Comment Response Document (CRD)
to Advance-Notice of Proposed Amendment (A-NPA) 13-2006

for soliciting comments on the system for administering noise information of an individual aircraft and for determining the Agency's rulemaking activities in this field

Aircraft Noise Documents

Explanatory Note

I. General

1. The purpose of the Advance-Notice of Proposed Amendment (A-NPA), dated 23 August 2006, was to solicit comments on the system for administering noise information of an individual aircraft and for determining the Agency's rulemaking activities in this field.

II. Consultation

2. The A-NPA 13-2006 was published on the web site (**www.easa.europa.eu**) on 23 August 2006. By the closing date of 23 November 2006, the Agency had received 102 comments from 19 national authorities, professional organisations and private companies.

III. Publication of the CRD

3. All comments received have been acknowledged and incorporated into a Comment Response Document (CRD). This CRD contains a list of all persons and/or organisations that have provided comments and answers to questions asked by the Agency.

4. In responding to comments, a standard terminology has been applied to attest EASA's acceptance of the comment. This terminology is as follows:

    - **Accepted** – The comment is agreed by the Agency.
    - **Partially Accepted** – The comment is only agreed in part by the Agency.
    - **Noted –** The comment is acknowledged by the Agency.
    - **Not Accepted** - The comment is not shared by the Agency.

5. Stakeholders might react towards this CRD regarding possible misunderstandings of the comments received and answers provided.

6. Such reactions should be received by EASA not later than **25 June 2007** and should be sent by the following link: CRD@easa.europa.eu.

IV. Summary of comments and answers to the Agency's questions

7. A-NPA 13-2006 raised eight questions related to different options for administration of noise documents. Many of the comment providers responded to the specific questions in detail, while others included responses to the questions with a more general statement. In the following paragraphs responses from the comment providers will be highlighted and to some extend summarised.

Answers to the Agency's question 1

8. **Question 1** asked about the preferred option in order to establish the best overall system for administration of noise documents. Responses towards this item are summarised hereunder.

9. In A-NPA 13-2006 six possible alternative options for administration of noise documents, which refer back to ICAO options, were discussed. A table, summarizing explicit statements from the comment providers concerning the different options, is provided in the appendix to this explanatory note. The table shows that 14 of the 19 comment providers stated explicitly - without any reservation - which of the options they consider to be best.

10. The majority of comments (8 out of 14), mainly from NAAs, but also from manufacturers and from one professional organisation, was in support of **A-NPA Option 1** (ICAO Option 1 or do nothing). This option would mean continuing to implement ICAO Option 1 as already reflected in Part 21[1]. Reasons for the choice of Option 1, among others, were as follows:
    - The system is simple to administer, clear, proven in practice and most fair to the ones involved.
    - The certificated noise levels as measured according to ICAO Annex 16, Volume I, describe in an un-ambiguous way the noise characteristics of the aircraft.
    - Option 1 is the only option allowing for equal treatment of all operators and is also helpful for airport owners.

11. Objections to A-NPA Option 1 were mainly justified by the limited flexibility of the system it establishes.

12. Also a substantive number of comments (6 out of 14) were in support of **A-NPA Option 4** (choice between the three ICAO options). These statements were made by professional organisations, one operator, one manufacturer and one NAA. The following items were brought forward in favour of this option:
    - It is the most flexible solution. This allows e.g. ICAO Option 3 to be used for aircraft where the operator has an economic or environment need to vary the certificated noise data on a regular basis. For all other aircraft with no such requirement e.g. ICAO Option 1 could be applied.
    - It is beneficial as it is more suitable to describe and manage the real noise disturbance around airports.
    - The original ICAO system as agreed in the CAEP process should be retained.[2]

13. Objections to A-NPA Option 4 were mainly justified by the higher administrative burden and its complications.

[1] See Commission Regulation (EC) No 335/2007 amending Commission Regulation (EC) No 1702/2003 (OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 375/2007 (OJ L 94, 4.4.2007, p. 3)).

[2] It is right that ICAO agreed on a system including three options. However, it is left to the ICAO contracting state to decide whether one, two or all three of these options are to be implemented. As regards EU member states such decision is now to be made by the Community itself by amending, as appropriate, Commission Regulation (EC) No 1702/2003.

14. **A-NPA Option 3** (ICAO Option 3 containing three documents) also received some support mainly as being the second best option or being the most flexible sub-option when A-NPA Option 4 is implemented.

15. Regarding **A-NPA Option 6** (additional statements to the noise certificate) one NAA pointed out that from a flight operations perspective only, the option is the better choice. However, another NAA raised some concern regarding the certification of supplemental information, while other comment providers clearly recommended not to implement this option.

16. No support was given to **A-NPA Option 2** (ICAO Option 2) and **A-NPA Option 5** (the American system). Comment providers made it clear in their statements that these options should not be implemented by the Community. Major points raised were:
    - Both options appear to be over-complicated and have to be seen as a step backwards.
    - The considerable transfer of responsibilities from regulators to the operators is seen as a major disadvantage.

Answers to the Agency's questions 2 - 8

17. **Question 2** asked whether the ICAO condition, that it should be obvious which configuration is applicable at any given time, is met in known implementations of A-NPA Options 2 and 5. Due to limited experience in Europe on this issue only a few comment providers specifically responded to this question. Difficulties to fulfil the ICAO condition are seen, because of the large number of listed configurations, because the responsibility of the operator is not clearly declared and because airports/NAAs will never have sufficient time or staff to run the necessary checks to receive all relevant information about the actual aircraft.

18. **Question 3** was related to the possibility of an unequal treatment of operators, if non-EU operators use administrative systems that are different from the EU system. In answering this question, one comment provider suggested that the same flexibility should be given to all operators. If not, some operators then could be penalised by not being able to adjust their operations to the needs in a timely manner because of administrative delays. Another comment provider pointed out that many non-EU operators use quite flexible systems and EU carriers would be put at a disadvantage if the Agency would remain with the current scheme. However, according to the comment provider, the magnitude of the inequality would be difficult to quantify. A third comment provider is of the opinion that problems may arise from a limited transparency of noise data to airport operators, which in turn may cause unequal treatment of operators.

19. **Question 4** asked whether, regardless of non-EU systems, different systems have different economic effects on operators or other parties. In response, one comment provider is of the opinion that by reducing the flexibility, any scheme would have a detrimental effect on EU operators. However, it is impossible to predict whether any single option would have a greater disadvantage than any other. Another comment provider stated that in case the systems are not unified, problems may arise for operators, airports and NAAs. The problematic areas are particularly lease of aircraft

between individual operators, software tools of airport operators, flexibility of NAAs and centralised management of individual systems. Regarding the different options one comment provider pointed out that A-NPA Option 1 has less initial economic effects, while A-NPA Options 2 and 3 may have much more initial costs.

20. **Question 5** was to find out which system is supposed to best guarantee for equal treatment and why. Because A-NPA Option 1 is simple to administer and fair to the ones involved, some comment providers stated that the uniform implementation of this option would provide the same conditions for all operators and therefore, guarantee at best equal treatment. In contrast, other comment providers made it clear that for them retaining the flexibility allowed by ICAO for all operators would give the best guarantee of equal treatment and that this would be for obvious reasons.

21. **Question 6** asked whether different systems would lead to different overall administrative costs. Some industry comment provider noted that this question can only be answered by NAAs. Different NAAs are of different opinion regarding this issue. While some NAAs stated that the administrative costs are the lowest for A-NPA Option 1 in comparison with A-NPA Option 3, one NAA does not consider the costs associated with different systems to be relevant. One operator emphasised that for some options (e.g. A-NPA Option 1) a noise certificate has to be re-issued for an aircraft configuration change and that this is an additional cost for the operator and the NAA.

22. Possibilities to reduce the administrative and economic burden of the system of noise certification were raised in **question 7**. One comment provider stated that the publication of the EASA noise database could result in less workload for the NAAs and could be an effective measure to reduce the time to response to operators. In order to reduce the administrative burden, one comment provider suggests not to issue a separate TCDS for noise, but to add the noise data to the TCDS. Another comment provider stated that the overall administrative cost of the noise documentation would be minimised by A-NPA Options 4 or 3.

23. **Question 8** asked whether there are any other effects that need to be taken into account when considering the different options. Among others, the following thoughts were provided:
    - Future trends as regard aircraft used by operators have to be taken into account.
    - The use of measured levels instead of certificated levels might be requested by airport communities to better represent the noise exposure.

V. Conclusions

24. It is the Agency's intention to now examine with its advisory bodies (AGNA and SSCC) whether rulemaking is to be undertaken. It will develop, therefore, a Preliminary-Regulatory Impact Assessment (P-RIA) on the basis of the comments received.

