



AUTUMN 2022



Paramotors flying in formation over exhibition tents at the EMF General Conference at Blois (photo Martin Marececk)

Welcome to the Autumn issue of the Europe Air Sports Newsletter! We have news of some significant regulation changes which should benefit some of our members. Read on to find out more.

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Note - abbreviations and their explanations are shown in full and in **green**, so that you can more easily find the full meaning of the abbreviations.

EUROPE AIR SPORTS PRESIDENT ANDREA ANESINI REPORTS

ULM Mondial and EMF General Assembly September 2022 at Blois-le-Breuil airport in France

After two years of meetings on Zoom, the General Assembly of the European Microlight Federation (EMF) was held in person, in Blois-le Breuil, France.

An EAS team (Anesini, Rocca, Rostedt) participated in the activities, organised every year by the Fédération Française de Planeurs et Ultra Légers Motorisés (FFPLUM), with a special reason for this. The meeting, in fact, took place during the ULM Mondial, the largest Microlight event in Europe, which was attended by more than 120 exhibitors. Lots of news, information, incoming flights with visitors and an air show just for micro-light passengers.

Delegates from France, Spain, Sweden, Finland, Czech Republic, Denmark, United Kingdom, Poland, Belgium, Netherlands, Italy, Switzerland and Lithuania participated in the EMF General Assembly.

The following were invited as special guest speakers:

Sébastien Perrot: President of FFPLUM

Antoine Toulemont: European Commission DG MOVE

Angel Villa: Director of General Aviation of the Spanish DGAC

Damien Caze: Director General of the French DGAC

Pierre-Yves Huerre: General Manager of MALGH-DGAC Aviation

Thierry Hespel and David Becourt: BEA expert accident investigators



Andrea Anesini with Sébastien Perrot FFPLUM President at EMF 2022 (photo Martin Marecek)

The EAS team presented three reports:

Andrea Anesini, President of EAS

Michel Rocca, Board member: U-Space/
Conspicuity EAS expert

Nils Rostedt, EAS Programme Manager: Update
on EU Rulemaking

It became clear to participants that in the world of non-certified aviation there are fewer obstacles to experimenting and developing software, innovation and technology. For example, the UK's Royal Air Force embarked on an experiment to use fully synthetic fuel, conducting flight tests with microlights, which were deemed more suitable for this purpose. However, electric flight with a microlight has already been possible for several years.

In addition, the essential software in the cockpit is now widespread, with acceptable costs: Wi-Fi, mobile/satellite Internet, or Bluetooth all offer options for receiving information on weather, navigation and other air traffic during the flight.

The SERA (Standardised European Rules of the Air) was discussed: there must be room for unmanned aircraft in the existing airspace, but in such a way that the rules for all commercial and recreational air sports which are using airspace apply. The regulations for "U-space in Airspace" will therefore not only come from Brussels, but will also have to be adopted by national and local governments.

Regarding safety, the BEA (Bureau Enquête Accidents), the French safety investigation authority, has provided figures and graphs of fatal accidents. It turns out that microlights pose no greater safety risk than other types of aircraft.

With regard to the requirement to be electronically visible for transiting U space airspace, EMF, with the help of Europe Air Sports, is studying accessible and possible options with existing infrastructures such as 1090 Mhz (ADS-B output) certified and ICAO standard, 898 MHz (ISM band) or smartphone.

Overall, a truly important opportunity to match the innovation represented by the Mondial ULM exhibition with the innovative spirit that characterised the debate of the EMF General Assembly, whose lucky 2022 session ended with a delicious dinner under the big marquee.

Andrea Anesini

Europe Air Sports President

EU INSTITUTIONS CONTINUE NEGOTIATIONS ON FIT FOR 55 AND SUSTAINABLE AVIATION

Our Political Adviser Timo Schubert Reports

Readers will recall that the so-called Green Deal is one of the European Commission's top priorities. The overall objective is to accelerate Europe's transition to net-zero carbon emissions by 2050 and an intermediate step to reduce CO₂ emissions by 2030, to 55% of

emissions levels in 1990. All sectors are required to play their part in contributing to these ambitious targets.

Currently passing through the EU's full parliamentary process are several proposals of the Fit for 55 Package, which implements Green Deal priorities. It contains legislation applicable to different economic sectors, including aviation. The purpose is to adopt a regulatory framework aimed at cutting carbon emissions by putting a higher price on emissions and at the same time ensuring alternative fuels and propulsion technologies are being promoted.

