



Australian Government

Civil Aviation Safety Authority

NOTICE OF PROPOSED CHANGE 139/05

Runway Width Review of Part 139 Manual of Standards (MOS) – Aerodromes Section 6.2 – Runways

and

Post-Implementation Review (PIR) of Part 139 MOS – Aerodromes Chapters 1 and 2 including changes to subsequent chapters

This NPC will be of interest to

Aerodrome operators, Aircraft operators and Consultants in aerodrome design.

Issued as part of the process of public consultation by
CASA's Standards Development and Quality Assurance Branch

Document NPC-139/05 – March 2014

PROJECT NUMBERS: AS 11/15

Foreword

Part 139 of the *Civil Aviation Safety Regulations 1998 (CASR)* prescribes the rules and procedures governing aerodromes that are used for regular public transport or charter operations. The regulations, which came into effect in May 2003, are supported by the Part 139 Manual of Standards (MOS)—Aerodromes, which sets out the applicable safety standards for aerodromes and includes provisions for the upgrading and initial design of aerodromes. These standards apply to new aerodrome facilities that are brought into operation and to existing aerodrome facilities that are being replaced or upgraded. The Part 139 MOS also sets out broad requirements for the design, construction, operation and maintenance of aerodromes engaged in regular public transport or charter operations.

The operational regulations and the Part 139 MOS are inter-related; however the application of the Part 139 MOS is not specifically intended to limit the operation of aeroplanes from aerodromes, including aerodromes with narrow runways.

In June 2012, the Civil Aviation Safety Authority (CASA) adopted a policy to de-link the requirements of aeroplane operations—into and out of narrow runways—from the aerodrome design requirements set out in the Part 139 MOS. CASA launched two separate projects to propose amendments to Part 139 MOS. The first project (AS 11/14—the ‘PIR Project’) was initiated to conduct a post-implementation review (PIR) of Chapters 1 and 2 of the Part 139 MOS. While work was underway on this project, the second project (AS 11/15—the ‘Runway Width Project’) was launched to amend the runway width requirements prescribed within Chapter 6 of the Part 139 MOS and separate the regulatory management of aeroplane operations from aerodrome operations.

During the PIR Project, CASA identified a number of areas within Chapters 1 and 2 of the Part 139 MOS that needed to be modified. As these changes directly related to the Runway Width Project, CASA decided that the two projects would be run concurrently, with a joint consultation process, to ensure that the proposed changes could be reviewed by industry as one package.

Aerodrome standards require review and subsequent amendment from time-to-time to meet identified safety needs, technological changes, and changes in international standards and recommended practices. The PIR Project and Runway Width Project meet this need to ensure that the Part 139 MOS is kept up-to-date and complies with the requirements of Part 139 of CASR. Therefore, this Notice of Proposed Change (NPC) describes those changes that CASA proposes to implement as a result of these projects, and includes:

1. minor editorial changes and improved presentation of text and diagrams in Chapters 1 and 2 of the Part 139 MOS—identified during the PIR Project;
2. the issue of a general exemption for certified aerodromes against the requirements of regulation 139.190 of CASR, required as a consequence of the proposed changes to the Part 139 MOS, to allow charter operations to continue without a visual approach slope indicator system for jet-propelled aircraft (refer to following note); and
3. changes to runway width requirements—identified during the Runway Width Project.

Note: Paragraph 1.1.1.2A of the Part 139 MOS states that the MOS will only apply to charter operations exceeding 5,700 kg MTOW when Part 121A of CASR comes into effect. Thus, the deletion of the reference to CASR Part 121A introduced by these proposed Part 139 MOS amendments will have the effect that the Part 139 MOS will apply to charter operations as soon as these changes come into effect.

Regulation 139.190 of CASR, which requires an operator of a certified aerodrome to provide a visual approach slope indicator system for jet-propelled aircraft conducting charter operations, currently does not apply to charter operations due to the applicability of the Part 139 MOS. To avoid disadvantaging current charter operators, CASA is proposing to issue a general exemption against CASR 139.190 to operators of certified aerodromes to allow charter operations without a visual approach slope indicator system for jet-propelled aircraft. CASA intends that this general exemption will remain in place until CASR Parts 119, 121 and 135 come into effect (expected by 2015), at which time regular public transport and charter operations will be regulated together as air transport operations.