Appendix: Analysis of Explicit Comments/Statements Regarding Different Options

Options mentioned	**Comment/statement regarding the options**	**Provided by (comment # in brackets)**
1	Option 1 is best.	FOCA (33) Austro Control (72, 85) CAA Finland (84) Eurocopter (73) Aeroclub of Switzerland (74, 78, 79)
1, 3, 2	Option 1 is best, Option 3 is second best. Do not implement Option 2.	CAA Czech Republic (34, 38)
1, 3	Option 1 is best, Option 3 is second best.	INAC (93, 97)
1, 6	Options 1 or 6 are best.	ATR (82)
1, 3	Choice between Options 1 and 3 is best.	Irish Aviation Authoritiy (102)
1	Revised Option 1 is best.	Ryanair (42, 43, 46)
1	If Option 1 is used, it has to be modified.	M. Mitchell (3)
1, 6	If modified Option 1 is not available, then Option 6 is preferred.	M. Mitchell (4)
1	Option 1 is not the best option regarding environmental protection.	DGAC France (69)
2, 5	Do not implement Options 2 and 5.	AEA (24) Austro Control (86)
4	Option 4 is best.	DGCA France (57) IATA (83) AEA (23, 27, 31) Air France (7, 14, 22) ECOGAS (101)
4, 3	Option 4 is best, Option 3 is second best.	Airbus (32)
6	From a flight operations perspective Option 6 is best, but other factors have to be considered.	CAA UK (1)
6	Concerns about option 6.	FAA (55)
6	Do not implement option 6.	DGAC France (64) Air France (12)

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1	50.	cover letter	FAA	We appreciate the opportunity to comment on the European Aviation Safety Agency A-NPA 13-2006 on Aircraft Noise Documents. Overall, we were surprised to see how EASA presented the ICAO accepted options in the A-NPA, especially about the U.S. system. There is no indication that their analysis includes our new Advisory Circular (AC) option which is in its final stages. During the Working Group 1 Certificate Task Group of ICAO's Committee on Aviation Environmental Protection, the U.S. made clear its views and the constraints under which it is authorized to issue noise documentation. The Working Group experts, including European representatives, discussed these matter during the task group meetings and were aware the U.S. would be issuing an AC to comply with ICAO Option which was found acceptable.	Noted. The Agency was well aware that the US would be issuing an AC on this matter. However, it did not seem appropriate for the Agency to anticipate changes in the US system that were not finalised.
2	5.	Explanatory Note/ Question	Air France	**Paragraph 1** of the A-NPA: It is our understanding that the EASA's rulemaking activities are addressing aircraft type certification and not individual aircraft administration. We believe that noise information administration for individual aircraft should remain handled by member states.	Not accepted. The administration of noise certificates is regulated by Commission Regulation (EC) No 1702/2003 of 24 September 2003, Part 21. Rulemaking activities, both for aircraft type certification and also for individual aircraft administration are in the remit of the Agency. Issuing individual noise certificates, however, fall under the responsibility of the Member States, but they cannot deviate from the applicable law (Section I of Subpart B of Part 21).
3	6.	Explanatory Note/ Question	Air France	**Paragraph 11**: It is our opinion that the document carried in the aircraft at that time and defined herein attested a type compliance of the individual aircraft with a noise standard. It was not requiring noise levels and was mentioning the maximum mass at which compliance was demonstrated for the aircraft type,	Noted. Paragraphs 10 and 11 are meant to give a broad historic overview. In those days procedures and the content of documents were not standardised as they are today.

CRD #	Com-ment #	Para	Comment provider	Comment/Justification	Response
				mass which was not the maximum mass of the individual aircraft.	
4	2.	General Comment	CAA UK	The 'Diploma of Merit' aspects of the noise certificates are nothing to do with safety and everything to do with commerce. The legality of EASA taking on this role is questioned.	Noted. The comment provider refers to Paragraph 13 of the Agency's A-NPA. The expression 'Diploma of Merit' was used to convey the concept of judging the aircraft's performance related to the environment. It was not the intention of the Agency to take any role regarding commerce.
5	7.	Explanatory Note/ Question	Air France	**Paragraph 16**: It is our opinion that the ICAO standard does not call for the states to standardize on only one of the 3 ICAO recommended options.	Accepted. It is to states to decide about the implementation of the three options. States can decide whether all three or less options are implemented. Following this line, the European legislator decided to implement only ICAO Option 1.
6	58.	Explanatory Note Paragraph 16	DGAC France	Paragraph 16 states that "the ICAO standard recommend that states standardize on one of these [3] options" defined in Attachment G of Annex 16, volume I. First of all, attachment G is not a ICAO standard but just a guidance to implement the requirements defined in Part II of the Volume I of Annex 16. Then it is not said that states shall standardize the format. It just recommends three possible harmonized formats. In addition, there is probably not the same need for the owner of a private jet, or for an airline operating a large fleet of various aircraft.	Partially accepted. The Agency agrees that ICAO Annex 16, Volume I, Attachment G is not an ICAO standard, but guidance material. This guidance material is not seen as a recommendation to states to make all three options available.
7	8.	Explanatory Note/ Question	Air France	**Paragraph 19** describes a work process which was parallel to the ICAO one at a time when EASA did not exist and when JAA was not an enforcement body.	Noted.

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8	59.	Explanatory Note Paragraph 19 and 55	DGAC France	Contrary to what is said in paragraph 19 and 55 there has never been a decision of European States to chose option 1 and we are not aware of any document allowing making such statement. When regulation CE 1592/2002 was written and adopted, it was made a reference to the existing version of Annex 16, which at that time did not include the possibility of the three certificate formats. And when Regulation 1702/2003 was drafted and adopted, Part 21 was based on the existing JAR 21 which at that time did not address the question of the three options still under discussion in ICAO.	Not accepted. Draft Regulation 1702/2003 was circulated and included Form 45 similar to the format, which later was called ICAO Option 1 (see ICAO Annex 16, Volume I, Attachment G). During the consultation process DGAC France commented on the regulation, but did not comment on Form 45. No comments declining Form 45 in general were received. This led to the conclusion that Form 45 is accepted by the Member States. When Regulation 1702/2003 was adopted, it subsequently did address the subject of noise certification including Form 45 using a system, which later was called ICAO Option 1.
9	9.	Explanatory Note/ Question	Air France	**Paragraph 20**: The absence of option 2 and 3 in the EASA regulation is not of an editorial nature. Option 1, 2 and 3 present the same approved data. Each of these data is placed inside a numbered box of a form. The number associated with each box is the same for all 3 options.	Noted. Paragraph 20 describes changes to the noise certificate, not to the noise documentation system. The administrative changes to the noise certificate are of editorial nature (e.g. using the term “Noise Certification Standard” in box No 11 instead of “Noise Standard”).
10	60.	Explanatory Note Paragraph 20	DGAC France	There is no need to notify differences to ICAO about the format chosen for implementing noise certificate as long as contents comply with ICAO standards. On the other end, the current form 45 from Part 21 is not compliant to standard with 1.6 of Part II, Volume I of annex 16, due to a mismatch in the numbering. In the A-NPA 13-2006, the proposed form is in line with ICAO Annex 16, Volume 1, figure G-1.	Accepted. This is the reason why the Agency proposed to bring Form 45 in line with ICAO Annex 16, Volume I, Chapter 1.

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11	61.	Explanatory Note Paragraph 21	DGAC France	As stated in this NPA in paragraph 16, each of the three "systems in the end provides the same data" and ICAO does not impose any system as long as it provides the required data. To impose option 1 would introduce a difference of treatment between European operators and other operators. Such difference of treatment is difficult to quantify at the present time, as it will depend on how the operators will take advantage of the flexibility. It should also be mentioned that the flexibility allows having the certificate match the actual configurations and actual level of noise, which is in line with paragraph 23 that mentions the need for "clear and correct noise certification data".. It will therefore be a good indication to take decision around airports. If option 1, with a maximum take-off mass, is considered, even if the operator implements procedures to fly less noisy at some approaches or take off, it will not be taken into account by the authorities in charge of noise around airport. In addition the suggestion that common standards require a single certificate is questionable. For example EU-OPS allows an initial cabin crew training attestation to be delivered, at the discretion of Member States, by the operator, the training organization or the NAA and does not give any format for such attestation. However the Commission has clearly explained that this would not prevent mutual recognition.	Noted. In contrast to initial cabin crew training attestation the Commission decided that regarding noise certification a standardised approach within the EU is the best approach. This is laid down in the Commission Regulation No 1702/2003 by introducing EASA Form 45. The Agency considers the noise section in this respect not comparable to a cabin crew training attestation.
12	51.	General comment Paragraph 23, first bullet	FAA	This bullet reads "For this purpose any document which demonstrates that the aircraft meets the applicable noise requirements and contains the prescribed information is sufficient." However, this very phrase gets discounted by the assertions in the rest of	Partially accepted. There are two functions described in paragraph 23: • to gain access to international traffic which is quoted here by the FAA and