As reported previously, the Commission has strongly focused on commercial air transport at this time. In particular, it proposes in the ReFuelEU Aviation regulation a gradual mandatory run-up of Sustainable Aviation Fuels to replace Kerosene. The proposal contains requirements for aircraft operators, airports and fuel suppliers. In the original proposal, sports and recreational aviation are not affected.

Europe Air Sports has followed the parliamentary process closely and made proposals for how sports and recreational aviation can – and is – contributing to Green Deal/Fit for 55 objectives. For example, eco-flying aspects could be given a stronger focus in pilot training, fleet renewal could be promoted and access to simulators be made easier (please see the EAS position paper [here](#)). However, we have successfully opposed political attempts in parts of the parliament to include sports and recreational aviation in the ReFuelEU Aviation regulation. This was based on the fact that Kerosene is hardly used in our sector and other sustainable fuels are not yet at a stage to make their use mandatory.

The ReFuelEU Regulation will enter further negotiations between the European Parliament and the Council of the European Union (Member States) in the coming months. It is extremely unlikely that sports and recreational aviation will re-enter the legislation. However, on a very positive note, the institutions are considering the creation of a European sustainable aviation fund that all aviation could tap into to promote the green transition. EAS will continue to support this concept.

LIGHT AT THE END OF A LONG TUNNEL – AVGAS 100 LL AND ITS FUTURE

Rudi Schuegraf, EAS senior Vice President, brings welcome news on greener fuel



Refuelling (Olga Ernst - Attribution-Share Alike 4.0 International)

The world piston engine airplane community might have a chance. For decades, individuals, companies, engineers and professional experts worked on developments of an alternative fuel for the General Aviation worldwide fleet of small and powerful engines. Many of those efforts

were successful for some regional areas and/or a limited number of piston engines, but not for the worldwide fleet.

Now it seems, that one effort has finally been successful. GAMI, a US based company, has intensively worked for many years with the aim of developing an aviation fuel for the piston fleet which contains no Tetraethyllead (TEL), but still guarantees the original performance and power of the engines. This seems to be the light at the end of this dark tunnel, but it will take some time to become bright and available worldwide.

GAMI Unleaded Avgas Approved for GA Piston Fleet

In a first for the aviation industry, the FAA has approved supplemental type certificates (STCs) for the use of General Aviation Modifications Inc.'s (GAMI) G100UL 100-octane unleaded avgas in **all general aviation piston aircraft**

In an interview, the Co-founder George Braly describes how this fuel can replace AVGAS 100 LL (Low Lead) all over the world. Finally, this is the extremely necessary step in the right direction for General Aviation, at a time when the Green Deal and the protection of the climate play an important role in all our lives.

Here is the link to the detailed 26 minute interview of GAMI, which was given to by US AOPA - <https://www.youtube.com/watch?v=zn4IU87CEMo>

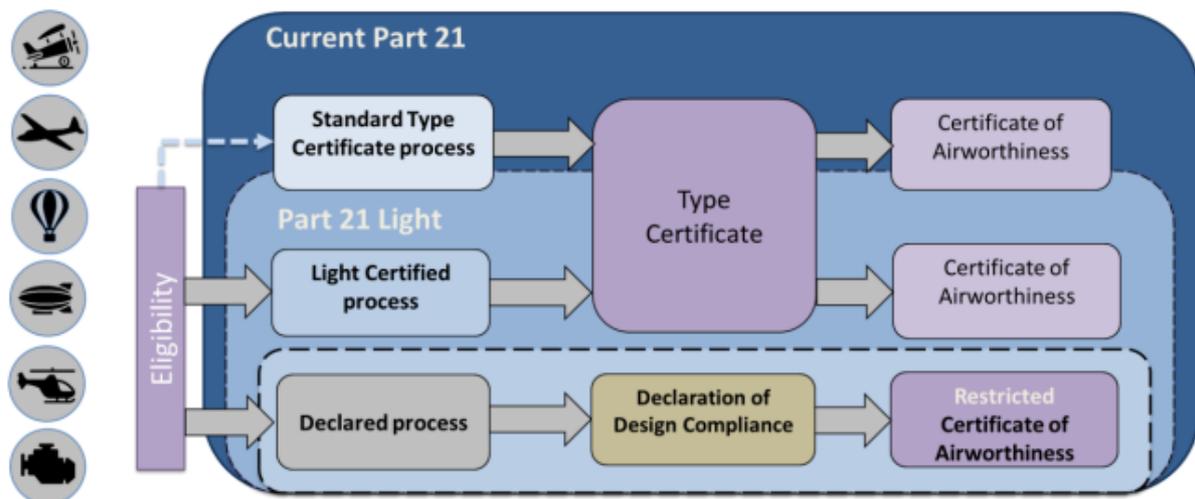
PART 21 LIGHT - THREE NEW COMMISSION REGULATIONS

Board member Mike Morr explains the changes

The commission has published three new regulations for sports and recreation aircraft.

