

Title	"Operational Suitability Certificate" and " Safety Directives"
NPA Number	NPA 2009-01

SVFB/SAMA (Franz Meier, franz.meier@svfb.ch) has placed **1** reactions on this NPA:

NPA Page	Reaction to	Reaction	Attachments
0	(general reactions)	<p>Swiss Aircraft Maintenance Association</p> <p>Page 3/50: SAMA supports the many commentators who see to much bureaucratic burden, and as usual EASA has an explanation for it. At the same time repeatedly declaring to keep the administrative burden to a minimum, the burden gets bigger by each NPA and each CRD.</p> <p>As mentioned in an earlier NPA this comes from EASA creating one rulebook for all. Realising that the rules are not adapted to size and/or complexity of organisation, EASA provides an endless patchwork of amendments, explanations and cross references with the goal to adapt the rules designed for Public Air Transport for Leisure, Business and General Aviation.</p> <p>A full time Lector doing nothing else then studying 42 hours a week the regulations cannot apply them. Even if some time would be left to do so.</p> <p>In the middle of page 3/50 reference is made to "studies" in Europe and the US without giving the source of the data. Anybody could quote studies which prove the opposite without giving the source.</p> <p>SAMA does not question the MMEL concept to be useful for a broad range of aviation. Airlines have used it for a long time. Where it is useful: in complex heavy aircraft and airline type operation. A limit of common sense could be the limit where Flight Data Monitoring is mandatory: 27'000 kg. If the concept provides for an ROI, manufacturers will apply it below this limit.</p> <p>On page 3/50 a multitude of legal reasons are given of the OSD concept. This is appropriate for Public Airtransport and may be appropriate probably for business jets/turboprops. The human brain of the pilot., the engineer and other involved in the operations of airplanes seems to be nonexistent and therefore there must be a rule and a limitation for</p>	

everything. With so much "noise" and *chatter" in present legal code one effect to be expected with the present code: there will always be a paragraph which somebody has failed to comply with and somebody can successfully be sued.

On page 7/50 there is relaxation for small aircraft as requested by the stakeholders. It will have to be seen that the agency does not request excessive Type Ratings as is the case in the present list of aircrafts. The problem is that each time something goes wrong EASA creates a rule for all, even if the problems source was a single case. The correlation between maintenance errors and accidents in leisure aviation, general and business aviation is not proven by any relevant studies.

Thirdly, on the same page: all aircraft which can be used for commercial operations must have a MEL: a Cessna 150 can be used for commercial ops but a MEL is not needed if the pilot is properly trained, in short: its useless ins such cases.

When drafting Para 9 on page 10/50 the group was enlightened: well done.

Para 11 page 11/50 here EASA is helping to monopolize training. The same effect will happen which can be seen in type training, the only available source for training may be the one who is owner of the DATA and this organisation has the price monopoly. Again: aviation for the young will become so expensive to be left to the few whom can afford it.

Para 12: there was common sense here by retaining the AD principle instead of introducing yet another rule (s) for SD.

However later in the text the SD concept is introduced together with the long explanation what it means. This shows that this concept should not be introduced because it complicates the rule and makes it's application more difficult.

12/50: are politicians in EU really be able to understand this opinions or its consequences? Hard to imagine.

In summary: 34 pages of additional legal code have been drafted.

The OSD concept may make sense for public air transport category aircraft and aircraft above a certain size. By abandoning the SD and stay with the known AD concept, it would be simpler.

If this rule would have the same range of application as EU OPS 1.037 a lot of discussion would come to an end.

(4) A flight data monitoring programme for those aeroplanes in excess of 27 000 kg MCTOM. Flight Data Monitoring (FDM) is the pro-active use of digital flight data from routine operations to improve aviation safety. The flight data monitoring programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data; and....

Overall: EASA must compile simple, direct and understandable rules. It is not the case.