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				the A-NPA document, and the assumption that other interpretations of what the ICAO options require is not really considered "sufficient" by EASA. We recognize that the A-NPA concerns EU's choice of which option works best for its member countries. However, during the process, we are concerned that EASA appears to have presented the other approved ICAO options (that are being used by other member States) as unacceptable or insufficient. We view this conclusion as being inappropriate, and possibly ineffective, if the intent of the A-NPA is to solicit useful information upon which to base a determination on which noise documentation system would be preferable for European countries.	• to gain access to airports or for calculating landing fees. It is the latter function that causes the different implementations and associated discussion. It was not the intention of the A-NPA to present the other ICAO options as unacceptable or insufficient. It was the Agency's intent to broaden the discussion about different options.
13	10.	Explanatory Note/ Question	Air France	**Paragraph 28**: It is our understanding that the carried complementary noise document (document 2B of the appendix) covers the configurations by registration marks actually operated by the operator. As such, there are less configurations than there are aircraft in its fleet.	Noted. Existing practice is to use more generic AFMs that contain noise information on more configurations than those operated by the individual operator.
14	52.	General comment Paragraph 28	FAA	A-NPA misrepresents ICAO Option 2, as described in paragraph 2.3.3.1 of Attachment G, Annex 16 Volume 1, as requiring a limited noise certificate. **Justification:** It is not correct to characterize ICAO Option 2 as requiring a "(limited) Noise Certificate"; Option 2 was designed for ICAO member States that do not issue formal noise certificates. Option 2 specifies two complementary documents. Option 2 specifies that the first document can be in the form of a certificate of airworthiness and the second document may be the Airplane Flight Manual (AFM) or the Airline Operations	Partially accepted. The A-NPA Option 2 is not a description of ICAO Option 2, but a description of a possible European **implementation** of ICAO Option 2.

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				Manual (AOM).	
15	62.	Explanatory Note Paragraph 28 and 32	DGAC France	Paragraph 28 states that the noise document referenced as 2B in this A-NPA would be normally as an approved page of the aircraft flight manual. Paragraph 30 talks about generic flight manual and hence a large amount of take-off weights, landing weights, engines and modifications for the type. Therefore EASA concludes it is not obvious to find out the combination of a particular aircraft at a particular time. There seems to be misunderstanding of certification activities regarding flight manuals. It is certainly true that manufacturers generate a generic flight manual in order to capture all configurations as suggested. BUT, for each individual aircraft delivered, a specific flight manual is generated linked to the particular configuration of the aircraft (only one type of engines). If a major change is embodied on a particular aircraft and a flight manual page is associated with this major change, then the page is automatically included in that particular aircraft flight manual, superseding the generic one. If the mod is not embodied, the corresponding page is the one from the generic manual. It is true that an aircraft can be operated at various weights, but in that case, the number of combinations is limited and perfectly known. When EASA states it is a burden to identify and decide which configuration is applicable", it is not what is proposed in option 2 of ICAO. ICAO states in paragraph 2.3.3.2 of Attachment G, that it should be obvious from the documentation to determine which one is applicable at any given time. There is not a need for an expert to understand the technical details and to	Not accepted. The Issuance of generic AFMs covering multiple configurations and associated need to understand technical details and possibly inspection of the aircraft can be considered to be simple by some and can be considered complicated by others. The Agency is of the opinion that it is a complicated issue.

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				require a physical inspection of the aircraft as stated by EASA in paragraph 31. Therefore example 32 is confusing compared to OACI option 2 guidelines.	
16	53.	General comment Paragraph 29 states that for Option 2 "Once the aircraft type is certified, no changes to the documentation are needed when the aircraft configuration changes from one certificated configuration to another."	FAA	This statement in paragraph 29 is incorrect. **Justification:** Under FAA implementation of Option 2, changes from one certificated configuration to another (e.g., change in certificated weights) require some form of alteration approval (such as a supplemental type certificate), with corresponding changes to the aircraft documentation that reflect the change in certificated configuration. As presented in the A-NPA, the paragraph 29 statement can therefore be misleading with regard to comments made in A-NPA about the flexibility inherent in Option 2 (e.g., paragraph 56).	Not accepted. The A-NPA Option 2 is not a description of ICAO Option 2, but a description of a possible European **implementation** of ICAO Option 2.
17	63.	Explanatory Note Paragraph 37	DGAC France	This paragraph states there would be a bigger burden for NAAs. But there is no substantiation of this sentence from EASA. In any case, as stated in paragraph 16, "each of the system provide in the end with the same data". It's just a question of ease of access and in other words traceability. In all cases, EASA will have to certify for each type of aircraft all configurations, variants, major changes impacting the noise. The only burden for NAA is to find out the best way to trace the current data for a given aircraft. When speaking of NAA, one must differentiate which entity of the NAA is concerned: Dealing about	Partially accepted. When A-NPA Option 4 is applied a bigger administrative burden for NAAs is seen to be twofold: - handling three ICAO Options instead of one having in mind that ICAO Options 2 and 3 containing more than one document increases the administrative effort in itself. - Using ICAO Option 3 makes it possible to track frequent changes to the aircraft noise characteristics. However, frequent changes to the documents mean an increase in the administrative workload.

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				noise certificate issuance and control, the NAA will rely on the certification activities of the EASA, and whatever the format will have to make sure the noise data is adequate. Regarding "users" of noise data, i.e. people in charge of noise taxes, for instance, they will in any case have to be able to face any of the certificates, even if European Nations harmonize their position. The "users" will have to deal with foreign companies which may carry certificates in a different option as the one decided by the European nations. Option 1 may generate a lot of burden to NAAs if at a given time, all operators ask for a change of certificates to operate at a different mass. DGAC considers it might be appropriate leaving the choice to operators about the format. Today, there are already major operators who change their certificates twice a year at aeronautical seasons to adjust to the anticipated traffic. DGAC does not have any objection to option 2 or 3 usage, provided that there is a means to know applicable flight limits at any time and to keep traceability of changes. We believe that it is achievable. Regardless of which format or option 4 is retained after this A-NPA debate, there will be world wild all three types of certificates onboard aircraft. Some of those aircraft will fly to Europe. hen European States will have to set up appropriate "national regulatory process" to issue, control and use all three kinds of certificates and ensure airport noise limitations are respected by operators.	
18	11.	Explanatory Note/	Air France	**Paragraph 38**: The ICAO bans of non chapter 3	Noted.

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		Question		aircraft followed by the retirement of civil supersonic commercial aircraft from operation lead to the consequence that all civil aircraft in operation are certified either according to chapter 3 or to Chapter 4 standard, i.e. to the same measurement scheme. Therefore a Certificate of Airworthiness based on document 2A in an option 2 or 3A in the option 3, might be sufficient to attest the noise compliance provided the State filed the necessary difference at the time it adopted the Annex 16 amendment 8.	The statement of the comment provider is limited to transport aircraft. It should be noted that the system also has to handle helicopters and small propeller-driven aeroplanes. It should also be noted that the ban of Chapter 2 aircraft only holds for aircraft with a maximum take-off mass of 34000 kg or more or with a certified maximum internal accommodation of more then 19 passenger seats.
19	54.	General comment Paragraph 38	FAA	This paragraph refers to the "American" system as Option 5 by stating that it is "very close to ICAO Option 2 but without a noise certificate." **Justification:** We note that a separate limited noise certificate is not required by Option 2. The FAA is in final stages of issuing an Advisory Circular (AC) that would provide a voluntary means for U.S. operators to have all the relevant noise certification information required to comply with ICAO Option 2 on board aircraft. This is being implemented in the United States as a voluntary measure since most of the U.S. operators do not fly outside the United States. Once the AC is issued, we interpret our noise certification documents as fully complying with ICAO Option 2. Therefore, Option 5 should not be referred to as the "American System."	Noted. The intent was to clarify that the US system uses the certificate of airworthiness as statement of compliance and not a noise certificate. The Agency was well aware that the US would be issuing an AC on this matter. However, it did not seem appropriate for the Agency to anticipate changes in the US system that were not finalised.
20	12.	Explanatory Note/ Question	Air France	**Paragraph 39**: It is our understanding that this option was rejected by ICAO CAEP working group during the preparatory work which led to the adoption of Annex 16 amendments 8. It is our opinion that a supplemental statement validated by EASA which is not a noise certificate is of no use.	Noted. In Option 6 a proposal is made to issue additional statements which are indeed outside the scope of noise certification per ICAO Annex 16, Volume I. In paragraph 40, explanation is given why such statements might be of use in daily operational life.

