expected to be reasonably free from significant cracking.

Q22.

Please would you elaborate on the implications of Part-26 compliance for TCHs who are currently complying with FAR 25.571 Amdt 132 and not FAR26.21?

Answer: FAR 25.571 Amdt 132 is an equivalent standard to CS 25.571 Amdt 19 with respect to limit of validity (LoV) and widespread fatigue damage (WFD) evaluation, which in turn is an acceptable means of compliance to point 26.303. In this situation the proposed compliance should be detailed in the compliance plan, including how temporary operating limits and all ICA needed by operators to reach those limits will be addressed.

Q24.

How do you envision final approval for each model be conveyed to the public/operators to support 26.370? Amended TC data sheet, ALS revision, case by case application by the operator?

Answer: The Agency intends to revise the TCDS to show that the type design complies once all data is approved. TCHs should ensure that ICA make it clear when data is EASA approved.

Q25.

When you say "operators required to report", do you mean operators required to report Service Difficulty Reports (SDRs) to the authorities?

Answer: Yes, that is one obligation in some countries. In Europe occurrence reporting is addressed at several levels, e.g. for organisations having their principal place of business in a Member State, Regulation (EU) 2015/1018 lays down a list classifying occurrences in civil aviation to be mandatorily reported. Of specific relevance to Part-26 is Part-CAMO and CAMO.A.160 Occurrence reporting, which states:

“(a) As part of its management system the organisation shall implement an occurrence reporting system that meets the requirements defined in Regulation (EU) No 376/2014 and Implementing Regulation (EU) 2015/1018.

(b) Without prejudice to point (a), the organisation shall ensure that any incident, malfunction, technical defect, exceeding of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information contained in data established in accordance with Annex I (Part-21) to Regulation

(EU) No 748/2012 or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident are reported to the competent authority and to the organisation responsible for the design of the aircraft.”

And AMC2 CAMO.A.160 Occurrence reporting states:

“The organisation should share relevant safety-related occurrence reports with the design approval holder of the aircraft in order to enable it to issue appropriate service instructions and recommendations to all owners or operators. Liaison with the design approval holder is recommended to establish whether published or proposed service information will resolve the problem or to obtain a solution to a particular problem.”

Q26.

For DTE/DTI and LOV of repaired/modified structure, is analysis data alone (DTE/DTI) sufficient to demonstrate the equivalent level of structural integrity to the baseline structure?

Answer: The answer depends on the applicable requirement and amendment that one is addressing. Please refer to CS-25 for more guidance on the need for test data for repairs and changes.

Q27.

Is it possible to see an example of CSIP?

Answer: The Continued Structural Integrity Programme (CSIP) is the total of all structural inspection and modification programmes and any other procedures approved for that purpose. In the case of Part-26 it includes all the data necessary for compliance with 26.300 to 26.309.