With these regulations, a new Part 21 Light is created. This aims to provide cost-efficient and proportionate rules in the field of the initial airworthiness of sport and recreational aircraft.

'Part 21 Light' provides a lighter approach to the certification of these general aviation aircraft. It introduces the possibility of a declaration of design compliance, to be submitted as an alternative to certification. It also makes it possible to demonstrate design and production capabilities through a declaration, instead of approval. For certain low-risk production activities, the demonstration of production capabilities is not required at all.



(Image from: <https://www.easa.europa.eu/en/downloads/132009/en>)

With these new possibilities, it is expected that the barriers to entry into the European regulatory system will be lowered while maintaining aviation safety. This is expected to invigorate and stimulate the general aviation sector and permit new aircraft types to be developed more easily. The three regulations that achieve these changes are listed as follows:

Commission Delegated Regulation (EU) 2022/1358 amends Regulation (EU) No 748/2012 and *Commission Implementing Regulation (EU) 2022/1360* amends Regulation (EU) No 1321/2014. These two regulations implement more proportionate requirements for sport and recreational aviation aircraft.

Commission Implementing Regulation (EU) 2022/1361 amends Regulation (EU) No 748/2012. This deals with the certification, oversight, and enforcement tasks of the competent authorities who implement the rules affecting the organisations that oversee design and production of sport and recreational aviation aircraft.

These 'Part 21 Light' and related amendments to existing regulations are expected to reduce the regulatory burden for the designers and manufacturers of sport and recreational aviation aircraft, while continuing to ensure a high level of safety.

The regulations will come into force twenty days after their publication in the Official Journal of the European Union. However they apply from August 25th 2023. This gives the Member States enough time for implementation.

I think this is a very good approach for the future, not only for an easy certification process but also for the airworthiness of sport and recreation aircraft.

Additional details provided by Nils Rostedt:

The maximum for this type of certification is an MTOM of 2.000 kg with max. 4 persons and in that case the "Light Certified" rules can be used:

- A **Declaration** can be made by the design or production organisation, instead of DoA/PoA* **approval** being required (DoA: Design Organisation Approval, PoA: Production Organisation Approval);
- Full type Certificate and CofA can be obtained;
- The certification is ICAO Compliant;
- Special conditions may be applied.

For aircraft with an MTOM of 1.200 kg and 2 persons (balloons 4), even fewer regulations are necessary if "Light Declared" rules are used:

- No type approval – design/production organisations remain responsible for their work;
- The certification is not ICAO-Compliant;
- The aircraft design has to be of "low risk", i.e. the design of the aircraft does not include novel or unusual design features; and
- The design shall be made in compliance with internationally recognised specifications.

CHANGES TO PART-NCO (OPS RULES) - Julian Scarfe describes the changes

NCO – Non-Commercial Other-than-complex; GM – Guidance Material;
AMC - Acceptable Means of Compliance; CAT – Commercial Air Transport

This article describes some changes to the Ops rules for aeroplanes and helicopters that come into effect on 30 October 2022. They concern fuel planning and management, and IFR operations.

Europe Air Sports was closely involved in the drafting of Part-NCO in 2010, which forms Annex VII of the Air Ops Regulation (Regulation No. 965/2012). Although this predates the establishment of the EASA GA project, EAS was able to ensure that the regulation was, for the most part, proportionate and sensible. A number of minor changes were introduced in the early days of the GA project, concerning the use of oxygen and the carriage of dangerous goods, making it more practical for light aircraft to operate.

The more recent changes continue the trend towards continuing improvement of Part-NCO. Members of the GA COM/TeB (General Aviation Committee and Technical Body) seized the opportunity offered by projects that are developing much more extensive changes to fuel planning/management rules and All Weather Operations for commercial air transport. In each of those two projects, a general aviation subgroup worked to make changes to Part-NCO that were broadly aligned with the changes in Part-CAT (Annex IV of 965/2012), but that were more proportionate and appropriate for light aviation.

In the changes summarised below, simplifications are necessary for a short article.

Please read the regulatory text and do not rely on the summary alone.

Regulatory references are in brackets.

