

31st July 2019  
Journal officiel de la République française  
Text 15 of 135

Decrees, orders, circulars

## GENERAL TEXTS

Ministry for the Ecological and Solidary Transition

Order dated 25th July 2019  
Relative to the approval of La Môle aerodrome (Var)

NOR: TREA1916208A

The Minister for the Ecological and Solidary Transition,

Having regard to Regulation (EU) no. 2018/1139 of the European Parliament and of the Council of the 4<sup>th</sup> of July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) no. 2111/2005, (EC) no. 1008/2008, (EU) no. 996/2010, (EU) no. 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) no. 552/2004 and (EC) no. 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) no. 3922/91;

Having regard to Commission Regulation (EU) no. 965/2012 (amended) of the 5<sup>th</sup> of October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) no. 216/2008 of the European Parliament and of the Council;

Having regard to the Civil Aviation Code, in particular articles D.232-1 and following, relative to the conditions of use of aerodromes;

Having regard to the Transport Code, in particular article L.6312-2;

Having regard to the Order of the 23<sup>rd</sup> of November 1962 (amended) relative to aerodrome classification depending on their aeronautical usage and their conditions of use;

Having regard to the Order of the 15<sup>th</sup> of March 1973 (amended) relative to the creation and approval of La Môle aerodrome (Var);

Having regard to the Order of the 17<sup>th</sup> of July 1992 relative to general air traffic procedures for the use of aerodromes by aircraft;

Having regard to the Order of the 12<sup>th</sup> of June 2015 relative to aerodromes that do not meet the provisions of article 4, paragraph 3(b) of Regulation (EC) no. 216/2008 of the European Parliament and of the Council of the 20<sup>th</sup> of February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency;

Having regard to the Ruling of the 8<sup>th</sup> of June 2018 relative to the list of aerodromes that fall under the scope of Regulation (EC) no. 216/2008 of the European Parliament and of the Council of the 20<sup>th</sup> of February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency;

Orders:

**Article 1.** This Order takes these terms to have the following definitions:

1. "MOPSC", Maximum Operational Passenger Seating Configuration. The MOPSC refers to an aircraft's maximum passenger seating capacity, excluding crewmember seats. The MOPSC is set for operational purposes, and is set out in the operations manual. Set on the basis of the configuration used for certification (either type certificate (TC), supplemental type certificate (STC), or an amendment to either the TC or STC depending on the aircraft), the MOPSC can have either the same number of seats, or a lower number of seats, depending on operational constraints;
2. "Group 1 airplane":
  - a. A multi-engine turboprop airplane with an MOPSC in excess of 9 or a MTOW in excess of 5700kg, or
  - b. A multi-engine turbofan airplane, or
  - c. A single-engine turbofan airplane, or
  - d. A piston-engine airplane with an MOPSC in excess of 9 or a MTOW in excess of 5700kg;
3. "Group 2 airplane": an airplane that does not meet the criteria of a Group 1 airplane;
4. "Dry runway": a runway whose surface is free from visible moisture and whose useable area is not contaminated;
5. "Contaminated runway": a runway whose useable area is more than 25% covered with one of the following:
  - a. A layer of water in excess of 3mm (0.125in), or slush or powdery snow in amounts equivalent to 3mm (0.125in) of water, or

- b. Packed snow forming a solid which resists being packed again, and either remains packed or breaks apart in chunks if one attempts to remove it, or
  - c. Ice, including wet ice;
- 6. “FSTD” (Flight Simulation Training Device): an approved flight simulator which meets the technical criteria and the administrative procedures contained in annexes VI and VII to the Commission Regulation (EU) no. 1178/2011 of the 3<sup>rd</sup> of November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) no. 216/2008 of the European Parliament and of the Council;
- 7. “Operator”: any natural or legal person operating, or offering to operate, one or more aircraft.

**Article 2.** La Môle aerodrome is a restricted use aerodrome. It is only useable by airplanes within the framework set out in this Order, and by helicopters.

The aerodrome shall be used within the scope of the wind restrictions set out by the director of the South-East Civil Aviation Safety Authority and transmitted by Aeronautical Information Services.

**Article 3.** The aerodrome may not be used by airplanes if the runway is contaminated.

**Article 4.** Group 1 airplanes may only make westerly landings and easterly take-offs.

As far as group 2 airplanes are concerned, aeronautical information available to crewmembers shall be taken into consideration when deciding which runway to use for take-off and landing.

**Article 5.** For all flights performed by Group 1 airplanes, the operational procedures and the airplane’s certified data guarantee that the criteria regarding take-off and landing performance set out in Sections 1 of Subparts B (Operational Procedures) and C (Aircraft Performance and Operating Limitations) of Annex IV (Commercial Air Transport Operations) of the aforementioned Regulation (EU) no. 965/2012, or, where they exist, those applicable to single-engine turbofan airplanes for relevant aircraft, will be met.

