

A1890/2011

EDWW EDGG EDMM

from: 2011/05/23 16:35 until: 2011/08/23 23:59 EST

ACCORDING TO THE SIGMET PUBLISHED BY THE GERMAN METEOROLOGICAL SERVICE AND THE NOTAM PUBLISHED BY DFS DEUTSCHE FLUGSICHERUNG GMBH, THERE IS SIGNIFICANT CONTAMINATION FROM VOLCANIC ASH IN CERTAIN AIRSPACES IN GERMANY CAUSED BY THE ERUPTION OF THE VOLCANO GRIMSVOETN

ON 21 MAY 2011. AIR TRAFFIC CONTROL, PILOTS AND AIRCRAFT OPERATORS SHALL COMPLY WITH THE FOLLOWING:

1. AREAS OF LOW (0.2 MG/CBM OR MORE BUT LESS THAN 2 MG/CBM) CONTAMINATION FROM VOLCANIC ASH

THE FOLLOWING SHALL APPLY TO AREAS OF LOW CONTAMINATION CONTAMINATION FROM VOLCANIC ASH ACCORDING TO SIGMET AND NOTAM.

1.1 FLIGHTS IN THESE AIRSPACES SHALL BE PERMITTED.

1.2 DURING THEIR FLIGHT, PILOTS SHALL PROMPTLY REPORT TO THE COMPETENT AIR TRAFFIC CONTROL UNIT ANY SPECIAL OCCURRENCES TO AN AIRCRAFT WHICH MIGHT HAVE BEEN CAUSED BY VOLCANIC ASH.

1.3 IN ADDITION, AIRCRAFT OPERATORS SHALL PROMPTLY REPORT ANY SPECIAL OCCURRENCES TO AN AIRCRAFT AND/OR THE ENGINES WHICH MIGHT HAVE BEEN CAUSED BY VOLCANIC ASH TO THE FEDERAL AVIATION OFFICE (LBA), USING THE FORM FOR REPORTING OCCURRENCES AND DISRUPTIONS FROM VOLCANIC ASH,
(EMAIL:REPORT(AT)LBA.DE).

2. AREAS OF MEDIUM (2 MG/CBM OR MORE BUT LESS THAN 4 MG/CBM) OR HIGH (4 MG/CBM OR MORE) CONTAMINATION FROM VOLCANIC ASH

THE FOLLOWING SHALL APPLY TO AIRSPACES WHICH, ACCORDING TO SIGMET AND NOTAM, ARE MODERATELY OR HIGHLY CONTAMINATED WITH VOLCANIC ASH.

2.1 FLIGHTS IN AIRSPACES WHICH, ACCORDING TO SIGMET AND NOTAM, ARE AREAS OF MEDIUM OR HIGH CONTAMINATION FROM VOLCANIC ASH SHALL BE PROHIBITED.

2.2 THIS GENERAL ORDER SHALL NOT APPLY TO THE FOLLOWING FLIGHTS:

- FLIGHTS FOR WHICH THE PILOT HAS DECLARED AN EMERGENCY OR WHICH ARE APPARENTLY IN AN EMERGENCY SITUATION,

-SECURITY FLIGHTS OF AIR DEFENCE,

-FLIGHTS BY THE ARMED FORCES AND THE POLICE,

-FLIGHTS ON SEARCH AND RESCUE MISSIONS,

-FLIGHTS TRANSPORTING SICK OR INJURED PERSONS REQUIRING IMMEDIATE ASSISTANCE, INCLUDING FLIGHTS URGENTLY REQUIRED FOR LIFE-SAVING MEDICAL CARE OF SICK OR INJURED PERSONS,

-FLIGHTS IN CONNECTION WITH RESEARCH AND MEASUREMENT OF VOLCANIC ASH CONTAMINATION ON BEHALF OF THE FEDERAL MINISTRY OF TRANSPORT, BUILDING AND URBAN DEVELOPMENT,

-FLIGHTS PERFORMED BY PISTON-ENGINED AIRCRAFT,

-FLIGHTS PERFORMED BY NON-POWER-DRIVEN AIRCRAFT,

-FLIGHTS BY TURBOJET AIRCRAFT IN AREAS OF MEDIUM CONTAMINATION FROM VOLCANIC ASH, FOLLOWING A RISK ASSESSMENT OF THE AIRLINE WHICH IS SUPPORTED BY THE ENGINE MANUFACTURER AND WHICH THE FEDERAL OFFICE OF CIVIL AVIATION HAS RECOGNISED AS ADEQUATE.