How you can help us

CASA is responsible under the *Civil Aviation Act 1988*, amongst other functions, for developing and promulgating appropriate, clear and concise aviation safety standards. In the performance of this function and the exercise of its powers, CASA must, where appropriate, consult with government, commercial, industrial, consumer and other relevant bodies and organisations.

Civil Aviation Act 1988 Paragraph 9(1)(c) and Section 16

To ensure clear and relevant safety standards, we need the benefit of your knowledge as an aviator, aviation consumer and/or provider of related products and services **by completing the Response Form** (attached to this NPC) **and returning it to CASA by 5 May 2014**.

I would like to thank you for expressing interest in this proposal. I emphasise that no rule changes will be undertaken until all NPC responses and submissions received by the closing date **5 May 2014** have been considered.



Peter Boyd
Executive Manager
Standards Division

27 February 2014

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Acronyms

The acronyms listed here are applicable to the NCP and Annex A.

ALA	Aircraft Landing Area
ARC	Aerodrome Reference Code
CAAP	Civil Aviation Advisory Publication
CAR	<i>Civil Aviation Regulations 1988</i>
CASA	Civil Aviation Safety Authority
CASR	<i>Civil Aviation Safety Regulations 1998</i>
EASA	European Aviation Safety Agency
ICAO	International Civil Aviation Organization
MOS	Manual of Standards
NAA	National Aviation Authority
NFC	Notice of Final Change
NPC	Notice of Proposed Change
PIR	Post-implementation Review
SCC	Standards Consultative Committee

1. Industry consultation

Previous consultation

CASA is committed to working cooperatively with the aviation industry to maintain and enhance aviation safety. The Standards Consultative Committee (SCC) is a joint industry/CASA forum that brings together CASA staff and representatives from a diverse range of aviation industry organisations to involve the aviation industry formally during the development phase of regulatory proposals. CASA and industry experts work together in SCC sub-committees and project teams to develop regulatory material (both new regulations and amendments) and advisory material related to the regulations.

Consultation on the draft amended regulation CAR235A, and new CAAP 235, was previously conducted during May and June 2013.

This consultation

This NPC is CASA's preferred method to consult on the proposed changes to the Part 139 MOS for project AS 11/15. Consultation on proposed changes will generally be directed to a particular body or organisation that sufficiently represents or a combination of particular bodies or organisations that together sufficiently represent, the interests of most persons, or of all persons, likely to be affected by the proposed changes to the MOS.

All comments to proposed MOS changes are to be submitted in writing to CASA using the Response Sheet provided at the end of this NPC.

What CASA does with your comments

CASA is required to register and review each comment and submission received, but will not individually acknowledge a response unless specifically requested to do so. A summary of the comments provided in each submission will be published without attribution in a Summary of Responses (SOR), typically provided as an Annex to the subsequent Notice of Final Change (NFC). If consent is provided, the contributor's name will additionally be published in a List of Respondents, typically provided in the subsequent NFC.

At the end of the response period for public comment, all submissions will be analysed, evaluated and considered. Subsequent to the closing date for comments, an NFC (including a SOR) will be prepared and published in conjunction with the making of the Final Rule.

2. Nature of the change proposals

The details of the proposed changes, together with an explanation for the proposed change, are provided in **Annex A** to this NPC. Readers will find that proposed changes are divided into three categories:

- E (editorial/correction/clarification)
- O (Omission)
- S (changes made to an existing Standard).

CASA expects that the change proposals will improve the Part 139 MOS, by providing clearer explanation of the standard or intent of the standard, re-instating some omissions, and removing errors and inconsistencies.

As the proposed changes are mainly editorial and administrative in nature, and do not impose costs to industry, CASA has not developed a cost/benefit impact statement. These changes aim to clarify the standards and simplify compliance.

The draft *Manual of Standards Part 139 Amendment Instrument 2014 (No. x)* for these changes is attached at **Annex B**.

