



Explanatory Note to Decision 2013/011/R

Certification Specifications, Acceptable Means of Compliance and Guidance Material for Tethered Gas Balloons ('CS-31TGB')

RELATED NPA/CRD 2012-24 – RMT. 0081 (31.003/004) – 01/07/2013

EXECUTIVE SUMMARY

Rulemaking task RMT.0081 (31.003/004) addresses the need to develop certification specifications for Free Gas Balloons and Tethered Gas Balloons. The first part of this task was completed by the publication of the certification specifications for Free Gas Balloons (CS-31GB) in December 2011. The second part of this rulemaking task is addressed by this decision.

This Decision introduces Certification Specification (CS) for Tethered Gas Balloons (TGB) (CS 31TGB) that were developed by a drafting group with participation from major European stakeholders in this field of aviation, and is based on the type certification bases applied to existing approved tethered gas balloons that show to have a satisfactory safety record.

As the technical content is based on existing practice, it is not expected that the issuance of the new CS will create major differences for the certification of tethered gas balloons. However, by providing publicly available CSs the transparency of the requirements is enhanced and certification costs are expected to decrease and thus positive economic effect is expected.

As tethered gas balloons are not within the remit of the FAA, this CS is not harmonised.

Applicability		Process map	
Affected regulations and decisions:	CS-31TGB	Concept Paper:	No
Affected stakeholders:	Applicant for type certificates and major changes to type certificates of tethered gas balloons and the competent authority	Rulemaking group:	No
Driver/origin:	Level playing field	RIA type:	Light
Reference:	N/A	Technical consultation during NPA drafting:	Yes
		Publication date of the NPA:	2012/Q4
		Duration of NPA consultation:	3 months
		Review group:	No
		Focussed consultation:	No
		Publication date of the Decision:	2013/Q3

Table of contents

1. Procedural information	3
1.1. The rule development procedure	3
1.2. Structure of the related documents	3
2. Explanatory Note	4
2.1. The issues to be addressed.....	4
2.2. Objectives.....	4
2.3. Outcome of the consultation	4
2.4. Overview of changes to CS 31TGB.....	4
3. References	4

1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2013/011/R in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's Rulemaking Programme for 2013 under RMT.0081 (31.003/004)³. The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The draft text of this Decision has been developed by the Agency based on the input of the Rulemaking Group RMT.0081 (31.003/004). All interested parties were consulted through NPA 2012-24⁴, which was published on 6 December 2012. 47 comments were received from interested parties, including industry (22 %), national aviation authorities (37 %) and users (41 %).

The Agency has reviewed the comments received on the NPA. The comments received and the Agency's responses are presented in the Comment-Response Document (CRD) 2012-24⁵.

The final text of this Decision with the Certification Specifications (CS) has been developed by the Agency based on the input of the drafting Group RMT.0081 (31.003/004).

The process map on the title page summarises the major milestones of this rulemaking activity.

1.2. Structure of the related documents

This Explanatory Note is divided in three chapters:

- Chapter 1 contains the procedural information related to this task,
- Chapter 2 explains the core technical content,
- Chapter 3 provides references to related rules.

The comments received during the public consultation of NPA 2012-24, together with the answers are provided in the Comment-Response Document CRD 2012-24.

The text of the CS is annexed to the ED Decision 2013/011/R.

¹ Regulation (EC) No 216/2008 of the European Parliament and 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).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

³ [ToR-31.003_31.004.pdf](#)

⁴ [NPA 2012-24.pdf](#)

⁵ See: <http://easa.europa.eu/rulemaking/docs/npa/2012/NPA%202012-24.pdf>.

2. Explanatory Note

2.1. The issues to be addressed

The Agency shall, in accordance with article 19 of the Basic Regulation, develop airworthiness codes and acceptable means of compliance for certification. This obligation is confirmed in paragraph 21A.16A of the implementing rule Commission Regulation (EC) No 748/2012 (hereinafter referred to as 'Part 21').

Because the certification of tethered gas balloons is within the competence of the Agency, there is a need to develop certification specifications for these types of aircraft.

2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2.

The specific objective of this proposal is, therefore, to create common certification specifications for tethered gas balloon that set an acceptable level of safety, are cost-effective and provide a level playing field throughout Europe.

2.3. Outcome of the consultation

There were no contentious issues raised during the public consultation of NPA 2012-24. CRD 2012-24, published together with this Explanatory Note and the Decision, provides all comments received together with the Agency's individual answers to each of them.

2.4. Overview of changes to CS 31TGB

An overview of changes that have been introduced as compared to the NPA are provided in the CRD 2012-24.

3. References

N/A.