In fuel planning and management, Regulation 2021/1296 introduces 3 significant changes in Part-NCO:

- The terminology and conceptual model have been aligned with Part-CAT, so that we now refer to *final reserve fuel* and *contingency fuel* as separate portions of the fuel required. While *contingency fuel* is an allowance for unexpected conditions en-route and may well be burnt during the flight, *final reserve fuel* is the fuel that the pilot protects as a reserve on landing. Or put another way, if the pilot believes that they will land with less than *final reserve fuel*, they consider the situation to be an emergency. [NCO.OP.125]

- The implementing rule now allows the pilot, based on certain criteria, to choose the amount of *final reserve fuel* to carry. The mandatory reserve fuel quantities previously specified in the rules (e.g. 30 mins fuel for day VFR flight) are now in **AMC**, meaning that the pilot can choose a different quantity if they wish to do so. This allows the pilot to take into account the different circumstances and risk tolerance of GA flight. [**AMC/GM** to NCO.OP.125]
- New phraseology has been introduced to Part-NCO for alignment with the other parts of the Air Ops regulation. If a pilot of a controlled flight believes they will land with less than final reserve fuel, they should call "MAYDAY MAYDAY MAYDAY FUEL". Having committed to land at a particular aerodrome, if any (further) delay from ATC would cause a pilot to declare a MAYDAY, they should call "MINIMUM FUEL". [NCO.OP.185]

Regulation 2021/2237 introduces significant changes for IFR operations under Part-NCO.

The "approach ban" has been simplified: NCO.OP.210 now prohibits continuing an approach below 1000 ft. aal only when the **RVR (Runway Visual Range)** is less than 550m. This replaces the requirement to use the **RVR** in aerodrome operating minima that are derived from a complex set of tables. [NCO.OP.210]

- To reduce the likelihood that a small weather deterioration will leave an IFR flight with no safe landing option, planning minima for destination alternates have been increased, and the required ceiling and visibility at the alternate depend on the type of Instrument Approach Procedure available there. [NCO.OP.140-144]
- It has been clarified that when flying a **Constant Descent Final Approach (CDFA)** on a **Non-Precision Approach (NPA)** procedure, the Obstacle Clearance Height (or system minimum if lower) may be used as a **Decision Height (DH)**. It is permissible to descend briefly below this **DH** on an **NPA** flown using **CDFA**, in the same way as it may on a precision approach or Approach (Procedure) with Vertical Guidance (APV). There is no Minimum Descent Height (MDH) when using **CDFA**. [**GM1** NCO.OP.111]
- It is now permissible to plan, with certain constraints, a GNSS-based approach procedure at both destination and destination alternate. A procedure based on conventional nav aids use is required at one or the other. [**GM1** NCO.OP.142]
- RNAV substitution - using GNSS navigation with reference to an Area Navigation (RNAV) waypoint substituting for a conventional nav aid - is permitted, with certain limitations. [**AMC/GM** to NCO.IDE.A/H.195]
- The responsibilities for IFR departures and arrivals at aerodromes that have no instrument flight procedures have been clarified in **GM**, which explicitly acknowledges that these operations are permitted. [**AMC1** NCO.OP.115]

The changes recognise that **NCO** IFR has a different risk profile from **CAT**. It takes Part-**NCO** towards the FAA's Federal Aviation Regulations Part-91 (under which the vast majority of global GA IFR operates), though not all the way. There is no approach ban whatsoever in Part-91, but the alternate planning minima in Part-91 are still more conservative than the new **Part-NCO** ones.

RECENT NPA-CONSULTATIONS

NPA 2022-02 Remote tower operations (consultation closed 2/8/2022)



The World's largest Remote Towers Centre at Bodo in Norway

Last summer EASA published consultation NPA 2022-02 on Remote Tower Operations. The NPA proposes some amendments to this new ATC concept,

where air traffic controllers are sitting remotely from the airport instead of in the tower as previously.

In its response, EAS expressed its concern that the removal of ATC personnel from the physical airport should not lead to the side effect that daily airport opening times are reduced from today's times. As shown today in many countries, General Aviation can operate very well during times of the day when the tower is closed and the airspace is Class G (uncontrolled airspace). This practice must also be allowed to continue if the tower personnel work remotely.

NPA 2022-04 Regular update of SERA (Standardised Rules of the Air) (consultation closed 25/8/2022)

In this EASA consultation, a number of amendments are proposed to the so-called SERA regulation. The range of topics varies from "procedures at radio failure" to "transposition of ICAO rules".

Of special interest to our community are a couple of change proposals to the VFR "right-of-way" rules for sailplanes (including paragliders and hang-gliders) in thermalling or slope soaring flight. Here, we suggested there might be a case for a stakeholder workshop to discuss these proposals further.

CONSULTATION ON THE EASA EPAS

Draft European Plan for Aviation Safety (EPAS) 2023-2025 Volume I and II

Thanks to its representation in the Stakeholder Advisory Board of EASA (SAB), Europe Air Sports is invited to participate in the annual revisions of EPAS (European Plan for Aviation Safety), which is the main document of EASA's strategy. EPAS is also where the ongoing and planned Rulemaking Tasks and other EASA activities are described.