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21	55.	General comment Paragraphs 39 through 42	FAA	These paragraphs describe an additional Option 6. We have concerns about this option because, under our system, we do not certify or validate supplemental information. Can EASA provide any information to clarify the distinction between the validated data (referred to in paragraph 41) and supplemental information under the EASA regulatory system?	Noted. The Agency was under the impression that all noise data in a US AFM, including supplemental data, have been validated by the FAA. In the system as described in the A-NPA under Option 6 only validated data would be entered as supplemental data in a noise statement.
22	64.	Explanatory Note Paragraph 39 and 42	DGAC France	After several years of debate and final agreement at CAEP, the ICAO suggested in supplement G to Annex 16 three possible formats to document the noise levels. Generally those values are available in aircraft type noise datasheet. The flexibility provided for noise levels is based on various MTOW and MLW at which the operator decide to operate the aircraft. Option 6 would open again the debate on the format and does not seem to provide for additional information that was requested by operators or authorities during the discussion at ICAO level. Therefore DGAC France proposes to reject that new proposal which is not really an alternate way to flexibility. **Justification:** It is better to keep the discussion and options between what is suggested by ICAO, i.e. between the three format or option 4 that is any of those three format.	Noted.
23	65.	Explanatory Note Paragraph 49 to 53	DGAC France	Paragraphs 49 to 53 evaluate the economic impact of the various options. However they do not describe what would be the burden and cost to issue an option 1 certificate each time the operator wish to operate at a different take off weight or landing weight.	Accepted. The overall economic aspects of the different options are indeed difficult to quantify. That is the reason why the Agency raised questions 4 and 6 in Section VI of the A-NPA in particular.

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				Regarding type certification, the work will be the same and paid by the applicants. The overall economic result of those options is really difficult to quantify and to compare as they are many parameters. As an example, whether and how much NAA will decide to charge the issuance of individual aircraft certificate from the type data available from EASA certification and for changes to these certificates.	
24	56.	General comment Paragraph 50	FAA	The FAA disagrees with any implication the Option 2 does not meet the requirements of Annex 16. **Justification:** Option 2 is currently one of the three options adopted by ICAO and was adopted primarily to accommodate the U.S. system of certification. As stated earlier, Option 5 should not be referred to as the "American System".	Noted. Any system in which the noise information is not on board of the aircraft or is not approved by the authority does not meet Annex 16. This is the concern expressed in paragraph 50.
25	66.	Explanatory Note Paragraph 50	DGAC France	Paragraph 50 implies that EASA option 2, 4, 5 would not be ICAO compliant. Concerning option 2, as it corresponds to ICAO option 2, we do not understand the rationale for EASA to consider that an option proposed by ICAO would not be ICAO compliant? The same way for option 4, as this is a choice between the three options proposed by ICAO, we do not understand how it would not be ICAO compliant. We have seen nothing in Annex 16 requiring a single format of certificate. Finally concerning option 5, does EASA mean that FAA noise certificates are not ICAO compliant? Did you have a confirmation of ICAO before making such statement?	Partially accepted. A-NPA's Options 2 and 3 would be indeed compliant with ICAO Annex 16, Volume I. The statement made was intended to address the subject in a more general way without going in the details of the implementation.

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26	67.	Explanatory Note Paragraph 51	DGAC France	The statement that options 2 to 6 would lead to additional work during type certification as more configuration would have to be identified and verified" is incorrect: Whatever the option is chosen, i.e. whatever the traceability is toward the noise levels data, at the end, the data is the same and has to be certified by the competent authorities. Each configuration is identified between the authority and the manufacturer and is certified by the authority based on evidence provided by the manufacturer. Once all that data is available through various type certification documents, each NAA will have to pick the appropriate data to issue the individual noise certificate.	Partially accepted. The reasoning behind the statement in the A-NPA was that more flexible systems would promote more configurations to be proposed for type certification. A-NPA Option 6, as it is proposed, will provide more configurations which are not part of the certification programme (e.g. noise levels for APU off).
27	13.	Explanatory Note/ Question	Air France	**Paragraph 52**: It is our understanding that a change involves NAAs.	Partially accepted. The change referred to in paragraph 52 is a change between configurations that have already been approved. NAAs have to be informed, however, an approval by the NAA is not needed. Therefore, an active involvement of NAAs is not needed.
28	68.	Explanatory Note Paragraph 52	DGAC France	It is true that option 3 and 4 may require the installation of a control system to check the fair application and administration of the configuration changes. That is one of the reasons why option 4 may have better merits as it would allow recovering the cost of such system on those operators who chose to use an option 3 certificate. It would then be left to the operator to evaluate which system is the most attractive for his business.	Accepted.
29	69.	Explanatory Note	DGAC France	There is confusion around option 1:	Not accepted.

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		Paragraph 55		On one hand, EASA states in this paragraph that it is a simple and transparent system. It is going to use the maximum theoretical noise data. This unique set of values is certainly not the set of data that achieves on a day basis "high quality, accurate noise data". When it states that for option 1, "the noise levels will be less influenced by day to day variations in operational mass and will therefore be more representative of the general level of noise reduction technology", it is a reversed statement: the people around airports do not care about what is written on the noise certificate, they do not care if it is representative of the noise reduction technology, they care about the noise level they face around airports. They care that fees increase with noise and it motivates airlines to reduce the noise, by reducing when possible the operational mass on a daily basis. An airline will not change often (and easily) the technology on a given aircraft. So opposite to what is implied, if authorities want to reduce noise around airports, it is with actions at different levels: · Certification agencies will have to certify all possible various designs. · Manufacturers will have to convince airlines and sell at the right price the noise reduction technology · Airport authorities will have to set incentive fees against noisiest aircraft · Flexibility for the noise certificate will help the airline take advantage of this incentive fees. Therefore, on the environmental point of view, DGAC France disagree with EASA statement that option 1 is the best one.	The prime purpose of noise certification is to ensure that the latest noise reduction technology is incorporated into aircraft design demonstrated by procedures which are relevant to day to day operations, to ensure that noise reduction offered by technology is reflected in reductions around airports.
30	70.	Explanatory Note	DGAC France	This paragraph is of a pure speculation by stating it would probably lead to more traffic and at the end not a	Noted.

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		Paragraph 57		reduction on the noise exposure for people living around airports. In addition, noise experts and studies seem to show that people accommodate differently to noise depending on its level, but also frequencies and other aspects such us the fact to see the airplane or not in a cloudy sky.	
31	71.	Explanatory Note Paragraph 61	DGAC France	About equity and fairness, if ICAO has proposed three solutions to implement noise certificates, it is certain that each airline will try to take the best out of this choice. If EASA set a fixed rule for European airlines, there is certainly some disadvantage for those airlines if it is not flexible to manage the noise levels.	Noted.
32	33.	Section 62, question 1	FOCA	Option 1 is the preferred option of Swiss FOCA as it is the only option allowing for equal treatment of all operators. **Justification:** Only Option 1 allows for the emission of clear, easy readable and non-ambiguous noise certificates. All other options would be very difficult to handle for airports in order to determine the correct noise certification levels for individual aircraft. From our point of view the current noise certification document should therefore be retained unchanged. The publication of other noise levels (e.g. for operational reasons) could take place in a separate documentation (as e.g the AFM). Operational (voluntary) noise reduction is not a certification matter and should be dealt with on an individual level between operators and airports. At this time, Swiss FOCA does not see a real need or justification to change the current system. The current system is the only one to guarantee for equal treatment of all operators. All the different options presented (except option 1) presumably would lead to higher	Noted.

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				overall administrative costs (change of software systems, need for certification of several variants of an aircraft, etcetera) without a real benefit for the entire aviation environment.	
33	72.	Question / General comment Part 6 Question 1-8	Austro Control	For the issue of a noise certificate EASA should keep this procedure as simply as possible. Austria has implemented EC 1592/2002 & 1703/2003 in its noise ordinance and will issue noise certificates according EASA Form 45. Therefore we suggest to keep the administrative system like it is by Option 1. The owner of an A/C has one noise certificate with the actual A/C configuration. This system is clear and also helpful for the airport/aircraft owners. For acoustic changes this system is less flexible but with improved EASA & NAA`s noise databases it should be easier to know the relevant certified noise data and to issue an new noise certificate. All other Options 2-6 are to much complicated and is high and difficult to administer. Furthermore we suggest to describe the certified noise data in the actual TCDS of the airplane and not in an own noise TCDS. This system would be much easier to handle and we have one document with all relevant approved data.	Partially accepted. For the Agency there are different reasons why a separate TCDS for noise was chosen: o The TCDS for noise does not only include the basic configuration, but also configurations e.g. applying to STCs. It would be difficult to handle this within the TCDS of the aircraft. o Experience shows that noise data have to be updated much more often than the data in the TCDS for the aircraft. o The magnitude of noise data sets for one aircraft type makes it seem more practical to create a separate document.
34	85.	Question 1	Austro Control	We are in favor to use the proposed Option 1, any other option is not supported and any other option will be undue burden for the authorities to be executed and controled. The noise certificate has to be issued by the	Noted.

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				NAA, we would not issue a certificate where we can not confirm the actual configuration of the aircraft. For the issue of a noise certificate procedure should be kept as simply as possible. Austria has implemented EC 1592/2002 & 1703/2003 in its noise ordinance and will issue noise certificates according EASA Form 45. Therefore we suggest to keep the administrative system. In this option the noise level is identified based on an actual aircraft configuration (identified by a certain built standard, MTOW, engine configuration, flap configuration etc.). We are aware and try do understand operators wishes for a flexible operating mass to reduce air traffic /airport fees, but this should be discussed and cleared with the relevant effected partners (Airports, Air Navigations Service Providers) and should not be a burden for the Agency/NAA´s, cause it does not have any impact on safety. ACG is confident, that the ICAO Option 1 fulfilled the environmental, economic and airworthiness perspective for Europe because it is easy to track, the actual noise levels are comparable between different product based on a common ICAO standard and all aircraft applicants are treated in an equal manner. When one operators due to economic reasons (noise fees) operate under special conditions (other take off weight etc) want to establish different*[sentence not finished in original comment]*	
35	84.	Question 1	CAA Finland	Option 1 would be the best overall system. **Justification:** The certified noise values as measured according to ICAO Annex 16 describe in an un-ambigious way the	Noted.