**Article 6.** Notwithstanding the provisions set out in Article 5 of this Order, for flights other than Commercial Air Transport Operations, the operator may elect to implement alternative measures to the take-off and landing performance requirements set out in Sections 1 of Subparts B and C of Annex IV of the aforementioned Regulation (EU) no. 965/2012. Should such alternative measures be implemented, take-offs and landings would only be permitted on a dry runway.

These alternative provisions shall consist of performance data specific to operations into, at, and out of La Môle on one type of airplane, along with operational procedures and training programmes specific to that same type of airplane.

**Article 7.** For all flights conducted by Group 1 airplanes, the operator shall file a record demonstrating compliance with the provisions of Article 5 of this Order with the South-East Civil Aviation Safety Authority at least one month prior to the beginning of operations.

A Group 1 airplane operator filing a record certifying compliance with the alternative dispositions pertaining to the Type Certificate holder as per Article 6 of this Order shall be deemed to satisfy the requirements of Article 5.

This record shall include the training programme and the recurrent training programme of crews, which shall include the study of charts, trajectories, obstacles (both those in or near the flight path on either end of the runway, and those in the vicinity of the aerodrome), the atmosphere, airplane performance during normal and abnormal operations, description of noise abatement schemes, zones whose overflight shall be avoided, and the unique features of the density and nature of air traffic around La Môle aerodrome.

Within a month of receipt of a complete record, the South-East Civil Aviation Safety Authority shall acknowledge receipt of said record, and may decide to conduct a check flight, in order to assess the operator's operating procedures.

Use of La Môle aerodrome by an operator may commence after the South-East Civil Aviation Safety Authority has acknowledged receipt of the record and, if applicable, after a check flight under the supervision of an inspector pilot designated by the director of the South-East Civil Aviation Safety Authority has taken place and been deemed satisfactory.

**Article 8.** La Môle aerodrome is restricted to Group 1 and Group 2 airplanes whose pilot-in-Command meets the following criteria:

1. For Group 1 airplanes, the pilot-in-command shall have received training as per the record described in Article 7 of this Order and shall have conducted a familiarisation flight, at the controls of an airplane of the same class or type, with an instructor on board, in the six months prior to their first flight into, at, or out of La Môle as pilot-in-command.

The instructor endorses the pilot's logbook with an appropriate authorisation.

The instructor themselves, as pilot-in-command, shall meet the provisions of this article.

The director of the South-East Civil Aviation Safety Authority may designate an inspector pilot from the French Civil Aviation Authority to supervise said familiarisation flight.

This authorisation shall remain valid if, in the last twelve months, the pilot-in-command:

- Has performed a take-off and a landing on the aerodrome as pilot-in-command; or
- Has completed the recurrent training as per the record described in Article 7 of this Order, on a FSTD of the same type of airplane, with visual features representative of the aerodrome and its surroundings, provided by an instructor type-rated or class-rated on the same type of airplane, and who the operator can testify is familiar with the characteristics and the operating procedures of the aerodrome.

2. For Group 2 airplanes, the pilot-in-command shall have conducted a familiarisation flight, at the controls of an airplane of the same class or type, with an instructor approved by the director of the South-East Civil Aviation Safety Authority on board, in the six months prior to their first flight into, at, or out of La Môle as pilot-in-command. The instructor endorses the pilot's logbook with an appropriate authorisation. This authorisation shall remain valid if, in the last twenty-four months, the pilot-in-command has performed a take-off and a landing on the aerodrome as pilot-in-command of an airplane of the same class or type.

**Article 9.** Group 1 airplane operators who, as of the day this Order is published, hold the special authorisation granted by the South-East Civil Aviation Safety Authority may continue to operate into, at, or out of La Môle for a maximum of six months from the day this Order is published, provided they observe the conditions regulating the issuance of said special authorisation and they observe Articles 2, 3, and 4 of this Order.

Group 1 airplane operators who did not previously require a special authorisation issued to operators by the South-East Civil Aviation Safety Authority may use La Môle aerodrome for twelve calendar months from the date this Order is published, provided they meet the criteria this Order sets out for Group 2 airplanes.

Pilots-in-command of Group 2 airplanes who hold a Mountain Rating may continue to operate into, at, or out of La Môle aerodrome for a maximum of six months from the date this Order is published.

**Article 10.** The Annex "List number 3" to the aforementioned Inter-ministry Order of the 23<sup>rd</sup> of November 1962 (amended) shall be amended to reflect the contents of this Order.

**Article 11.** The Minister in charge of Civil Aviation may elect to deviate from the provisions of this Order if the operator applies special operating procedures that allow for an equivalent level of safety.

**Article 12.** The director of the French Civil Aviation Authority is in charge of enforcing this Order, which shall be published in the Journal officiel de la République française.

This twenty-fifth day of July, two-thousand nineteen.

On behalf of the minister:

The deputy director for airports,

A. PILLAN