Yours truly is involved in the consultation for both these Volumes and we try our best to defend the interests of General, Sports and Recreational aviation whenever they are mentioned in the EPAS drafts.

In this year's revision, (Volume I), the current draft contains these new EASA focus areas for the next three years:

➤ **Increased priority to the area "Competence of Personnel"**

There are major issues, especially in the area of training and licensing of Maintenance Personnel.

➤ **A new type of EASA action "Implementation Support Task"**

This is to address issues encountered in recent years during the introduction of new European regulations.

➤ **Review of the definitions of NCC and CAT operations**

This is in order to clarify some issues regarding the "borderline" between CAT and NCC operations. (Commercial Air Transport and Non-Commercial operations with Complex aeroplanes)

➤ **A new way of prioritising candidate rulemaking topics**

And just recently, in September we received a draft consultation paper of Volume II of the EPAS, which contains the descriptions of the current Rulemaking Tasks including recent changes. The analysis of this paper has just begun, so stand by for an update in the next Newsletter.

ONGOING NPA-CONSULTATIONS

NPA 2022-06 Enabling innovative air mobility with manned VTOL-capable aircraft [...] (consultation open until 30/09/2022)

This EASA consultation proposes a whole set of new and interesting regulations related to the operation of future manned VTOL (or eVTOL) (Vertical Take-off and Landing) aircraft.



The shape of things to come for leisure aviation? - the eMagic One VTOL prototype

(image from eMagic-aircraft.com)

Our analysis of the NPA indicates that it is very much focused on the embryonic VTOL "city air taxi" commercial air transport industry, which is forecast to grow rapidly in the coming years. The proposed rules include a requirement for an air operator's certificate (AOC). However, from EAS's viewpoint these rules are very onerous for such future manned VTOL aircraft that are used for sports and recreational flying and other General Aviation-type uses. This kind of aircraft is already in development (sometimes called "personal eVTOLs") and it is therefore important that EAS submits appropriate comments.

CONSULTATION ON NEW EASA RULEMAKING PROCEDURE

This year, EAS had the opportunity to participate in the reform of EASA's Rulemaking Procedure, which contains EASA's internal rules on how to develop a new rule or regulation.

You may remember that in the previous 2015 revision, Focused Consultations were introduced (i.e. non-public consultations to smaller groups).

In this year's revision, the topic of public vs. limited-group consultations came up again. EAS strongly supported the notion of keeping consultations public whenever possible. This is in order to foster transparency and making it possible for smaller stakeholders (such as EAS's members) to make their voice heard in the rulemaking. We were thus delighted to see our comments resulting in several rewritten sections in the new Procedure document.

In another comment, EAS called for public notifications of all new rulemaking topics, so that stakeholders such as EAS and our members may become aware of them and react. (In the past, some "focused consultations" were announced only to limited groups, sometimes leaving some stakeholders unaware.) This comment was also partly reflected in the final new Procedure document.

Together, these changes will in the coming years enable EAS and its members to better "make our voices heard" in the rulemaking. These small "wins" are good examples of EAS's ongoing work, monitoring and reacting to proposals by EASA and the Commission, to the benefit of the Sports and Recreational aviation community.

And to conclude this report, a big thank you to all friends both in the EAS Board and others, who have contributed their valuable expertise to these consultations!

EUROPE AIR SPORTS TECHNICAL MEETING 2022

As previously mentioned, the Europe Air Sports Technical Meeting will take place in Vienna on the 29th October 2022. Guests from EASA, the EU and the Austrian Ministry of Transportation have been invited, as well as our members and technical experts. The Board will meet in the morning of Friday 28th October. Later the same day there will be an opportunity to establish contact with members, guests, Presidents and other delegates, with an ice breaker starting at 18:00 hrs, followed by a formal dinner 19:00 hrs. There will also be an outline presentation of the agenda for Saturday.

On Saturday 29 October, the Technical Conference will include presentations from EAS Board members, guests and members, as well as opportunities for questions and discussions. The day will start at 09:00 hrs. and end between 16:00 and 17:00 hrs., with a break for lunch. In the evening there will be a social event for members who are not travelling home until the Sunday.

Due to technical and financial implications, it has been decided not to arrange an interactive/informative Visio set up.



Two of the great buildings of Vienna, in case you have time for some sight-seeing! Left, the Stephansdom (St Stephen's cathedral); Right the Rathaus (City Hall). Both pictures from © Bwag/Commons



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