

Comments of Deutscher Aero Club to EASA PAD No: 10-010

Equipment & Furnishings – Safety Belts / Torso Restraint Systems – Inspection

PAD 10-010 is strictly rejected by Deutscher Aero Club due to the following reasons:

PAD No 10-010 addresses exclusively an administrative mistake without any relation to an observed technical or safety related problem. The reason for the PAD is the replacement of missing maintenance data of the holder of the ETSO approval by a procedure accepted by the Luftfahrtbundesamt (LBA). This procedure is according to EASA not in line with the applicable European regulation and technical reasons i.e. a malfunction of any of the mentioned safety belt systems as reason for the PAD are not given.

2) Deutscher Aero Club rejects the PAD as an inappropriate regulation as only formal, administrative arguments are presented for the described regulation. There is no technical reason published within the document.

3) The PAD addresses all safety belt systems maintained or repaired by the mentioned companies. EU-VO 2042/2003 came into force for aircraft under non commercial operation in Germany on the 1. of April 2009. At the earliest, this regulation was applicable on the 28. of September 2003, before that all procedures for any maintenance or repair issue were performed under effective national rule. Therefore, any safety belt system repaired or maintained under those valid regulations before that date has to be exempted from the PAD.

3) The written regulation is not appropriate due to the fact that an administrative problem is mixed with safety related issues. The owners of aircraft affected by this PAD are faced by disadvantages without any responsibility in this case.

Comment 1:

The list of the manufacturers mentions the company “Autoflug” but the list for Type Approval holders does not. Is this correct?

Comment 2:

The life span of safety belts used in air sport is between 12 and 15 years. Accordingly the last maintenance or repair can have been up to 15 years ago. EU-VO 1702/2003 and 2042/2003 has been only in place for 6 years, for non commercial operated aircraft since april 2009. Before these dates, all maintenance or repair work was performed under national law. The AD can not be valid for any of those procedures as no European law was in force.

Comment 3:

The following comment is written from the perspective of the air sport community in Germany. The textile component of the safety belts used in sailplanes or aeroplanes was exchanged at the end of the life span by a maintenance organisation. This was a routinely performed procedure in small air sport aircraft without any observed safety risk. Due to this, it can be assumed that a major part of the aircraft used in air sport is affected by this AD. Even more, as many of these aircraft have a lifespan of several decades.

First estimates give the following numbers of aircraft that will be affected in Germany:

Approximately 80% of the Sailplanes and Touring Motor Glider: 8.000 aircraft

Approximately 90% of aeroplanes up to 2t MTOM: 6000 aircraft

Taking these numbers into account, about 34.000 safety belts have to be exchanged due to this AD. Costs per safety belt of about 300,- Euro would induce a total amount 10.2 Million Euro.

Comment 4:

Latest 6 months after publication of the AD (LTA) all affected safety belts have to be exchanged or the respective seats have to be inactivated. The hint shall be allowed that sailplanes have a maximum of 2 seats but the majority of those aircraft has only one. Therefore the inactivation of the only seat is no option for the owner as it is actually a grounding of the sailplane. Considering that the second seat is mainly needed for the instructor the aforementioned is also true for the two-seater.

It is unrealistic, that the manufacturer of safety belts for sailplanes and small aeroplanes (the safety belts for those aircraft differ from those for large aircraft) are able to produce 34000 new safety belts in a time period of 6 months. Therefore, after 6 months the majority of the fleet used in air sport will be taken out of operation by this AD.

Comment 5:

Maintenance organisations as Gadringer or Schlemann maintain safety belts by exchange of the textile parts for 40 years. No safety related incidents are known using these maintained belts over the years. The belts were maintained by an approved procedure, accepted by an approved organisation namely the LBA. The by the AD defined unairworthiness of safety belts maintained under the circumstances described is only justified by formal and administrative facts. Due to that the AD is in form and content not proportionate and unacceptable.

Beside that, the AD has to define possibilities to certify retrospectively the maintenance programme to avoid the exchange of all safety belts affected. The Main task of the agency and its related rules is to ensure safety in European aviation under acceptable provisions for the owner of the aircraft used. Therefore, a proposed procedure to fulfil the rules and regulations has also to be written considering the related financial burden.

Comment 6:

The maintenance organisations "Gadringer" and "LTB Schlemann" are certified as Part 145 organisations since 2004. They release their products or maintained parts to service using an EASA "Form One".

Since 2004 both companies were audited at least two times by LBA. LBA itself was audited several times. It has to be assumed, that neither LBA nor EASA performed their duties in an appropriate manner. It has to be investigated, whether LBA and EASA have to compensate the resulting financial damage. In particular it has to be stressed that the company Gadringer-Gurte was audited by EASA and LBA without any finding.