3. Proposed changes

Background

Project AS 11/15 commenced on 24 May 2011 to amend the runway width requirements prescribed within Chapter 6 of Part 139 MOS. Part 139 MOS references the Convention on International Civil Aviation (the Chicago Convention) aerodrome reference code (ARC), which is the code to which aerodrome facilities and runways are designed. The application of the ARC in the Part 139 MOS has resulted in aircraft operations being limited based on aircraft characteristics. Runways that are narrower than the runway width dimensions set out in the ARC are classified as narrow runways.

At the time this project was initiated, CASA policy required aerodrome operators to widen runways to accommodate aeroplanes that were, at that time, operating into and out of aerodromes with narrow runways. In addition, many of the affected aeroplanes had approved narrow runway Aeroplane Flight Manual (AFM) supplements. Subsequent to the introduction of the Part 139 MOS, operations of aeroplanes into and out of aerodromes required specific exemptions against the runway width requirements.

As part of the original policy, CASA decided to move away from the established practice of permitting large aircraft to operate to lesser runways via operational exemptions and to require aerodromes to upgrade to the requirements of the new critical aircraft¹ within a specified timeframe to meet the requirements of that size aircraft. Following further consideration of aeroplane operational requirements, CASA will no longer mandate that aerodrome operators must upgrade any facility for continued operations of a specifically approved aeroplane type, or the introduction of a new larger aircraft type. CASA intends that aerodrome upgrades will be based on a business decision made by the aerodrome operator; however aircraft operators will need to assess the available aerodrome facilities and any risks associated with operating larger

¹ References to “critical aircraft” in this NPC means the critical aircraft or critical aeroplane which is the aeroplane identified to serve the aerodrome having the most demanding operational requirements with respect to the determination of movement area dimensions, pavement bearing strength and other physical characteristics in the design of aerodromes.

aircraft into or from an aerodrome designed to a specific ARC, or in many cases aerodromes that were constructed prior to the current standards.

This change in policy requires a significant change to the Part 139 MOS with the removal of the references to 'critical aircraft' and 'critical aeroplane' from the MOS. This has the effect of de-linking continued aeroplane operations from aerodrome design requirements.

Aircraft operators will no longer need to apply for exemptions to operate aeroplanes into narrower runways than specified by the ARC. Aeroplanes will be required to operate in accordance with an approved AFM narrow runway supplement or specified AFM runway width limitation i.e. the Airbus A380 has an AFM 45 m wide runway limitation.

Case for change

The original policy required an aerodrome operator to comply with international best practice by requiring aerodromes be upgraded to comply with the requirements for the intended operation of larger aircraft. This required the aerodrome operator to upgrade facilities to meet the requirements of current and expected critical aircraft in a given timeframe.

CASA does not consider the reference to critical aircraft in the Part 139 MOS to be consistent with the intent of the applicability of Annex 14 to the Chicago Convention, in that the Chapter 1 Introductory Note states "It is not intended that these specifications limit or regulate the operation of an aircraft". Compliance with the existing requirements would also be at considerable cost to aerodrome owners. CASA's proposal to remove references to 'critical aircraft' and 'critical aeroplane' means there will no longer be a trigger for aerodrome operators to upgrade their facilities to cater for aeroplane operations carried out in accordance with approved AFM supplements or AFM limitations.

Several aeroplanes have narrow runway AFM supplements. In the case of the A380, a European Aviation Safety Agency (EASA) AFM specific runway width limitation has been issued. There would be no cost impact to industry for those aeroplanes that have approved narrow runway AFM supplements or specific AFM limitations. There would have been a significant cost impact to aerodrome operators under the previous policy requiring runways to be widened.

Summary of changes

Respondents are asked to consider the detailed change proposals in Annex A to this NPC and comment on the following key proposed changes:

1. editorial changes to Chapter 1
2. editorial changes to Chapter 2
3. remove reference to Regulation 235A of the *Civil Aviation Regulations 1988* (CAR) (runway widths and instructions document)
4. amend Chapter 2 to require aerodrome operators to choose a code for aerodrome facilities that complies with the requirements of Part 139 MOS
5. remove any requirement for aerodrome upgrades to meet the coding of the largest aircraft serving a port, unless a business case deems it appropriate
6. amend to remove reference to critical aircraft and align terminology with Annex 14 to the Chicago Convention
7. remove specific reference to the Airbus A380 and promulgate generic standards to cater for new large aeroplane types
8. remove Chapter 13 of the Part 139 MOS and incorporate contents into a new Advisory Circular

The changes to Chapter 1 and 2 result in consequential changes which have the effect that

the applicability of Part 139 MOS extends to charter operations prior to the commencement of Parts 119, 121 and 135 of CASR. CASA invites comment on this and the proposal to issue a general exemption under regulation 139.190 of CASR.