2.3 THE DUTIES FOR PILOTS AND AIRCRAFT OPERATORS GIVEN IN ITEMS 1.2 TO 1.3 OF THIS GENERAL ORDER SHALL APPLY ACCORDINGLY.

2.4 FLIGHTS THROUGH VISIBLE VOLCANIC ASH CLOUDS SHALL BE PROHIBITED.

3. APPLICABILITY OF FURTHER REGULATIONS

THE PROVISIONS LAID DOWN IN NFL II 31/10 DATED 1 JULY 2010 (PUBLIC NOTICE OF THE FEDERAL OFFICE OF CIVIL AVIATION CONCERNING THE OPERATION OF AIRCRAFT IN AREAS OF LOW CONTAMINATION FROM VOLCANIC ASH) SHALL ALSO BE ADHERED TO. THIS IS STRICTLY RECOMMENDED TO ALL AIRCRAFT OPERATORS NOT MENTIONED THERE.

4. ORDER OF IMMEDIATE ENFORCEABILITY

THE IMMEDIATE ENFORCEABILITY OF THE GENERAL ORDER IS ORDERED IN ACCORDANCE WITH ARTICLE 80 PARAGRAPH. 2 SENTENCE 1 NO. 4 OF THE CODE OF ADMINISTRATIVE PROCEDURE (VWGO).

5. REVOCATION CLAUSE

THIS GENERAL ORDER IS ISSUED AS A REVOCABLE ADMINISTRATIVE ACT IN ACCORDANCE WITH ARTICLE 36 PARAGRAPH 2 NO. 3 OF THE ADMINISTRATIVE PROCEDURES ACT (VWVFG).

REASON:

THE PUBLIC ORDER IS BASED ON ARTICLE 29 PARAGRAPH 1 SENTENCES 1 AND 2 OF THE GERMAN AVIATION ACT. ITS AIM IS TO AVERT OPERATIONAL HAZARDS TO AIR SAFETY AS WELL AS HAZARDS TO PUBLIC SAFETY AND ORDER WHICH MAY RESULT FROM FLIGHTS OPERATING IN AIRSPACES CONTAMINATED WITH VOLCANIC AEROSOL (VOLCANIC ASH).

SUCH FLIGHTS MIGHT HAVE ENGINE PROBLEMS INCLUDING ENGINE FAILURES OR LOSS OF POWER IN ONE OR ALL ENGINES, DISPLAY OF UNRELIABLE SPEED AND NAVIGATION DATA AND DAMAGE TO THE AIRCRAFT. EVEN LOW CONCENTRATIONS OF VOLCANIC ASH MIGHT AFFECT THE AIRWORTHINESS IN THE MEDIUM OR LONG TERM. IN THE LIGHT OF THE AVAILABLE INFORMATION, ONLY AN ASH CONCENTRATION BELOW 0.2 MG PER CUBIC METRE IS ASSUMED TO HAVE NO

INFLUENCE ON AVIATION.

ACCORDING TO STANDARDS PUBLISHED BY THE INTERNATIONAL CIVIL AVIATION ORGANISATION (ICAO) AND TO GERMAN LEGISLATION, THE GERMAN METEOROLOGICAL SERVICE (DWD) IS RESPONSIBLE FOR ANALYSING AND PREDICTING THE CONTAMINATION OF GERMAN AIRSPACE WITH VOLCANIC ASH AND

FOR PUBLISHING THE RELEVANT SIGMETS (ARTICLE 4 PARAGRAPH 1 OF THE LAW ON THE GERMAN METEOROLOGICAL SERVICE (DWD) OF 10 SEPTEMBER 1998 (FEDERAL LAW GAZETTE (BGBl.) I P. 2871), LAST AMENDED BY ARTICLE 10 OF THE LAW OF 29 JULY 2009 (BGBl. I P. 2424) IN CONJUNCTION WITH ANNEX 3.4.2 TO THE ICAO CONVENTION OF 7 DECEMBER 1944 (BGBl. 1956 II P. 412, 1997 P. 1777)). THE VOLCANIC ASH CONCENTRATION IS DETERMINED ON THE BASIS OF CURRENT MEASUREMENTS AND PREDICTIONS DESCRIBING THE CURRENT SITUATION AS WELL AS THE ATMOSPHERIC SPREAD AND CONCENTRATION OF VOLCANIC ASH IN THE NEAR FUTURE (ONE TO TWO DAYS).