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				noise characteristics of the aircraft. Option 1 is simple to administer.	
36	73.	§ IV Background § VI 62. Question 5	Eurocopter	This A-NPA, which in principle and because the world "aircraft" is used, applies to both airplanes and helicopters proposes six possible alternative options for administration of noise documents which are very specific to airplanes. With the exception of option 1, the other proposed options 2 to 6 are not enough adapted to the specificity of the helicopters, which can take-off and land nearly everywhere and which have a far bigger number of take-off and landing trajectories than the airplanes have. In the current status of the work achieved within the ICAO working groups on the representation of all the possible flight configurations of one helicopter, Eurocopter is of the opinion that, among the proposed options, OPTION 1 is the best option for ensuring a fair comparison between the different helicopters and so an equal treatment of all operators. **Justification:** A IV 28 Option 2: "The series of documents cover all the possible noise configurations for the aircraft or possibly for a whole family of aircraft, or even for all aircraft in the fleet of one operator": for one helicopter, all the possible noise configurations are too numerous, and the most representative ones have not been yet defined by ICAO. This option is not applicable to helicopters. A IV 33 Option 3: This option is not applicable to helicopters because includes documents of Option 2. A IV 37 Option 4: This option is not applicable to helicopters because accepts the choice of Option 2 or Option 3. A IV 38 Option 5: This option is not applicable to helicopters because very close to Option 2.	Noted.

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				A IV 39 Option 6: This option proposes additional statements that take into account the effect of lower take-off mass, but also "the effect of lower flap setting on approach or other operational aspects that influence the noise levels received by those living around airports". This option is not applicable to helicopters because typical operational trajectories have not been defined yet by ICAO and because helicopters take-off and land not only on airports.	
37	74.	Question 1	Aeroclub of Switzerland	:EASA should continue with ICAO Option 1. **Justification:** The system proposed by Question 1 is known, simple to use and proven, even if the "burden" remains with the aircraft owner/operator.	Noted.
38	34.	Questions – Question 1	CAA Czech Republic	Option 1 of the A-NPA represents a solution closest to the current system as used within the EU. The advantage of this system is a clear declaration of noise values validated by the relevant national aviation authority. Continuation of this system seems to be, from this point of view, most appropriate. The main disadvantage of this system is a small flexibility and greater administrative burden. From the other options described in the A-NPA, Option 3 also seems to be appropriate. This system provides flexibility to the operator during configuration selection and may be economically contributive. The system stems from the principles of Option 2, which is basically comparable to the US system and the systems should thus be harmonized. The disadvantage of this option is a considerable transfer of responsibilities of the national aviation authorities to the operators.	Noted.

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39	93.	Question 1	INAC	INAC agrees with the actual system. However we do understand the flexibility needed on the operators side and for this reason we accept to consider the ICAO Option 3, although this implies a huge amount of workload at the start-up phase due to the collection of noise data to issue the noise slips (depending on the aircraft manufacturer). Despite the less simplified paperwork, this last system could be better controlled from the NAA thanks to the historic noise configuration document, in comparison to the ICAO Option 2. The Option 4 may suggest the surrender of the NAAs concerning their competences on this matter, which is obviously not intended. The other options are not suitable since they are outside the ICAO scope. Besides, the Option 5 implies the carry of the AFM on board, which is not mandatory according to JAR-OPS 1.130 and the Option 6 is also outside the purpose of noise certification.	Noted.
40	82.	General comment	ATR	After a detailed reading of the different options proposed, their advantages and inconvenient, ATR, as TC holder, wants to express its preference towards option 1 or 6.	Noted.
41	102.	V 52, VI 62, 63 and appendices	Irish Aviation Authority	A choice between options 1 and 3 should be available for aircraft operators. However the "Historic Noise Configuration overview" document suggested in appendix 3 as part of option 3 can be replaced by the use of the aircrafts technical log. The document system should also include the configuration data in the Aircraft Flight Manual or a supplement to the manual. The reasons are stated below: **Justification:** Option 1 (the current situation) is satisfactory for a large number of aircraft types where there is no	Partially accepted. The system described using an aircraft technical log would be difficult to understand for the average user who normally is not trained to read and understand the technical logs and/or the continued airworthiness documents which are different for different operators.

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				economic or environment requirement to vary the certificated noise data. Option 3 should be available in cases where the operator has a need, for instance, large commercial transports operating on routes considerably shorter than their design capability or where specific noise requirements exist. The example in Appendix 3 introduces new documents for the aircraft. This is cumbersome and increases the administration burden. No new documentation is in fact required since the existing continuing airworthiness documentation can contain all the necessary information as follows: 1. The noise certificate (EASA form 45/ICAO noise certificate format) contains identification of the aircraft and attestation to the noise chapter. For the noise levels and configuration (weights, etc) a reference is made to the approved Flight Manual data or Flight Manual Supplement. 2. The Flight Manual or an approved supplement contains the approved configurations and noise levels as well as reference to the approved TC holder Service Bulletin to carry out the change between configurations. This is required because configuration changes such as a weight limitation change are classified as a major change to an aircraft. 3. The third document is the aircrafts technical log. This attests to the current certified configuration. A suitably approved engineer under a Part 145 organisation can carry out the instructions of the Service Bulletin to change the aircraft configuration and sign off its accomplishment in the technical log. The technical log is an approved document. This ensures there is a record of the duration for each configuration and that there is no confusion over the configuration status at any time.	

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				The technical log is carried on board at all times and is already subject to audit. There is no further administration burden on the NAA for the issue of the Form 45; it is the same document. There is no further administration burden on the use of the technical log as it already in place for this purpose. There is a cost involved in obtaining the STC/Flight Manual Supplement and associated Service bulletins etc. This is bourne by the operator as is the case anyway for changes to aircraft. There is some cost-benefit analysis required by the operator to determine the viability or otherwise for a particular operation. It is expected that an operator would need to seek the acceptance of this system for their particular operation from the airport administrators and air navigation service providers that base their charges on weights and noise levels. This system does require that these organisations obtain data from the aircrafts technical log. To summarise: A noise documentation system based on option 3 should include the use of existing approved documentation such as the aircraft technical log and the flight manual.	
42	42.	Question 1	Ryanair	See attachment at the end of the document.	Noted. It is not clear how changes from one configuration to another could be tracked.
43	3.	Option 1	Mike Mitchell	With the current data available, option one would appear to put less burden on the airlines as it becomes a straight forward Certificate listing the Manufacturers published Noise Data.	Partially accepted. The Agency is of the opinion that Form 45 should contain the maximum take-off and landing mass

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				However, since the introduction of the CAA FODCOM 29/2005. (Variable MTOW) The CAA have issued the form 45 listing the structural MTOW of the aircraft and the published Take off, Approach and Sieline noise levels. The Operating MTOW is then published on the CAA G-INFO website. ***However the associated Noise levels are not published.*** Operators have the opton of varying these weights up to four times a year, so understandably the CAA do not wish to issue a form 45 every time there is a change. Neither do the airlines want to incur the costs of changing these on their fleets. Many of the Airports in Europe insist on charging landing fees based on the Noise certificate, and will not accept the G-INFO information. Often citing Government regulations. Due to the CAA position listed above, this is already effecting us and with our current fleet could add up to £1.5 million to our operating costs. Therefore if Option 1 is considered, I suggest the form 45 should list the Structural MTOW and associated noise levels. thus complying with the Chicago Convention. Then there should be a clear agreement amongst member states to produce web based operational information similar to the G-INFO site but to include asociated noise levels. The airports authorities should then be directed that this is to become the source of information when determining charges. *(Complies with Chapter 23 para 3)* I believe this would create a controlled level playing	which is in line with the ICAO system and in more detail described in ICAO Annex 16, Volume I. The proposal of a web based operational information system including associated noise levels might be a useful tool, if accepted by airport authorities. Standardization of data and of the process is a necessity. However, with today's responsibilities the Agency is not in the position neither to initiate such an approach nor to heavily contribute to such a system.

