

European Aviation Safety Agency

DECISION 2014/024/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 21 July 2014

on

termination of rulemaking task RMT.0075 (26.008) 'Fuel tank flammability of already certified Large Aeroplanes' without amending EASA regulations

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Decision 01/2012 of the Management Board concerning the procedures to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking procedure') adopted on 13 March 2012, and in particular articles 3, 4, 5, 6, 7 and 8 thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications (CS) and Acceptable Means of Compliance (AMC), as well as Guidance Material (GM) for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) The Agency issued Opinion No 08/2013 proposing a new implementing Rule and associated CS on Additional Airworthiness requirements for Operations, to make certain important airworthiness requirements applicable to aircraft in service.
- (3) The Agency also started developing new additional airworthiness specifications for operations, to be included in the rules as described above. It established a rulemaking task 'Fuel tank flammability of already certified Large Aeroplanes' (RMT.0075 (26.008)), with the objective to improve the protection of occupants on board large aeroplanes operated in commercial air transport by reducing the risk of fuel tank explosion.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

- (4) Considering that CS-25 was amended several years ago to address ignition prevention and fuel tank flammability exposure on new designs.
- (5) Considering that the cut-in date for the introduction in production of Flammability Reduction Means on the affected aeroplanes is effective, and a progressive phase-out of 'old' aeroplanes would gradually remove the risk from the fleet.
- (6) Considering the results of the Regulatory Impact Assessment conducted during the development of RMT.0075 to assess the safety benefits of the proposed rule as well as its implementation cost and other possible impacts, the Agency decided that, after consulting the RAG and the SSCC, it should not continue with further rulemaking and should terminate the task because only a minor safety benefit would be obtained if such a rule was adopted, while the implementing costs would be substantial.

HAS DECIDED:

Article 1

The rulemaking task RMT.0075 (26.008) 'Fuel tank flammability reduction of already certified large aeroplanes' is hereby terminated without an Opinion to amend Part-26 nor an amendment to CS-26.

Article 2

This Decision shall enter into force one day following that of its publication in the Official Publication of the Agency.

Done at Cologne, 21 July 2014

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY