

Federal Department of the Environment, Transport, Energy and Communications DETEC

Federal Office of Civil Aviation FOCA UAS Authorization and Oversight

FOCA GM

Guidance Material

How to apply for an operational authorisation based on a Specific Operational Risk Assessment (SORA)

Guidance to SORA V2.0 Step #2 – Mitigation 3 : Emergency Response Plan

Scope	 Guidance for drawing up an ERP for M3 based on JARUS SORA V2.0 and its Annex B AMC and GM to Implementing Regulation (EU) 2019/947 Art. 11 This GM extends FOCA-UAS-GM-Part1
Applies to	UAS Operations in the "Specific" category, for which an operational authorisation is required
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0 Introduction

0.1 Purpose of this GM

All Guidance Material (GM) is intended to assist an organisation/operator in the administrative matters of applying and obtaining an operational authorisation and facilitate liason with the Federal Office of Civil Aviation (FOCA). It does not represent a comprehensive and complete set of requirements and it should not be used as a substitute for the individual assessment of the applicable regulatory requirements. An understanding of the risk assessment methodology can be found in JARUS SORA (jarus-rpas.org) and EASA Easy Access Rules (easa.europa.eu) and their understanding are needed for a successful application and authorisation.

This GM provides guidelines for drawing up an Emergency Response Plan (ERP) for Mitigation M3 as explained in:

- Annex B of the Specific Operations Risk Assessment (SORA) version 2.0 and
- AMC3 UAS.SPEC.030(3)(e) Application for an operational authorisation, EASA AMC and GM to the Annex of Regulation (EU) 2019/947 [2].

It applies to operations in the specific category and addresses the medium and high robustness levels for these mitigation measures.

0.2 Scope

An effective Emergency Response Plan (ERP) should be developed in accordance with the specific operation planned. The templates/examples provided in this GM may therefore be incomplete; they simply describe a possible way of presenting the required data. An organisation must add further information or adapt the examples to their specific needs as required.

This GM extends the FOCA-UAS-GM-Part1 "Guidance to Application for an Operational Authorization Part 1" by providing further guidance to section 3. Step #3 – Final GRC determination.

0.3 Terms and Conditions

The use of the male gender should be understood to include male and female persons.

The most frequent abbreviations used by the EASA are listed here: easa.europa.eu/abbreviations.

When used in the GM, the terms 'shall, must, will, may, should, could, etc.' shall have the meaning as defined in the <u>English Style Guide</u> of the European Commission.

0.4 Legal References

- (OSCA) Ordinance of the Department of the Environment, Transport, Energy and
- [1] Communications (DETEC) on Special Category Aircraft (SR 748.941) [online link] Available (27.09.2022)

Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and

[2] procedures for the operation of unmanned aircraft and related Annexes, Acceptable Means of Compliance and Guidance Material [link] Available (27.09.2022)

Note: AMC to Art. 11 of (EU) 2019/947 is used as baseline to this guidance material, however its applicability is subject to the adoption of the european drone regulations in Switzerland.

0.5 Other References

- 1. FOCA GM/INFO, Certification Leaflet Management System, Version 1, revision 3 of the 09.11. 2017 [link] Available (01.09.2022)
- 2. Swiss Aerodrome Association SAA, Aerodrome Emergency Guide and Checklist, Version February 2017 [link] Available (01.09.2022)
- Schweizerische Sicherheitsuntersuchungsstelle SUST, Bereich Aviatik, Such- und Rettungsdienst der zivilen Luftfahrt (SAR) in der Schweiz, [link sar-booklet.ch] Available (01.09.2022)

1 Emergency Response Plan (ERP)

1.1 General

- Successful response to an emergency begins with effective planning. An ERP provides the basis for a systematic approach to managing the organisation's affairs in the aftermath of a significant event in the worst case, a major accident.
- An ERP is a description of the intended processes and actions. Most probably, much of an ERP will
 never be tested under actual conditions. Nevertheless, comprehensive training is required to ensure
 that the described processes and actions are backed by operational capabilities. Regular
 emergency response drills and exercises are also strongly recommended. Some elements of the
 ERP, such as the call-out and communication plan, can be tested once, while other aspects, such
 as on-site activities involving other agencies, should be rehearsed at regular intervals. This with the
 purpose of disclosing weaknesses in the plan, so that these can be rectified before an actual
 emergency.