TO ANALYSE AND PREDICT THE VOLCANIC ASH CONCENTRATION WITHIN GERMAN AIRSPACE, THE DWD USES THE LATEST PUBLICATIONS OF THE COMPETENT VOLCANIC ASH ADVISORY CENTRE (VAAC) IN THE INTERNET AND OF EUROCONTROL/CFMU.

IF CURRENT QUALITY-CHECKED MEASUREMENTS OR RESULTS OF ALTERNATIVE SPREAD MODELS FOR THE CONCENTRATION OF VOLCANIC ASH IN AIRSPACE ARE AVAILABLE, THE DWD WILL EVALUATE THESE AT ITS OWN DISCRETION AND ADAPT SOME DETAILS OF ITS CONCENTRATION VALUES IN A WAY SUITABLE FOR DFS DEUTSCHE FLUGSICHERUNG GMBH.

IN THE CASE OF A POTENTIAL CONTAMINATION OF GERMAN AIRSPACE, THE DWD WILL PUBLISH A SIGMET. IN ADDITION, IT TRANSMITS TO DFS DETAILED INFORMATION CONCERNING THE SPATIAL DISTRIBUTION AND DEGREE OF VOLCANIC ASH CONCENTRATIONS.

THE AIR NAVIGATION SERVICES ORGANISATIONS USE THE SIGMET AND THE DETAILED INFORMATION ON VOLCANIC ASH CONCENTRATIONS AS A BASIS TO CHECK WHETHER AIR TRAFFIC CONTROL CLEARANCES CAN BE ISSUED IN LINE WITH ARTICLE 8 OF THE GERMAN IMPLEMENTATION REGULATION ON AIR NAVIGATION SERVICES (FSDURCHFUEHRUNGSV) IN CONJUNCTION WITH SECTIONS 1 AND 2 OF THIS GENERAL ORDER.

ON THE BASIS OF ARTICLE 19 FSDURCHFUEHRUNGSV, DFS PUBLISHES NOTAM CONCERNING THE APPLICATION OF THE RELEVANT PROCEDURES. ALL PILOTS MUST COMPLY WITH SIGMET AND NOTAM.

IT SHALL BE CONSIDERED THAT IN AIRSPACES CONTAMINATED WITH VOLCANIC ASH ACCORDING TO SIGMET AND NOTAM, THE MAXIMUM VOLCANIC ASH CONCENTRATION IS GIVEN AS AN AIR COLUMN OF DEFINED POWER. THE ACTUAL CONCENTRATION MIGHT DEVIATE FROM THIS VALUE.

ACCORDING TO SECTION 1, FLIGHTS IN AREAS OF LOW CONTAMINATION ARE PERMITTED. THE LATEST SCIENTIFIC FINDINGS IMPLY THAT THEY DO NOT CAUSE SHORT-TERM IMPAIRMENT OF AN AIRCRAFT'S SAFETY OF OPERATION.

THE MANDATORY INFORMATION AND REPORTING PROCEDURES FOR PILOTS AND

AIRCRAFT OPERATORS LAID DOWN IN SECTIONS 1.2 AND 1.3 ONLY SERVE PREVENTIVE PURPOSES. THE RULE OF CONDUCT GIVEN IN SECTION 1.2 SPECIFIES THE GENERAL REPORTING DUTY LAID DOWN IN ARTICLE 20 OF THE GERMAN AVIATION REGULATION (LUFTVO) IN MORE DETAIL.

SECTION 2.1 LAYS DOWN A FLIGHT BAN FOR AREAS OF MEDIUM OR HIGH CONTAMINATION. CURRENT SCIENTIFIC FINDINGS SUGGEST THAT SUCH CONTAMINATION GENERALLY POSES A SIGNIFICANT HAZARD TO AN AIRCRAFT'S SAFETY OF OPERATION, IMMEDIATELY AND WITH SHORT-TERM EFFECT. SECTION 2.2 EXCLUDES CERTAIN FLIGHTS FROM THE SCOPE OF THE GENERAL ORDER. THE FLIGHTS GIVEN IN INDENTS 1 TO 5 ARE TO PREVENT IMMINENT EMERGENCY SITUATIONS. THIS JUSTIFIES THE CONDUCT OF THESE FLIGHTS. IT CAN BE ASSUMED THAT THE PILOT, AND THIRD PARTIES, CAN AVOID DISRUPTIONS DUE TO VOLCANIC ASH IN TIME BY TAKING THE REQUIRED EMERGENCY MEASURES, IF NECESSARY BY MEANS OF EMERGENCY LANDINGS.

