

Draft ToR 145.024 B1B2

SAMA Swiss Aircraft Maintenance Association feedback to **ECOGAS**
Reference to EASA document 145.024:

Functions and responsibilities of B1 and B2 support staff- link with sign off.

Introduction

Looking at the whole “progress” of EASA concerning rulemaking for Maintenance, one could get depressed, if not realising that the motivation for a common rule in Europe was and still is based on a big VISION. The realisation of this vision so far is a failure.

The reason for failure lies in how the rulemaking has started by a club of participants (JAA), necessarily having an ambiguous picture of the vision at the time. But today a clear picture is still missing.

This result is logical, as there are 27 (+) members each bringing in his set of rules. This subset of 27 (+) rules is merged into one big integrated legal code. The (political) EU has failed to request that (in mathematical terms) the final set of rules must be the smallest intersecting set of common rules. Therefore today's set of rules is approaching the status where the final set of rule will be the sum of each and every single rule in the 27(+) member states. In addition the ICAO and FAA rules are integrated as well, (where a similar logic applies) and the resulting legal code is turning into the Moloch we are facing, and whom is growing according Parkinson's Law.

If we look at the number of ToR's, NPA's Opinions and amendments to decisions and how much time and detail is committed to it, the result must be a patchwork of legal code with AMC's, GM's and exemptions which is hardly understandable and hence impossible to implement.

1. Intro: is rulemaking necessary?

- Yes, basic rules and they need to be simplified and adapted to the different segments: Public Air transport
- (Airlines and Charter),
- General and Business Aviation and
- Club, leisure and private flying

The point where additional rules or amending or explaining present ones with more AMC's and GM's would improve safety has long ago passed by. It's too much to keep oversight for staff and authorities alike.

Cognitive ability of human beings have not changed in the last 50 years, but legal code in aviation has increased by 3000 % in the last 30 years, the most dramatic increase since inception of EASA.

2. Analyses

The examples given are questionable. The reasons why we judge them questionable are the same as in rulemaking 2010-08 contracted maintenance, but we repeat them here:

As all quoted accidents are a decade back, supposing that the regulations system did work acceptably adequate in the meantime, there must have been directives issued and/or other countermeasures to address the problem source. This time delay leads to duplication and more on rulemaking. Comment to the accidents cited in ToR 145.024:

000725_AF4590 Concorde: where the investigators concluded that: After reaching take-off speed, the tyre of the number 2 wheel was cut by a metal strip lying on the runway, which came from the thrust reverser cowl door of the number 3 engine of a Continental Airlines DC-10 that had taken off from the runway several minutes before. **This strip was installed in violation of the manufacturer's rules.**

The rule was there, but not followed. Since then, there has been directive for this repair. The proposed additional rulemaking would not have prevented it.

000227 BA 179 B747 A/P Pitch up

The respective chapters in the Maintenance Manual have been revised due to the accident.

The instructions to the personal were not complete. The proposed additional rulemaking would not have prevented the accident.

000524 Helicopter: installation of a bogus part:

The data plate was missing and the area where the plate had been factory mounted was raised and painted over.

This accident would not have been prevented by additional rules. All necessary rules have been in place to avoid such an installation.

3. Baseline assessment

The five pages of analyses will give the nonsceptical reader the impression of science. As demonstrated under (2) above, it's not, as the assumptions are not appropriate.

4. Objectives of the proposal

This clarification will not clarify unless the whole 145 is restructured, rewritten and reduced and its scope restricted to public air transport (airline and charter).

5. Options

If any of Options has to be chosen, option no change of rule is the best of the proposed ones. Visionary would be to change the objective according (4) above.