1.2 Definitions

The definitions accident/serious incident/incident are given within the meaning of Regulation (EU) 996/2010, amended by Regulation (EU) No 376/2014, referred in AMC1 UAS.SPEC.030(3)(e) and AMC1 UAS.SPEC.040(1) Operational autorisation.

1.2.1 Accident definition:

'accident' means an occurrence associated with the operation of an aircraft which, [..] in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which

(a) a person is fatally or seriously injured as a result of:

- being in the aircraft, or,
- direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or,
- direct exposure to jet blast

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

- (b) the aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, <u>except</u> for engine failure or damage, when the damage is limited to
 - a single engine (including its cowlings or accessories),
 - to propellers,
 - wing tips,
 - antennas,
 - probes, vanes,
 - tires, brakes, wheels, fairings, panels, landing gear doors, wind screens,
 - the aircraft skin (such as small dents or puncture holes) or
 - minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike, (including holes in the radome); or

(c) the aircraft is missing or is completely inaccessible;

1.2.2 Serious incident definition

Serious incident' means an incident involving circumstances indicating that there was a high probability of an accident and is associated with the operation of an aircraft, which [...] in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down.

A list of examples of serious incidents relevant for unmanned aicraft operations (extract from Annex to (EU) No 376/2014);

- a near collision requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate,
- controlled flight into terrain only marginally avoided,
- multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft,
- system failures, weather phenomena, operation outside the approved flight envelope or other occurrences which could have caused difficulties controlling the aircraft,
- failure of more than one system in a redundancy system mandatory for flight guidance and navigation.

1.2.3 Incident definition

'incident' means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

1.3 Purpose and Effectiveness of an Emergency Response Plan

The purpose of an ERP is:

- to proactively identify all possible emergency events or scenarios and their corresponding mitigation actions;
- to avoid as much as possible the escalating effect;
- to keep control of the situation even in a high level of stress;
- to inform as fast as possible the relevant external parties (Rega, police, ANSPs, etc.);
- to limit injuries and loss of materials following the occurrence;
- to document emergency checklists, procedures and processes;
- to coordinate the emergency response efforts internally and with external involved parties;
- to limit the risk to people.

An effective ERP should:

- identify the emergency and assign a level of emergency (the gravity of the event);
- be suitable for the situation (respond to the effective level of emergency);
- define the conditions to alert external parties (Rega, police, FOCA, ANSPs, etc.);
- be practical to use, even with low concentration levels (stress);
- assign clear roles and responsibilities of every crew member;
- list the emergency numbers required;
- set a communication protocol.

1.4 Emergency Response Plan Format

An ERP would normally take the form of a manual but the exact format may depend on the operation. Checklists or processes simplify the tasks of each member during the emergency situation.

The Annexes

Emergency Response Plan – Quick Reaction Sheet Template available in <u>Annexes</u> shows an example and template of a ERP-sheet that could be on the field for VLOS operations.

1.4.1 Language

The organisation shall ensure that all personnel are able to understand the language in which those parts of the organisation's documentation which pertain to their duties and responsibilities are written. The content of the documentation shall be presented in a form that can be used with a direct and straightforward access to critical information and instructions. It must take into account human factor principles.

The organisation shall thus establish the documentation in a common language, but also consider the (future) collaboration with other persons and organisations (e.g. contractors). This can lead to the use of different languages in different parts of the organisation's documentation (Management System). When multiple languages are used, the master version of the document needs to be clear (valid version). Updates should be reflected in every version of the document.

1.5 Emergency Response Plan Structure

The ERP includes the following:

- a table of content;
- a record of revision;
- the content as described in the chapter 1.4 of this document;
- approval and signature by the accountable manager or the safety officer.

1.5.1 Example of Record of Revisions

Edition No	Revision No	Effective as of	Entered by	Date
1	0	dd.mm.yy	abc	dd.mm.yy
1	1	dd.mm.yy	abc	dd.mm.yy
1	2	dd.mm.yy	abc	dd.mm.yy
2	0	dd.mm.yy	abc	dd.mm.yy

1.5.2 Example of declaration and signature

The undersigned declares, that

- Example 1: All personnel concerned understand the content and meaning of the ERP and will perform all duties in full accordance with it.
- Example 2: All personnel concerned understand in full the content relevant to them and we undertake to ensure that personnel comply with the instructions given in the ERP.