SCIENTIFIC FLIGHTS IN LINE WITH INDENT 6 ARE CONDUCTED UNDER CONSIDERATION OF THE RELEVANT PREVENTIVE MEASURES AND ARE SUBJECT TO SPECIAL CONTROL. IN ADDITION, FLIGHTS ACCORDING TO INDENTS 7 AND 8 ARE NOT SUBJECT TO THE GENERAL ORDER SINCE, ACCORDING TO SCIENTIFIC FINDINGS, THE AIR WITH MEDIUM OR HIGH CONTAMINATION FROM VOLCANIC ASH HAS NO IMMEDIATE EFFECTS ON THE SAFETY OF OPERATION OF THESE AIRCRAFT. THIS IS DUE TO THEIR SPECIAL TECHNICAL DESIGN. THE STRICTER REQUIREMENTS FOR FLIGHTS BY TURBOJET AIRCRAFT ACCORDING TO INDENT 9 ARE NECESSARY BECAUSE, DUE TO THEIR DIFFERENT TECHNICAL FEATURES, THEY ARE MUCH MORE SUSCEPTIBLE TO DISRUPTIONS BY VOLCANIC ASH CONTAMINATION THAN THE OTHERS.

IN ADDITION, IT MUST BE OBSERVED THAT THESE EXCEPTIONS DO NOT RELIEVE THE PILOT FROM THE DUTY TO ADHERE TO THE GENERAL REGULATIONS AND, IN EACH INDIVIDUAL CASE, TO DECIDE AD-HOC WHETHER IT IS SAFE ENOUGH TO CONDUCT A FLIGHT.

IN ACCORDANCE WITH SECTION 2.3, THE DUTIES LAID DOWN IN SECTIONS 1.2 AND 1.3 MUST BE OBSERVED MORE THAN EVER. A HIGHER VOLCANIC ASH CONTAMINATION CONSTITUTES A GREATER HAZARD TO THE SAFETY OF OPERATION.

SECTION 2.4 SPECIFIES AN ABSOLUTE FLIGHT BAN. ACCORDING TO PROVEN SCIENTIFIC FINDINGS, VISIBLE VOLCANIC ASH CLOUDS CONSTITUTE AN IMMEDIATE DANGER TO FLIGHT OPERATIONS.

TO PROVIDE MORE CLARITY, SECTION 3 REFERS TO THE VALIDITY OF NFL II 31/10 DATED 1 JULY 2010 (PUBLIC NOTICE OF THE FEDERAL OFFICE OF CIVIL AVIATION CONCERNING THE OPERATION OF AIRCRAFT IN AREAS OF LOW CONTAMINATION FROM VOLCANIC ASH) IN ITS VALID VERSION. AS THE AVAILABLE SCIENTIFIC FINDINGS ARE INSUFFICIENT, THOSE AIRCRAFT OPERATORS NOT CONSIDERED ARE ONLY RECOMMENDED TO COMPLY WITH IT.

SECTION 4 ORDERS THE IMMEDIATE ENFORCEMENT OF THE GENERAL ORDER IN ACCORDANCE WITH ARTICLE 80 PARAGRAPH 2 SENTENCE 1 NO. 4 OF THE CODE OF ADMINISTRATIVE PROCEDURE (VWGO). IT IS URGENTLY RECOMMENDED IN THE PUBLIC INTEREST. THIS CAN BE SEEN FROM THE REASON GIVEN ABOVE. FURTHERMORE, IN SUCH URGENT SITUATIONS, PUBLIC INTEREST IN THE IMMEDIATE ENFORCEMENT IS GREATER THAN PRIVATE INTEREST IN USING

APPEALS AGAINST THE ENFORCEABILITY OF THIS GENERAL ORDER UNTIL A LONG-TERM ADMINISTRATIVE PROCESS IS COMPLETED.

THE REVOCATION CLAUSE OF SECTION 5 ENABLES THE FEDERAL MINISTRY OF TRANSPORT, BUILDING AND URBAN DEVELOPMENT TO PROMPTLY REACT TO ANY METEOROLOGICAL CHANGES.

GND up to UNL