

Date: 15 April 2024

MAA/RI/2024/02 - Transitional Arrangements for the RA 1800 series concerning aviation-related Environmental Protection

Issue

The Military Aviation Authority (MAA) is issuing a new series of Regulatory Articles (RAs) to cover aviation-related Environmental Protection (EP) requirements where Defence has a Disapplication, Exemption or Derogation (DED) from UK civil EP legislation, and to provide an Assurance framework for the management of aviation-related EP Impacts and Risks.

Scope

This Regulatory Instruction (RI) outlines the transition period for each of the MAA EP RAs being introduced.

Implementation

This RI is effective immediately.

Background

The Secretary of State's Health, Safety and Environment in Defence Policy Statement requires that where there are DEDs from Health, Safety and Environmental legislation, or where other circumstances indicate the need for Defence Regulation of activities, Defence will maintain Departmental arrangements that produce outcomes that are, so far as is reasonably practicable, at least as good as those required by UK legislation.

The Defence Environmental Protection Regulator (DEPR) provides oversight of how Defence is meeting EP laws and policies and developing Regulation applicable where activities are cross-cutting across Defence. The oversight and Regulation of any EP activity that is specific to a particular domain will remain the responsibility of the relevant Defence Safety Authority (DSA) Regulator such as the MAA, Defence Maritime Regulator (DMR), Defence Land Safety Regulator (DLSR), etc. The MAA has therefore developed aviation-related EP Regulations and is establishing the means to deliver Assurance of the Air Domain's environmental management and protection activities.

Following a review of the aviation specific EP statutory legislation from which Defence has a DED, the themes that are applicable to Defence aviation activities are:

- a. Management of environmental impacts and risks at Aerodromes and Air Weapons Ranges (RA 1800);
- b. Aircraft environmental standards, such as noise and engine emissions (RA 1801); and
- c. Aviation greenhouse gas, focusing on carbon emissions (RA 1802).

This RI provides the transition periods for each of the new MAA EP RAs being introduced.

Transitional Arrangements for RA 1800 – Aerodrome and Air Weapon Range Aviation Activity – Management of Environmental Impacts and Risks

As management of environmental impacts and risks at Aerodromes and Air Weapon Ranges is already a requirement in MOD policy there will be **no transition period** for this RA. This RA allows the MAA to undertake Assurance of Defence aviation activities at Aerodromes and Air Weapons Ranges.

Transitional Arrangements for RA 1801 – Air System Environmental Cases

Environmental cases for Defence equipment are already an established requirement in MOD policy. This RA however requires specific consideration and assessment of Defence Air System environmental impacts, including Aircraft noise emissions, fuel venting and engine emissions (including smoke; non-volatile particulate matter (nvPM); unburned hydrocarbons; carbon monoxide; and oxides of nitrogen, and carbon dioxide (CO₂) emissions.

A one-year transition period (until **30 April 2025**) will allow for these specific elements to be addressed in the Air System Environmental Cases.

Transitional Arrangements for RA 1802 – Aviation Greenhouse Gas Emissions

As management of Defence Aircraft Greenhouse Gas (GHG) emissions is not currently implemented as routine practice across all Defence Aircraft, the transition period for this RA is as follows:

- a. A Carbon Emissions Monitoring Plan **should** be submitted **annually** by **31 December commencing 2024**.
- b. Monitoring of GHG Aircraft emissions **should** follow immediately thereafter from **1 January for a 12 month period ending 31 December**.
- c. The carbon emissions **should** be submitted to Operating Energy Authority (OEA) by **31 March each subsequent year**.

This allows for each Aircraft Operator to create a process and procedure for monitoring GHGs and issue an emissions monitoring plan; followed by one year of monitoring and recording the information; followed by preparation of the data for reporting to the OEA. These dates will be used to form a continuous rolling cycle of monitoring and reporting.

Queries

Any observations or requests for further guidance on the content of this RI should be submitted by email to DSA-MAA-MRPEnquiries@mod.gov.uk.

MAA Deputy Head Regulation