Accountable Manager:

Name:______Signature:_____

1.6 Operator Responsibilities

[i.a.w (EU) 2019/947, AMC3 UAS.SPEC.030(3)(e) section 5]:

The UAS operator shall:

•

- nominate an emergency response manager (ERM) who has the overall responsibility for the emergency response.
- establish an emergency response team (ERT) (If the UAS operator is not a one-person entity and/or manages external personnel in an emergency response)
 - define lines of responsibility and accountability throughout the organisation;
 - clear delineation of the responsibilities in an emergency response

- duties of the remote pilot(s) and of any other personnel in charge of duties essential to the UAS operation
- establish a contact list(s) of key staff, relevant authorities, and entities involved in an emergency response
- the overall philosophies and principles of the organisation with regard to safety, referred to as the Safety Policy;

Example for Composition, Role and Contact Details of the Emergency Response Team

Order	Role	First Name / Family name	Phone No 1	Phone No 2
1	ERP Manager	Muster Emergy		
2	Resp. Flight Operations	Muster Opery		
#				

1.7 Emergency Response Means

In accordance with the pre-flight procedure, the emergency equipment is to be checked for availability and serviceability.

The standard emergency equipment consists of:

Equipment	Check if available
Fire Extinguisher	Check that located in the designated place; Check easy accessibility; Check pressure gauge reading or indicator in the operable range or position; Check expiry date/last inspection.
First Aid Kit	Check that correctly fitted and secured; Check the seal.
Torches	Check that correctly fitted and secured; Check functionality.

1.8 Emergency Response Plan Procedures

To be complete and meaningful, the processes and procedures defined in the ERP must provide information that answers the following questions as a minimum:

- (a) What is the situation?
- (b) What must be done?
- (c) Who does it?
- (d) How, when and where must it be done? / Which tools / forms have to be used?
- (e) In which order?

1.8.1 Emergency Situations

The UAS Operator shall define ground and air safety hazards entailed by the activities of the organisation, the worst case scenario for each of the safety hazards.

The ERP should define the criteria for identifying emergency situations, and for identifying the main emergency situations that are likely to increase the level of harm (escalating effect) if no action is taken.

At minimum, the ERP must address the following situations [i.a.w (EU) 2019/947, AMC3 UAS.SPEC.030(3)(e) section 4]:

- (a) harm one or more persons, leading to injuries or fatalities;
- (b) hit a ground vehicle, building, or facility where there are one or more persons who might be injured as a consequence of the UA impact;

- (c) harm critical infrastructure (e.g., powerplant);
- (d) Start a fire that might propagate or explosion of a battery leading to injured people/fatalities;
- (e) release dangerous substances (specific ERP to be developped for the transport of Dangerous Goods);
- (f) hit an aircraft that carries people and/or whose crash might lead to one or more of the situations listed in (a) to (e);
- (g) Fly-away, i.e. cause the UA to leave the operational volume and fly beyond the limits of:
 - the ground risk buffer; and/or
 - the air risk buffer (if existing), or enter adjacent airspace where there is a risk of collision with manned aircraft (refer to the note below for further guidance);

Additional note on (g) : "fly-away" situation

Please note the following about ERP procedures in the event of a loss of containment ('Fly-Away')

- AMC1 to Art. 11 of regulation (EU) 2019/947 / JARUS SORA V2.0 §1.4.1 Fig.2 ('Emergency declared to ATM') and Annex B, section 4 ("the conditions to alert ATM") should not be understood as formal operational requirements to define an alerting process with ATM in case of fly-away in all cases and situations.
- ERP should always be proportional to the operation's potential secondary effects. It is expected that this covers the conditions if, when and how to alert ANSP (e.g. after exiting the operational volume and the optional air risk buffer). It is therefore the operator's decision to establish a coordination process with ATS/ATM based on his ConOps (e.g. operations in controlled airspace, operational exposure in the vicinity of an airport environment).
- When a ConOps (incl. UAS design) complies with the requirements of enhanced containment (SORA Step#9 (c)), failure conditions leading to a loss of containment are considered remote (or less than remote), i.e. qualitatively so unlikely that it is not anticipated to occur during the entire system/operational life of the UA.
- An ERP must in any case focus on limiting the escalating effect of loss of control/crash, i.e. address the (remote to extremely remote) events of mid-air-collision and ground collision as a result of a fly-away.