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				field for all operators and a clear source of information for service providers. The use of the Web would also reduce costs for NAA's, Operators and Service providers.	
44	4.	Option 6	Mike Mitchell	Preferred Alternative if Option 1 is not available, with the operational weights / Noise levels, issued as an additional statement. However this would mean more administration and associated costs.	Noted.
45	57.	General Comment A, VI, questions 1 to 8 within paragraph 62	DGAC France	DGAC considers that it is not justified to ask for all operators in Europe to carry onboard their aircraft an harmonized noise certificate when ICAO provisions allow for flexibility, and do not ask for harmonization, but merely set some standards about the contents of the noise certificates that must be easily accessible. Depending on the need of operators (frequency of changes), one option or the other might be better. But what is the best in one case may not be for others. DGAC position would be to keep a choice between all three ICAO options, with a preference to implement for our operators option 1 for those who intend to operate with few changes of configuration, and option 3 for those who need flexibility, but with a traceability that the authority can easily monitor and use for the application of noise-based charges and restrictions at airports. It implies to set up rules on the issuance of certificate 3C which meets the requirement that the applicable noise levels for a given aircraft should be known at any given time. It is true that it may also imply to set up controls which will enable to verify operators declare the noise levels and operate at the values they have declared (Otherwise, in case of no declaration or wrong declaration, the rule will be to apply the worst case, plus possibly fines for false declaration).	Noted.

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				However, such flexibility solution will be beneficial as it is closer to describe and manage the real noise disturbance around airports. A working group could be created to address the practical implementation issues (notably the question of availability and traceability of data), once the option is agreed to keep the flexibility offered by ICAO. The group would propose modification of Part 21. **Justification:** The main justification of our position is to allow the maximum flexibility for operators who need it and at the same time to keep the administrative burden to manage the required documentation to a minimum. It is believed that environmental benefits might result from this option around noise sensitive airports, where operators would have an incentive to operate their aircraft in the quietest possible configuration.	
46	83.	Explanatory Note / Question	IATA	• Paragraphs 16, 17, 20 & 21: as already stated in its letter to EASA dated 14 October 2005, IATA urges EASA to incorporate in its regulations the 3 options retained in Amendment 8 to ICAO Annexe 16. Any other solution would lead to the notification of differences by all ICAO contracting States also members of EASA. • Paragraph 37: IATA supports option 4 for the same reasons Our proposal is to retain option 4 **Justification:** Harmonisation of international standards is a basic requirement that should guide European States and institutions. Ideally, there should be no difference between Annex 16 standards and European	Not accepted. Annex 16 does not make it an obligation to make all three options available to the applicants. If Option 1 is retained within the EU, no differences need to be filed to ICAO.

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				regulations.	
47	23.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 1	AEA	The flexibility of the original ICAO system, to which the individual contracting states of the EU, have accepted, should be retained. In this respect, the answer to this question is "all options" should be retained.	Noted.
48	31.	Explanatory Note/ Question VI QUESTIONS PARA 62	AEA	It should also be noted that maximum noise levels are defined on the noise certificates in compliance with Annex 16, however, for aircraft operating at lower MTOW's than published on the noise certificate, it is possible for the certificated noise level at one point to be higher than that of the certificate. For example, for a number of aircraft, whilst the flyover noise level increases with MTOW, the lateral certificated level falls due to the speed effects. As a result, the maximum noise level for the actual configuration being operated will not appear on the noise certificate, which seems contrary to the purpose of the certification process. **PROPOSAL or COMMENT:** AEA requests that the proposed amendment is revised to adopt the system agreed at ICAO, which then allows all the flexibility enjoyed by non-EU operators, to apply to those of the EU. AEA would strongly recommend that the EU regulations be kept harmonised with the international standards and recommended practises agreed internationally at ICAO, to which many EU members have contributed and signed up to. A considerable effort has already been made in reducing the differences between the EU and US Federal regulations in the past decades, and it would be a	Noted. The increase of the lateral full-power noise with increasing mass is a well known effect that exists for all options. The guidance material of ICAO Annex 16, Volume I gives the option, but is not a recommendation, to states to make all three options available to all applicants. Therefore, for the Agency the Commission Regulation 1702/2003 prescribing ICAO Option 1 is in conformity with the international standards and practices agreed within ICAO.

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				significant retrograde step to seek to move away from this philosophy. In this respect, we believe that a considerable disadvantage would be placed on the industry and in particular, EU operators.	A-NPA Option 4 (choice between the three ICAO options) would not reduce the differences between EU and US FAA regulations. Option 5 of the A-NPA would do this, but this option would not be fully in line with the recommendations of ICAO Annex 16, Volume I.
49	14.	Explanatory Note/ Question Question 1	Air France	**Question 1**: we think that the option 4 of the A-NPA document is the best option **as it is** the ICAO recommendation. None of the other options fits with the ICAO recommendation but just reflects portions of it. As alternate, option 3 brings the flexibility, the accuracy and the minimum administrative workload so that for example, the weight reduction of an airplane translates immediately into noise reduction through the appropriate noise documentation which does not need to wait any administration to re-issue a certificate and subsequently the operator to put the certificate onboard the aircraft.	Noted. The guidance material of ICAO Annex 16, Volume I does not recommend to states to make all three options available to all applicants.
50	22.	Explanatory Note/ Question Proposal/Justification to #5 - 21	Air France	Our proposal is to retain the option 4 and to ignore the remaining options. **Justification:** Harmonization of international rule is an unquestionable requirement. There must be no difference between Annex 16 and the European regulation for distortion of competition considerations. The A-NPA option 4 is the ICAO recommendation and therefore gives to all operator a same answer to a worldwide issue. It allows an operator to adapt itself to its operational needs and to its administrative context. As needs are different from one operator to another one, flexibility in determining the right solution for a given need is key. Moreover, all operators should be given the same flexibility in order to limit distortion of competition.	Noted.

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				Moreover again, the option 4 leaves the door open for administrative cost reduction and operational reactivity which is both fair and good from an environmental prospective. Flexibility is the only way to have certification documentation accurately kept updated. As long as the update is not completed, the correlation between measured values and certificated values looses accuracy and could become challenged to the point that national and international effort must be carried out to re-assess the efficiency of the certification scheme again.	
51	101.	General comment	ECOGAS	We believe that the logical choice is to go for option 4, which gives a choice between the three systems. The rational behind this is that many operators with larger aircraft could potentially benefit from the flexibility to control their Maximum Take Off Weight (MTOW), save money in landing fees and aid in protection of the environment. Whereas, at the lighter end of aviation, many operators have a small window with regard to MTOW manipulation and the financial cost of this limited flexibility is likely to be too great to make sense. Therefore taking these two examples the first would most likely want option 3 and the second would want option 1. ECOGAS would therefore propose that Option 1 is the default applicable option with Option 3 available as an extended option to those for whom it makes financial sense. This would prevent the additional burdens of Option 3 falling on the smaller operators/companies unless they decide to opt into the Option 3 system; and therefore supports the European Commission's "Think Small First" concept.	Noted.
52	32.	Explanatory Note/ Question	Airbus	One of the main motivations driving the changes implemented in ICAO Annex 16, Volume 1, was the	Partially accepted.

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		Chapter IV. Background: Paragraphs 24 to 42, and Chapter VI. Questions: Questions 1,3,5		need recognized by all stakeholders to introduce operational flexibility in the management of noise documentation. Airbus considers that amendment 8, resulting from a cooperative work, adequately addresses identified flexibility needs and is consistent with the current best practices since there is now a direct reference to the use of the aircraft Flight Manual. These changes allow the operator to take benefit of the actual aircraft configuration with respect to noise levels in order to avoid undue penalization and to create an incentive for using configurations that minimize noise in operations. European Community rules must remain in line with these considerations. EASA options 1, 2, 3, as described in A-NPA 13-2006, chapter IV, are close to ICAO recommended practices. EASA option 4, giving the choice between these three options, would be the best overall system since it best matches the primary flexibility objective that prevailed during CAEP dedicated activities. Should the option of the choice between the three ICAO systems be impossible to implement for practical reasons, EASA option 3 would be clearly the most acceptable from the flexibility point of view since it refers to pages of the AFM for the listing of all possible noise configurations and to a cross-reference to the actual configuration of the airplane. Compared to option 2, option 3 provides some additional advantages with respect to simplicity and operational criteria. It is Airbus view that the addition of a document giving the status of the aircraft situation with respect to its noise configuration at a given time will ease the handling of the actual aircraft configuration. We consider also that options 4 or 3 minimize the risk of unequal treatment between EU and other airlines. We nevertheless note that EU and US systems are not	The main motivation driving the changes implemented in ICAO Annex 16, Volume I was the need to standardise noise certification documentation. The Agency agrees that the US and EU system are not harmonised. The Agency works to minimise the differences. However, as many US aircraft never

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				harmonized and we would suggest that in future, EASA should play an active role in harmonization work on this issue. Regarding supporting documents, we consider that they should not dictate a fixed format for handling the range of all possible noise configurations, as shown in proposed document 3B. This would otherwise impair the initial flexibility intent. The format for the list of configurations varies with the operator and the aircraft manufacturer, and can comprise charts or diagrams to cover a wide range of possible configurations. For these reasons, Airbus considers impractical and counter-productive a mandatory format that would impact current well recognized AFM-related practices, and requests that a simple cross-reference to AFM pages be mentioned in the rule. We also note that A-NPA 13-2006, paragraph 35, states that "Document 3C is issued in accordance with a regulated process. It identifies the current aircraft configuration by associating a unique identifier to the actual Maximum Take-off Mass (MTOM) that is active." This statement is too restrictive since noise mitigation does not necessarily rely only on the aircraft take-off mass. Paragraph 35 should refer to the aircraft configuration, at large, and not to aircraft MTOM only. (Airbus notes, however, that the example of document 3C given in appendix 3 is correct as it refers to a configuration identification. These Config ID may include design particularities, other than those related to take-off mass, providing advantages in terms of noise.) With respect to option 6, it appears very promising from our perspective, in terms of advantages it would offer and we think it would therefore deserve further	leave American airspace the US sees less need to issue separate noise documents and to standardise. This is in contrast to the EU where most traffic is "international". The remark is correct. The unique identifier is not just related to MTOM, but to a configuration at large.

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				developments and discussions. However, we consider that it would be premature to select it now, since we should first develop consistent rules and advisory materials in a standardized way to quantify noise impact of operational procedures, at ICAO/CAEP level, and in cooperation with the relevant bodies, including EASA, other authorities, and stakeholders. Airbus is willing to take part in the corresponding efforts in a near future. **Justification:** See above	
53	1.	General Comment	CAA UK	From a Flight Operations perspective only, the one criterion of importance to the operator would appear to be ease of use of the noise data, either directly by him or by external bodies such as airports. Therefore, from this narrow perspective only, it would appear that Option 6 is the better choice. However, there may be other factors (hopefully contained in the answers to the questions at paragraph 62) that will need to be considered that may prevent Option 6 being chosen.	Noted.
54	35.	Questions – Question 2	CAA Czech Republic	Option 2 is, to a certain extend, transparent, however, the responsibility of the operator is not clearly declared. Option 5 is then, according to our opinion, even less transparent.	Noted.
55	86.	Question 2	Austro Control	We do not support option 2 till 5.	Noted.
56	94.	Question 2	INAC	Option 2 is not of our knowledge in terms of known implementations so we cannot pronounce about it. Option 5 is the former INAC system, which falls apart due to the fact that the AFM is not mandatory on board of the aircraft and since this it does not fulfil the ICAO condition.	Noted.
57	24.	Explanatory Note/	AEA	Options 2 and 5 appear to be an over-complicated	Noted.

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		Question VI QUESTIONS PARA 62 Question 2		version of noise certification statements that appeared in some of the older Approved Flight Manuals. In this respect, they are a backward step and should not be carried forward.	
58	15.	Explanatory Note/ Question Question 2	Air France	**Question 2**: we have no actual practice of such options 2 or 5. It is our understanding that the list of registration marks of the aircraft operated in each configuration should be part of document 2B.	Noted.
59	43.	Question 2	Ryanair	A2. It would appear in the A-NPA that this causes issues with the number of listed configurations can be large. So we would prefer to see Option 1.	Noted.
60	75.	Question 2	Aeroclub of Switzerland	As far as we can judge it, only specific checks of the aircraft's papers could answer such questions at any given time. **Justification:** We think you will never have sufficient time or staff to run the necessary checks to receive all information about actual aircraft configurations.	Noted.
61	36.	Questions – Question 3	CAA Czech Republic	The CAA CZ is of an opinion that problems may arise from a limited transparency of noise data to the airport operators, which in turn may cause unequal treatment of operators.	Noted.
62	87.	Question 3	Austro Control	this would be a problem for the operator because airport and ATM authorities use the figures issued by the NAA/EASA related to the MTOW. Any deviation has to be show to this authority.	Noted.
63	95.	Question 3	INAC	It is most possible that it does, but the standard adopted worldwide is the ICAO Annex 16 and so the European Union is pointing the right way by adopting	Noted.

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				one of the prescribed ICAO options. If there will be greater or minor inequalities, perhaps the other systems should converge to ICAO too.	
64	25.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 3	AEA	Many non-EU competing operators have different systems that contain the flexibility of the original ICAO statements, and therefore it is inevitable that if EASA were to choose any one of the proposed systems of noise certification contained in this NPA, then EU carriers would be put at a disadvantage as a result. The magnitude of the inequality is difficult to quantify, as it depends on the individual carriers concerned, however, with the current fragile state of the industry and in view of the considerable government benefits enjoyed by some non-EU carriers, any additional competitive disadvantage could be disastrous for the individual carriers concerned.	Noted.
65	16.	Explanatory Note/ Question Question 3	Air France	**Question 3**: the same flexibility should be given to all operators. If not, some operators then could be penalized by not being able to adjust their operations to the needs (weights adjustments for example) in a timely manner because of administrative delays for certificate re-issuance when others could with no additional administrative burden. In some case (nacelle treatment or engine rating change for example), it is our experience that it takes several months to get the noise documentation updated once the fleet is modified, due to some administrative and contractual workloads involving the operator, the manufacturer and the authority.	Noted.
66	44.	Question 3	Ryanair	A3. This is too difficult for us to quantify.	Noted.
67	76.	Question 3	Aeroclub of Switzerland	No special proposal, unable to comment	Noted.
68	37.	Questions –	CAA Czech	In case the systems are not unified, problems may	Noted.

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		Question 4	Republic	arise for operators, airport operators and aviation authorities as well (including EASA). The problematic areas are particularly lease of aircraft between individual operators, software tools of airport operators, flexibility of the national aviation authorities and centralized management of individual systems.	
69	88.	Question 4	Austro Control	Yes, flexible MTOW would have an impact on AT fees. EASA/NAA can not compensate the effect of the use of inadequate aircrafts (to large or heavy aircraft operated with a low load factor). The economic effect on the operator is out of control of the airworthiness authorities and should be discussed between operator and airport/ATM authority.	Noted.
70	96.	Question 4	INAC	Yes, there will be different effects depending on which system is adopted. ICAO Option 1 is less flexible but simple to deal with and the Options 2 and 3 are more flexible but also more complex for the operator. Option 1 has less initial economic effects (and, for certain operators, even after the certificate being issued). Options 2 and 3 may have much more initial costs, especially if the NAAs start to charge according to the amount of noise data to be certificated.	Noted.
71	26.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 4	AEA	By reducing the flexibility enjoyed by non-EU competitors, whilst removing it from those registered in the EU, any scheme would have a detrimental effect on the EU operators. For the reasons outlined in the answer to question 3 above, it is impossible to predict whether any single option would have a greater dis-benefit than any other.	Noted.
72	17.	Explanatory Note/ Question Question 4	Air France	**Question 4**: for instance, option 1 would not allow for aircraft weight change in operation until the member state re-issues the noise certificate for onboard availability. Until the certificate is on board, the aircraft	Noted.

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				would stay at the previous weight which, in case of weight reduction would be detrimental to exposure accuracy, i.e. to efficiency of any decision based upon such exposure and, in the case of weight increase would result in a loss of capacity. Any option relying on the need to wait for the state to re-issue a certificate would create the same situation.	
73	45.	Question 4	Ryanair	A4 Again, this is too difficult to determine.	Noted.
74	77.	Question 4	Aeroclub of Switzerland	Surely there would be different economic effects, think of possible interpretation! With different systems, someone would have the obligation to write a "How to use…." text **Justification:** The number of languages spoken in Europe makes such a text mandatory, eg this document has to be sent to you "before Nov 23", so at the latest on Nov 22nd, at 2359.59, but LT or UTC?, but on another paper, Nov 23rd is stated as the latest date of arrival of an E-mail at your address. This is not extremely important, we think, but with aircraft weights and then taxes to be levied, such a nice difference may become an important issue.	Noted.
75	38.	Questions – Question 5	CAA Czech Republic	The uniform implementation of Option 1 would provide the same conditions for all EU operators. Option 3 is more close to the US system; however, it transfers a great part of the responsibility to the operator, which may be accompanied by further problems.	Noted.
76	89.	Question 5	Austro Control	Option 1. Option 5 (FAA system) It is not easy for the pilot and the operator to show by the actual noise levels. Other options are not relevant to airworthiness	Noted.

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				certification and should be dealt by the operator with the airports and ATM authorities.	
77	97.	Question 5	INAC	In our perspective, we think that the ICAO Option 1 is the most balanced solution for both the NAAs and the operators.	Noted.
78	27.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 5	AEA	Retaining the flexibility allowed by ICAO for all operators, EU and non-EU, would give the best guarantee of equal treatment, for obvious reasons.	Noted.
79	18.	Explanatory Note/ Question Question 5	Air France	**Question 5**: with option 4 offering the choice between the 3 ICAO options, all operators will be able to select the ICAO option which will make sense for its own situation.	Noted.
80	46.	Question 5	Ryanair	A5 We believe our preferred option 1 as revised would be best. The best answer from an operator's perspective would, of course, to use the same format universally.	Noted.
81	78.	Question 5	Aeroclub of Switzerland	Our proposal is to stay with the regulation stipulaited by ICAO "Option 1" **Justification:** It is well known, simple, precise enough and producing a "reasonable workload" .	Noted.
82	39.	Questions – Question 6	CAA Czech Republic	The CAA CZ does not consider the administrative costs associated with different systems to be relevant.	Noted.
83	90.	Question 6	Austro Control	Yes. Lowest cost for Option 1 All other systems requires to investigate about all	Noted.