NPC Response Form

REVIEW AND PIR OF PART 139 MOS – AERODROMES

Please complete your response by 5 May 2014 and return it by one of the following means:

Fax 1800 653 897 (free call)

Post (no stamp required)
CASA's Standards Development and Quality Assurance Branch
Reply Paid 2005
Canberra ACT 2601, Australia

Email npc139_05@casa.gov.au

* A web-based online response form is offered as an alternative to the printed form in this NPC. Online submission is the preferred method of sending your comments to CASA. If you are connected to the Internet, type casa.gov.au/newrules/ors into your web browser and follow the links for this NPC.

Your Details

Please provide relevant information and indicate your acceptance or otherwise of the proposal presented in this Notice of Proposed Change by ticking [✓] the appropriate box below.

Your name (optional): _____ ARN* (if known): _____
 Organisation: _____ ARN* (if known): _____

* Aviation Reference Number, usually your CASA-issued licence or certificate number

Address: _____

Your telephone number (optional): (to enable the Project Manager to contact you as necessary)

Do you consent to have your name published as a respondent to this NPC? YES [] NO []

Signed: Date:

How are you responding to this questionnaire/proposal, i.e. whose views are represented in your response?

- | | | | | | |
|---|---|--|---|---|--------------------------------|
| <input type="checkbox"/> Private individual | <input type="checkbox"/> Aviation industry body/association | <input type="checkbox"/> Staff association/union | <input type="checkbox"/> Government agency/authority/department/council | <input type="checkbox"/> Aviation business owner/service provider | <input type="checkbox"/> Other |
|---|---|--|---|---|--------------------------------|

Please advise your main involvement in aviation:

- | | | | | | |
|---|---|---|--|---|---|
| <input type="checkbox"/> Passenger/public consumer of aviation services | <input type="checkbox"/> Air crew for passenger-carrying activities | <input type="checkbox"/> Ground support for passenger-carrying activities | <input type="checkbox"/> Product or Service Provider | <input type="checkbox"/> Ground support for non-passenger carrying activities | <input type="checkbox"/> Other (specify below*, e.g. parachutist) |
|---|---|---|--|---|---|

* **Details:** _____

Are you satisfied with CASA's consultation on this issue?

- Very satisfied Satisfied No opinion Dissatisfied Very Dissatisfied

Key Change Proposals

Your response to the proposed amendments to Part 139 MOS (Please also refer to Annex A of this NCP)

CASA invites you to advise your acceptance, or otherwise, for the proposed changes to the standards contained in this NPC by indicating your preference and commenting below.

1. Editorial changes to Chapter 1

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

2. Editorial changes to Chapter 2

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

3. Remove reference to Regulation 235A of CAR (runway widths and instructions document)

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

4. Amend to require aerodrome operators to choose a code for aerodrome facilities that complies with the requirements of Part 139 MOS

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

5. Remove any requirement for aerodromes to upgrade to meet the coding of the largest aircraft serving a port unless a business case deems it appropriate

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

6. Amend to remove reference to ‘Critical Aircraft’ and align terminology with Annex 14, Aerodromes to the Convention on International Civil Aviation (the Chicago Convention)

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

7. Remove specific reference to the Airbus A380 and promulgate generic standards to cater for new large aeroplane types

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

8. Remove Chapter 13 and incorporate contents into a new Advisory Circular

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

Additional information is available from:

Miles Gore-Brown, CASR Part 139 Project Leader

Post (no stamp required) Reply Paid 2005

Flight Operational Standards
Civil Aviation Safety Authority
Canberra ACT 2601, Australia

E-mail miles.gorebrown@casa.gov.au

Telephone 02 6217 1031 or 131 757 (for the cost of a local call)
International +612 6217 1031

Fax 02 6217 1691
International +612 6217 1691