

Subject: SOCATA - TB9 registered SE-MKV, on 06/04/2020, at Stockholm, Sweden.

Reply to Safety Recommendation SWED-2021-002 received on 30/03/2021

<p>Safety Recommendation:</p>	<p>Evaluate and decide whether and which high-risk manoeuvres shall be included in training and be described in a guidance document. One such high-risk manoeuvre could be the operation that involves how to assess when a turn back to the field is safe.</p>
<p>Final response:</p>	<p>The European Union Aviation Safety Agency (EASA) believes that current provisions contained in Annex VI (Part-ARA) and Annex VII (Part-ORA) to Regulation 1178/2011 cover the issue sufficiently as demonstrated by the following references:</p> <ul style="list-style-type: none"> •ORA.GEN.115 (b) requires the applicants for an initial certificate to provide the competent authority with documentation demonstrating how they will comply with the requirements established in Regulation (EU) 2018/1139 and its Implementing Rules. •ORA.GEN.120 Means of Compliance, requires the organisation that wishes to use an alternative means of compliance, prior to implementing it, to provide the competent authority with a full description of the alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that Regulation (EU) 2018/1139 and its Implementing Rules are met. The organisation may implement these alternative means of compliance subject to prior approval by the competent authority and upon receipt of the notification as prescribed in ARA.GEN.120(d). •ORA.GEN.155 Immediate reaction to a safety problem, requires the organisation to implement any safety measures mandated by the competent authority in accordance with ARA.GEN.135(c). •ORA.GEN.200(a)(3) Management system requires the organisation to identify the aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness, and , depending on the complexity of the organisation it mandates the level of safety policy and safety risk management to be implemented, and where such provision shall be documented. •ORA.ATO.105 (a)(1)(vii) and (a)(2) requires the organisation to provide to the competent authority the type of training that the training organisation wishes to provide and the corresponding training programme as well as the operations and training manuals. •ORA.ATO.130 (a) and (b) Training manual and operations manual, requires the approved training organisation (ATO) to establish and maintain a training manual and operations manual containing information and instructions to enable personnel to perform their

	<p>duties and to give guidance to students on how to comply with course requirements, and to make them available to staff and, where appropriate, to students.</p> <ul style="list-style-type: none"> •ORA.ATO.135 requires the ATO to use an adequate fleet of the training aircraft. •ORA.ATO.140 Aerodromes and operating sites, requires the ATO to use aerodromes or operating sites that have the appropriate facilities and characteristics to allow training of the manoeuvres relevant, taking into account the training provided and the category and type of aircraft used. •ORA.ATO.210 (b) requires the ATO to nominate a Chief Flight Instructor (CFI) who shall be responsible for the supervision of flight and flight simulation training instructors and for the standardisation of all flight instruction and flight simulation instruction. •AMC1 ORA.ATO.230(b) Training manual and operations manual, in its points (b)(1) to (3), foresees that the ATO includes aircraft descriptive notes, aircraft handling (including checklists, limitations, maintenance and technical logs, in accordance with relevant requirements), and emergency procedures in its operations manual. • AMC1 ORA.GEN.200(a)(1);(2);(3);(5) Management system for non-complex organisations, provides acceptable means of compliance to ATOs on how their Safety Management System should be set up including the need for “hazard identification and risk management schemes” that logically include the selection and availability of appropriately certified aircraft for the courses provided. •AMC1 ORA.GEN.200(a)(1) Management system for complex organisations provides, in addition, acceptable means of compliance to ATOs on the appointment of the role of Safety Manager and of the Safety Review Board with the tasks, among others, to facilitate hazard identification, risk analysis and management, monitor the implementation of actions taken to mitigate risks, as listed in the safety action plan, ensure initiation and follow-up of internal occurrence / accident investigations, monitor safety performance against the safety policy and objectives, ensure any safety action is taken in a timely manner, and monitor the effectiveness of the organisation’s safety management processes. •In regard to competent authority tasks, ARA.GEN.300 Oversight (with reference to ORA.ATO.135), clearly states that “the competent authority shall verify (1) compliance with the requirements applicable to organisations prior to the issue of an organisation certificate, and (2) continued compliance with the requirements applicable to the organisations it has certified.” <p>For some aeroplanes, the manoeuvre to turn back toward the runway to attempt landing per opposite runway after an engine failure right after take off at low altitude (e.g. 500 feet AGL), is a possible option to</p>
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	<p>be considered in case of engine failure during take-off. However, for a number of aeroplanes this constitutes a dangerous manoeuvre with very low rate of success. In addition variables like weather, terrain, aerodrome characteristics, as well as other factors have an impact on the decision if “a turn back to the field” would be safe. Therefore, it is considered impossible to provide, at regulatory level, an exhaustive guidance. The ATOs and the competent authorities are responsible for standardisation and oversight to assess if the proposed training course and relevant manoeuvres meet the safety requirements. SOPs and methods to deliver training are part of the ATO’ prerogatives and should be based on a sound evaluation of the ATOs peculiar operational risks.</p> <p>EASA deems the actual provisions sufficient to address this issue. However, as a safety promotion activity, EASA will remind the Member States’ Competent Authorities during one of the upcoming Aircrew Technical Body (TeB) meetings of their responsibility in verifying and accepting ATOs training and operational manuals prior to course approval. EASA will also place greater emphasis on this issue during its on-going standardisation activities.</p>
EASA Status:	Closed – Partial agreement