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### SUBJECT: Operation limitations at NICE-COTE D'AZUR airport

The French ministerial decree of June 7<sup>th</sup>,2004 relative to operation limitations at Nice-Cote d'Azur airfield will be replaced from 31<sup>st</sup> October 2010 onwards by the French ministerial decree of March 2<sup>nd</sup>, 2010 (published April 2<sup>nd</sup>, 2010).

Failure to comply with the provisions stated in this decree may result in the filing of an infringement report and may lead the ACNUSA (Airport Noise Nuisance Control Authority) to issue a penalty in the form of an administrative fine for the maximum amount of 20 000 euros for a legal entity, in accordance with the provisions of article L.227-4 of the Civil Aviation Code.

#### 1 DEFINITIONS

- "Cumulative margin of an aircraft equipped with turbojet engines" is the sum of the three differences between the certified noise level and the admitted limit defined in Chapter 3 of the second part of the first volume of Appendix 16 of the Convention on International Civil Aviation dated 7<sup>th</sup> December 1944 for each one of the three measurement points defined in this Appendix;
- "Operator" is the technical operator of an aircraft;
- "Flight manager" is the owner, technical operator or commercial operator of an aircraft;
- "Engine test" is any operation performed on an aircraft in power-off condition, during which one or several of its engines is/are running for more than five minutes or at a power greater than that used for run-up and taxiing sequences.

#### 2 NIGHT FLIGHTS

2.1 Provided that provisions specified in Paragraph 7, turbojet aircraft not complying with standards specified in International Civil Aviation Organization Annex 16, Volume I, Part II, Chapter 3 or Chapter 4 are not allowed at NICE COTE D'AZUR airfield to :

- land between 11:30 pm and 6:15 am local time for arrivals on the parking area
- depart between 11:15 pm and 6 am local time for departures from the parking area

2.2 **From 31<sup>st</sup> October 2010 onwards**, provided that provisions specified in Paragraph 7 are met, no aircraft equipped with turbojet engines the acoustic certification of which complies with the standards of Chapter 3 of the second part of the first volume of Appendix 16 of the Convention on International Civil Aviation dated 7<sup>th</sup> December 1944 with a cumulative margin lower than **10 EPNdB** shall:

- land between 11:30 pm and 6:15 am local time of arrival on the parking area;
- take off between 11:15 pm and 6 am local time of departure from the parking area.

2.3 **From 30<sup>th</sup> October 2011 onwards**, provided that provisions specified in Paragraph 7 are met, no aircraft equipped with turbojet engines the acoustic certification of which complies with the standards of Chapter 3 of the second part of the first volume of Appendix 16 of the Convention on International Civil Aviation dated 7<sup>th</sup> December 1944 with a cumulative margin lower than **13 EPNdB** shall:

- land between 11:30 pm and 6:15 am local time of arrival on the parking area;
- take off between 11:15 pm and 6 am local time of departure from the parking area.

#### 3 USE OF PARKING KILO

Aircrafts using this parking stand shall comply with these operating instructions:

- **on arrival:** Engines are shut down upon entering the parking stand at the "STOP ENGINE AND APU" line and compulsory towing to the aircraft stand.
- The use of the auxiliary power unit (APU) is forbidden while parked on PARKING STAND KILO.
- **on departure:** towing is compulsory to the start-up area where the use of the APU is limited to 30 minutes.

#### 4 OTHER PARKINGS

Except on parking Kilo, the use of APU is limited to a maximum of:

- 30 minutes after the arrival of the plane at the parking stand
- 30 minutes before the departure of the plane from the parking stand

**5 ENGINE TESTS**

Except checks required before take-off for piston engine aeroplanes, no engine test are allowed between 9 pm and 6 am local time. Exemptions may be granted between 9 pm and 11 pm local time, or, between 5 am and 6 am local time for flight safety reasons by the Prefect of the Alpes-Maritimes, after request of the person in charge of the flight.

**6 OTHER LIMITATIONS**

Provided that provisions specified in Paragraph 7:

- 6.1** aircraft operating IFR must comply with noise abatement procedures published in the AIP. This provision shall apply in particular to the compliance with the nominal flight paths of the Riviera and Saleya procedures, the visual approach procedure as well as the departure procedures (see AIP).
- 6.2** Aircrew shall observe the engine operation instructions included in operating manuals to reduce noise nuisances during landing and take-off. These instructions shall comply with the Doc ICAO 8168 Volume 1.
- 6.3** Aircraft operating VFR must comply with noise abatement procedures provided to reduce noise nuisances published in the AIP.
- 6.4** All operators performing commercial flights outbound from or inbound for Nice-Côte d'Azur aerodrome shall publish, in their operations manuals, the classification and cumulative margin of their aircraft.

**7 EXEMPTIONS**

The provisions specified in paragraphs 2 and 6 do not prevent the following aircraft from landing an/or taking-off under special circumstances:

- Aircraft performing humanitarian or ambulance flights;
- Aircraft in emergency situations for safety reasons;
- Aircraft mentioned in Article L.110-2 of French Civil Aviation Code
- Aircraft operating government missions

The flight captain can waive the regulations defined in paragraphs 2 and 6 if he considers it absolutely necessary for reasons of safety. Exemptions from the regulations specified in Paragraph 2 can be exceptionally given by the Minister in charge of civil aviation.