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				possible configurations even never intended to be used or possible on the aircraft. Yes, and the flexible system is not easy to administer. F.e any reduction of the MTOW must be reflected in the Flight Manual.	
84	98.	Question 6	INAC	Depends on the dimension of each NAA fleet (national register), on the first place. For INAC, Option 1 will produce the same administrative costs for all operators at the start-up phase. Recurring administrative costs may occur depending on the frequency that a certain operator changes its aircraft configurations, but this is not too significant in our case. Option 3 could result in dramatic start-up administrative costs due to the compilation of all aircraft configurations for all the operators' fleets, which could lead to some useless work.	Noted.
85	28.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 6	AEA	The original purpose of noise certification was to ensure that the latest noise abatement technology was incorporated into new aircraft designs, in this respect only the certificating authority could answer the question as to what the administrative costs of any option would be. In addition, as already noted, non-EU operators would still have the full range of ICAO options available to them. In this respect, presumably any extra administrative costs would only apply to the certificating authorities anyway?	Noted.
86	19.	Explanatory Note/ Question Question 6	Air France	**Question 6**: for some options, a noise certificate has to be re-issued for an aircraft configuration change. This is cost for the operator and its authority. Moreover it takes time during which the operator would not be authorized to implement the needed aircraft configuration change.	Noted.
87	47.	Question 6	Ryanair	A6 This can only be answered by NAA's.	Noted.

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88	79.	Question 6	Aeroclub of Switzerland	We think, the administrative cost would not increase heavily, if the there are not to many differences and if someone undertakes the necessary "differential training". Our proposal is to stay with the regulation stipulated by ICAO "Option 1" **Justification:** It is well known, simple, precise enough and producing a "reasonable workload" , and no differential training will be necessary..	Noted.
89	40.	Questions – Question 7	CAA Czech Republic	The CAA CZ assumes, that the initial noise values are stated by the aircraft manufacturer in the Aircraft Flight Manual obligatorily. In such case a form of the noise certificate issued by the national aviation authority to the operator should not have a significant economic impact.	Noted. There is no such obligation as to state the noise levels in the AFM. It is custom to do so. Main reason is that it is part of the US system. From 27 March 2007 onwards at latest, noise certificates shall be issued on the basis of the data published in the EASA TCDS Noise Database.
90	91.	Question 7	Austro Control	Yes, when EASA add the noise date based on ICAO annex 16 Vol 1 to the TCDS (not to issue an independent noise TCDS and the NAA issue based on the TCDS date an noise certificate for the actual configuration.	Noted.
91	99.	Question 7	INAC	The creation at EASA of a complete noise database with all the possible aircraft configurations, frequently updated, could result in less workload for the NAAs and in an effective on time response to the operators.	Noted.
92	29.	Explanatory Note/ Question VI QUESTIONS PARA 62	AEA	It is now apparent that the scheme is also being used for charging purposes, which was not the original intent, and which serves to create many of the additional administrative and economic burdens of the current system. Under such circumstances, we believe that it is incumbent on the bodies that set these	Noted. The Agency has some doubt whether a regulation following the thought of the comment provider can be implemented.

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		Question 7		charges to absorb all additional costs that their actions generate.	
93	20.	Explanatory Note/ Question Question 7	Air France	**Question 7**: it is our opinion that the overall administrative cost of the noise documentation would be minimized with options 4 & 3 as ICAO option 3 does not need to re-issue on the spot any certification documentation because it remains valid for all approved configurations of a given aircraft type. This goes along with a notification of an aircraft configuration change from the operator to its authority.	Noted.
94	48.	Question 7	Ryanair	A7 There are none that are immediately apparent.	Noted.
95	80.	Question 7	Aeroclub of Switzerland	With regards to General Aviation aircraft and looking at the lists of our Authoritty, we do not see any way to reduce the administrative burden. **Justification:** The relevant lists are easy to be used, if the aircraft owner/operator answers the airport's questions correctly and quickly...	Noted.
96	41.	Questions – Question 8	CAA Czech Republic	The CAA CZ is of an opinion, that trends of development of use of aircraft by operators have to be taken into account. The tariffs for applicants are closely related to the number of issuance of the noise certificates, because fees are levied for each new issuance of the certificate.	Noted.
97	92.	Question 8	Austro Control	NAAs are in particular asked to review the cost differences (both start-up and recurring) of the above six alternatives and the effects on their tariffs (if any) for applicants of such documents.	Noted.
98	100.	Question 8	INAC	The Option 1 is not critical because it implies a single tariff when a certificate is issued (or re-issued). Problems may arise when dealing with Options 2 and 3	Noted.

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				because they mean increased workload due to the gathering of several amounts of noise data and the consequent multitude of documents to be issued. Therefore it is reasonable for the NAAs to increase the tariffs charged, according to the amount of configurations required for the aircraft. This, of course, could generate extra expenses for the operators, even if they will not use all the different configurations. For these last systems, one of the solutions could be the existence of two levels of tariff to accommodate this discrepancy.	
99	30.	Explanatory Note/ Question VI QUESTIONS PARA 62 Question 8	AEA	There are a number of other considerations that should be taken into account, and some of these are listed below: a) the intention of the draft A-NPA appears to be to regulate individual aircraft, which appears to be in contradiction with the mandate of EASA, to certificate individual types; b) the draft A-NPA, reduces the flexibility of EU registered carriers whilst retaining all the flexibility of the ICAO system for foreign competitors. As a consequence, the ICAO principle of setting standards that do not discriminate between the commercial interests of contracting states, is lost; as EU carriers will clearly be put at a commercial disadvantage; c) the harmonisation that has been such an essential part of the modernisation of the certification process within the EU, first with the JAA, and now EASA, will be compromised if the intent of the A-NPA goes ahead; d) the EU states that accepted the international standards agreed at ICAO, did not file any differences to the standards. The A-NPA seeks to introduce differences and, if progressed, would	Partially accepted. Ad a): The administration of noise certificates is regulated in the Commission Regulation (EC) No 1702/2003 of 24 September 2003, Part 21. Rulemaking activities, both for aircraft type certification and also for individual aircraft administration are in the remit of the Agency. Issuing individual noise certificates, however, fall under the responsibility of the Member States. Ad c): The intention A-NPA 13-2006 was not to stay with ICAO Option 1. Using only Option 1 will serve harmonisation. It will not compromise harmonisation. Ad d): The guidance material of ICAO Annex 16, Volume I does not recommend to states to make all three options available to all applicants.

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				undermine the confidence that European carriers have in the process adopted by EASA for the application of international standards from bodies such as ICAO.	
100	21.	Explanatory Note/ Question Question 8	Air France	**Question 8**: it should not be forgotten that some options take a long time (depending on the reactivity of the NAA's which might create some distortion between operators covered by different NAA's adopting different options) and time is key when it comes to adapt oneself to a changing operational world. It should also be noted that the use of the measured levels instead of certificated levels might be requested by airport communities to better represent the noise exposure. It is known that the measured noise of an individual aircraft is correlated with its certificated noise. But it is also known that the correlation looses accuracy if it is tried to correlate the measured noise of an aircraft with the certificated noise of this aircraft in a configuration different from the operated configuration.	Noted. As long as it is not clear how the measured noise levels are used, it is difficult to take them into account.
101	49.	Question 8	Ryanair	A8 Other than our request/comment for multi masses and noise levels given in answer one there are no further comments. Except that, JAR-OPS1 revised the use of the word MASS to use WEIGHT as an option as many Flight Manuals use the term weight rather than mass. Perhaps weight is more users friendly.	Noted. Following ICAO standards as ICAO Annex 16, mass is the appropriate term to be used.
102	81.	Question 8	Aeroclub of Switzerland	No proposals nor comments.	Noted.

comment #42 – Ryanair:

A1. Option 1 would be the preferred option but with a revision. That revision should make space available to include the alternative MTOWS if approved by an NAA and the noise levels applicable to all alternative MTOWS:

E.g.

9. Maximum Take-off Mass (kgs) and alternative Maximum Take-off Mass(es) (kg)
77,000 Alternative 75000 & 71000

Take-off weight	13. Lateral/Full Power Noise Level:	14. Approach Noise Level	15. Flyover Noise Level:	16. Overflight Noise level	17. Take-off Noise Level
77000	93.6 EPNdB	96.2 EPNdB	87.4 EPNdB	N/A	N/A
75000	93.2 EPNdB	95.8 EPNdB	87.0 EPNdB	N/A	N/A
71000	91.8 EPNdB	94.4 EPNdB	86.2 EPNdB	N/A	N/A

Often the Noise Certificate is used by airport authorities to determine landing fee vs. maximum Take-off Mass so the format shown above would meet this need as well as the noise issues. This is another economic effect which should be included on the certificate.