

Executive Director Decision

**DECISION 2015/018/R
OF THE EXECUTIVE DIRECTOR OF THE AGENCY**

of 15 July 2015

amending the certification specifications, including the airworthiness codes and acceptable means of compliance for normal, utility, aerobatic and commuter category aeroplanes (CS-23)

'CS-23 — Amendment 4'

High-Intensity Radiated Fields (HIRF) and Lightning

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 Commission Regulation (EU) No 748/2012² and in particular point 21.A.16A of Annex I (Part-21) thereof,

Having regard to the European General Aviation Safety Strategy and the EASA Road Map for the regulation of General Aviation³,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications and Acceptable Means of Compliance, as well as Guidance Material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.

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).

² Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).

³ <http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation?page=general-aviation-road-map>

- (2) Certification Specifications are technical standards adopted by the Agency which indicate the means to demonstrate compliance with Regulation (EC) No 216/2008 and its Implementing Rules and which can be used by organisations for the purpose of certification.
- (3) With Decision 2003/14/RM of 14 November 2003, the Executive Director adopted certification specifications including airworthiness codes and acceptable means of compliance for normal, utility, aerobatic and commuter category aeroplanes.
- (4) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its Decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (5) The Agency has determined that the certification specifications addressing High-Intensity Radiated Fields (HIRF) and lightning hazards on electrical and electronic systems have not kept pace with certification practice. The Agency is currently reliant on the application of Joint Aviation Authorities (JAA) interim policies dating from 2003, which are systematically raised as Certification Review Items (CRIs) for all new certification projects. Adoption of the proposed changes will, therefore, reduce the certification burden. Furthermore, as these proposals are harmonised with the Federal Aviation Administration (FAA), their adoption does not constitute a barrier to implementing the objectives of the European General Aviation Safety Strategy or the EASA Road Map for the regulation of General Aviation.
- (6) The Agency has determined that, following recent experiences with volcanic activity and forecast widespread airspace contamination, a need exists to strengthen regulations in order to maintain continued flight safety while minimising the likelihood and severity of disruptions to normal flight operations in any future volcanic events. The Essential Requirements of Regulation (EC) No 216/2008 already place an obligation on design organisations to provide operators with limitations and other information necessary to ensure that no unsafe condition will occur from exposure to environmental hazards. While this can be understood as meaning all environmental hazards, detailed certification specifications related to volcanic cloud hazards have not previously been addressed within CS-23. A new Certification Specification and Acceptable Means of Compliance (AMC) would ensure that design organisations conduct an assessment of their product's susceptibility to volcanic cloud hazards as part of the type certification, and establish limitations and/or information for their safe operation. However, it is recognised by the Agency that these proposals come at a time when any increase in regulatory burden is contrary to the objectives set by the European General Aviation Safety Strategy and the EASA Road Map for the regulation of General Aviation. The Agency has, therefore, undertaken a review of the volcanic ash proposals for this aviation sector and the related safety benefits in the wider context of the regulation of General Aviation. In conclusion, the Agency has decided that the volcanic ash proposals should not be adopted in CS-23 at this time, but further discussions should take place under the active rulemaking task addressing the reorganisation of Part-23 and CS-23 (RMT.0498).



- (7) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure⁴, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁵.

HAS DECIDED:

Article 1

The Annex to this Decision is adopted as Amendment 4 to the Certification Specifications for Normal, Utility, Aerobatic, and Commuter Category Aeroplanes (CS-23).

Article 2

The proposed changes to CS-23 contained in NPA 2011-17 on 'Volcanic Ash' constitute an increased burden on applicants for type certification that is contrary to the objectives of the European General Aviation Safety Strategy and the EASA Road Map for the regulation of General Aviation. The proposed CS-23 changes related to volcanic ash are, therefore, not adopted at this time and will be put forward for further consideration in the context of rulemaking task RMT.0498 on the reorganisation of Part-23 and CS-23.

Article 3

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

Done at Cologne, 15 July 2015.

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

⁴ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material ('Rulemaking Procedure') (<http://easa.europa.eu/official-publication/rulemaking-procedure.php>).

⁵ <http://easa.europa.eu/document-library/comment-response-documents>

