

WRITTEN QUESTION P-3594/09
by Georg Jarzembowski (PPE-DE)
to the Commission

Subject: EASA fuel tank safety

Extensive work has been done by EASA over recent years, in close cooperation with Airbus and EU airlines, on safety studies and an EASA regulatory impact assessment (RIA). The EASA RIA confirmed that there is no safety justification for a rule requiring aircraft to be retrofitted with a fuel tank nitrogen inerting system (NGS), as proposed by the FAA. The FAA retrofit rule on this issue is mainly driven by the commercial interests of a US commercial aircraft manufacturer and US public perception. It appears that, despite this RIA and the absence of a safety case, EASA's management has recently decided to overrule its experts, changing its long-established position (that retrofitting cannot be justified). It will cost EU airlines € 2.8 billion (retrofitting in-service aircraft with an NGS will cost up to € 500 000 per aircraft!) at a time when EU airlines cannot afford any additional costs which have no safety justification.

1. Could the Commission explain the basis on which EASA is allowed to proceed with rulemaking against the conclusions of its own regulatory impact assessment and safety studies?
2. Could the Commission explain how the EASA decision complies with the Commission's crisis action plan, i.e. to prevent burdening the EU airline industry with unjustified rules?
3. Could the Commission explain how EASA has assessed the possible negative safety aspects of the nitrogen inerting system (which would outweigh any questionable safety benefits from NGS), in particular in relation to an increased risk of accidents during aircraft maintenance?
4. Could the Commission explain the basis on which EASA will be able to certify any future aircraft (such as the Boeing 787) if it applies the same type of safety criteria as those used for proceeding with a retrofit rule with NGS?
5. Could the Commission explain the safety basis on which Airbus aircraft would be covered by the EASA retrofit rules whereas older Boeing types (B747 classic) would be excluded?