1.8.2 Initial Emergency Response Guidelines and Procedures

Step	Task	Responsibility	Verify/Check	Tool / Source
#	Identify the level of emergency and gravity	ERP Manager	UAS/Crew Location. Get additional first- hand information	Communication Means
#				

1.8.3 Example for an Initial Notification of an Emergency

Step	Who / Responsibility	Means Of Notification / Forms	Notification to / Address	Time Limit
	ERP Manager	Phone	Rega;	ASAP
1			-Phone (within CH): 1414	
			-Phone (abroad.): +41 333 333 333	
#				
#				

1.8.4 Occurrence Reporting for UAS in Switzerland

For unmanned aircraft, there are two different procedures in the reporting system (please adhere to those in order to avoid duplication and redundant reporting):

- Firstly, all drone operators/remote pilots are **obliged to report accidents and serious incidents immediately** to the Aviation Division of the Swiss Transportation Safety Investigation Board (STSB) via the REGA alarm center (tel. 1414; from abroad +41 333 333 333).
- Secondly, all drone operators/remote pilots must report all incidents related to safety (such as incidents in connection with failure or malfunction of the emergency systems, navigation systems or propulsion systems without damage) to the Federal Office of Civil Aviation (FOCA) or the reporting system of the organisation concerned within 72 hours (www.aviationreporting.eu).

Incidents, serious incidents and accidents involving unmanned aircraft are **exempted** from this obligation to report, **provided that** <u>no</u> serious or fatal injury to persons is recorded and <u>no</u> manned aircraft are involved.

In other words, UAS operators/pilots must report accidents and serious incidents via the REGA alarm centre (Tel. 1414 from outside Switzerland +41 333 333 333) immediately to the aviation department of the Swiss Transportation Safety Board (STSB) <u>and</u> report all safety-related incidents with serious or fatal injuries to persons or involving manned aircrafts within 72 hours to the FOCA through <u>www.aviationreporting.eu</u>.

In addition, **voluntary reports are possible and encouraged**, which are not covered by the mandatory reporting obligation.

Further information on what is considered an accident, serious incident or an incident can be found on the <u>SRM section</u> of the FOCA website. Figure 1 illustrates in a visual and simple manner the occurrence reporting requirements.



Figure 1: Announcement Process

1.9 Checklist for compliance verification and self assessment (non-exhaustive):

The following check-list items should allow you – as applicant – to define whether thed drawn ERP fulfills the specifications of this Guidance Material:

- □ Is there a statement regarding the scope and objectives of the ERP concept?
- □ Is an alarm system in place to trigger the ERP?
- □ Does the ERP concept outline a communication and notification plan, including communication and notification to the authorities and the emergency response team?
- □ Are the composition, role and contact details of the emergency response team defined?
- □ Are the actions to be taken in an emergency by the organisation or specified individuals defined?
- □ Is there a documented process on how to notify the REGA Operations Centre, including phone numbers and contact details?
- Does the ERP describe a level of emergency relating to the severity of the situation?
- Does the ERP cover all possible scenarios as well as the appropriate risk mitigating measures?
- □ Does the use of checklists as well as the development of procedures and processes lead to a better understanding of the ERP and simplify its deployment?
- □ In the event of an emergency, do the team members have all the necessary resources in order to implement the ERP correctly (e.g.: crisis room, checklists, procedures, phones, phone numbers, etc.)?
- □ Has the ERP been validated in a representative tabletop exercise¹ consistent with the ERP training syllabus?

1.10 Additional requirements for a High Robustness Level

- The ERP and the effectiveness of the plan in limiting the number of people at risk (a reduction of 90% is expected) are validated by a competent third party.
- The applicant has coordinated and agreed the ERP with all third parties identified in the plan.
- The tabletop exercise has been validated as effective by a competent third party.

Important Note:

For the reasons mentioned in the items of §1.10 above, an ERP at high level of robustness can only be justified under extra-ordinary conditions.

A valid example of an ERP at High Robustness Level is the establishment of an order of engagement and a deployment scheme for the emergency services during an airshow.

¹**Tabletop exercises** are discussion-based sessions where team members meet in an informal, classroom setting to discuss their roles during an emergency and their responses to a particular emergency situation. A facilitator guides participants through a discussion of one or more scenarios.

2 ERP Training

The UAS Operator shall define the training to maintain personnel skilled and competent to perform their tasks according to the ERP.

An ERP training syllabus is mandatory and must be available. The checklist / tabletop exercise must be used by the members during the training.

A record of the ERP training completed by the relevant staff is to be established and kept up to date. A refresher should take place within a timeframe defined by the organisation/operator with a maximum cycle of two years.

2.1.1 Question for compliance verification and self assessment:

- □ Does the ERP include a training syllabus with a tabletop exercise used by the members during the training?
- □ Has a record of ERP training been drawn up and kept up to date by the relevant staff?

2.1.2 Additional requirements for a High Robustness Level

□ The competencies of the relevant staff are verified by a competent third party.²

3 Emergency Response Planning Service Provider

There are third-party Emergency Response Service Providers which tailor their services to an organisation's required standards and specifications. Such services may include a crisis management centre, crisis communication, media call centre, family assistance, disaster recovery services, etc.

Depending on the scope and size of the organisation, it may be advisable to outsource certain complex, time-consuming and expensive elements of emergency response (e.g. training) to a third-party service provider in order to minimise set-up, training and running costs. This recommendation is especially worth considering for small and low cycle operators. Other operators may choose to implement a fully fledged ERP. There should be a record stipulating which emergency response element is contracted to a specific service provider and under which circumstances and criteria those services are activated. The contract with the service provider shall comply with #OSO13 on external service provision.

Annexes

Emergency Response Plan – Quick Reaction Sheet Template (On-site VLOS Operations)

	PRIORITY	ACTION ITEMS				
1	KEEP CALM but do not waste time	GET AN OVERVIEW □ Put on high visibility jackets □ Assess the situation ○ What has happened? [if FLY-AWAY: Go to 4 – Alert ATS] ○ Who is involved ? ○ Who is affected ? □ Ensure own protection CONSIDER POTENTIAL HAZARDS fuels, batteries, toxic substances, dangerous goods containers				
2	тнімк	 vegetation, wind, parachute ballistics, , Danger for rescuers ? Fire hazard? Explosion hazard? 				
3	PROTECT	SECURE THE PERIMETER/ SAVE LIVES Get to the scene of the accident ASAP Secure the scene of the accident Ensure own protection Clear people from the danger zone Keen a safe distance from the accident site				
		MAKE AN EMERGENCY CALL (if necessary)				
	((!))	EMERGENCY	Tel. 144	REGA	., Tel. 1414	
		Police	Tel. 117	Fire Dept.	Tel. 118	
		European	Tel. 112	Poisoning	Tel. 145	
		Closest ATS / A	erodrome	+41 xx xxx xx	XX	
4		Where did it happen? Who is reporting?				
		□ What has happened?				
		□ When did it h	appen?	- d0		
		 How many people are injured? Any other hazards, dangerous goods? 				
		Potential haz	ards to rescue	helicopter? (ca	ables, obstacle	s, weather)
		□ My callback r	number:			
		If necessary: EX	TINGUISH FII	RE		
		Do not put yo	urself in dange	er		
		□ Fight fire (w/ fire extinguisher or fire blanket)				
		□ Take particular care with rechargeable batteries! Explosion hazard!				
		L Brief the arriving fire service				
		Check injured	d people for sig	gns of life		
ວ	HELP	□ Stop any blee	eding			
		□ If person unconscious → RECOVERY POSITION				
		□ If person unconscious AND not breathing normally → REANIMATE C:CIRCULATION (perform CPR)				
		A: Al	RWAYS (clear	for breathing)		
		B: BF				
		D: DE	EFIBRILLATIC	VN		

	THEN	ACTION ITEMS		
1	SECURE THE ACCIDENT SITE	KEEP EVIDENCE Block access to the site until the rescue team / investigators arrives Do not alter the state of the site Do not move wreckage, objects or bodies until STSB investigators arrive, except to save lives		
2	REPORT THE ACCIDENT	IMMEDIATELY REPORT ACCIDENTS AND SERIOUS INCIDENTS In case of: □ severe or fatal injury to persons □ collision with manned aircraft → report immediately to the aviation department of the Swiss Transportation Safety Board (STSB) via the REGA alarm centre : □ Tel. 1414 □ from outside Switzerland: +41 333 333 333		
3	INFORM THE COMPANY	 Contact company CEO / Safety Officer / Head of Operations / No contact with media Follow Occurrence Reporting process File an OCR: report all safety-related incidents with serious or fatal injuries to persons or involving manned aircrafts within 72 hours to the FOCA through www.aviationreporting.eu 		

EMEF							
	Item	Number required	Location				
	High-visibility jackets	1/ppl, total:					
	First-aid kit #N						
	Fire extinguisher #N						

EMERGENCY Contacts					
	Person	Phone Number	E-mail		
	ERM – John Doe	+41 xx xxx xx xx	johndoe@mail.com		
	RPIC – Jane Doe	+41 xx xxx xx xx	xxx@mail.com		
	LSXX TWR	+41 xx xxx xx xx	yyy@mail.com		
	Local Police				