



**THE NETHERLANDS
SPECIAL MILITARY AVIATION REGULATIONS**

**AIRCRAFT INTERNAL TRANSPORTATION OF
CARGO IN RELATION TO OCCUPANT SAFETY**

GUIDANCE MATERIAL (GM)

NLD-SMAR 3 GM

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Final Clauses

This Special Military Aviation Regulation GM is known as NLD-SMAR 3 GM.

This Special Military Aviation Regulation GM shall enter into force from the day after the date of issue on the MAA-NLD internet/intranet.

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The Director Military Aviation Authority – The Netherlands



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Introduction

This guidance document contains information and advice regarding NLD-SMAR 3.

This document contains Guidance Material (GM) that is provided for interpretation and explanation purposes only. It may be used as guidance to demonstrate compliance. This document is not mandatory in itself and is not a regulation.

Alternative means may be used to demonstrate compliance with the requirements. If the MAA-NLD becomes aware of circumstances that convince the MAA-NLD that following this guidance material would not result in compliance with the applicable regulations, the MAA-NLD will not be bound by the terms of this document and may require additional substantiation as a basis for finding compliance.

GM NLD-SMAR 3.10.d

Examples of critical systems present in some transported material include:

1. pipes/hoses and reservoirs containing flammable liquids or gases;
2. pipes/hoses and reservoirs containing poisonous liquids or gases;
3. pressure reservoirs;
4. batteries.

These systems are considered critical when they are not protected by the construction of the material and therefore are vulnerable to collision with external objects.

GM NLD-SMAR 3.15.

Working agreements concerning the management of the qualified air-transportable material must include among others:

1. all parts and facilities on the material that are required in order to remain in compliance with the qualification requirements must be maintained and repaired in conformance with the applicable maintenance and repair instructions;
2. registrations concerning this maintenance must be recorded per material item and must be made available for inspection by the air operator on request;
3. if changes are made to the material that invalidate the qualification, the material must be qualified again, or the qualification registration in accordance with NLD-SMAR 3.17.b must be revoked.

GM NLD-SMAR 3.16

A situation in which pallets loaded by parties other than the air operator itself and submitted as one complete package should be reloaded by the air operator using its own resources and procedures must be prevented. Although this can be a means of meeting the requirement, this method is vulnerable under operational pressure. Therefore, it is preferable to establish agreements with suppliers of cargo on pallets in the preparatory phase in order to ensure that the requirements of NLD-SMAR 3 are met. Wherever possible, the air operator should document these agreements in a contract and regularly monitor compliance. See also MAR-OPS 1.036 and 3.036.

Suitable instructions that NATO or Partnership for Peace (PfP) partners can follow for pallet loading are, for example, the IATA Unit Load Device Regulations (ULDR). Also suitable, but more fragmentary, could be agreements from the STANAG series, including but not limited to: STANAG 3542 (Technical criteria for the transport of cargo by helicopter), and 7213 (Tactics, techniques and procedures for NATO air movement). The instructions used must, at a minimum, be qualitatively equivalent to the general loading instructions specified in the documentation of the aircraft concerned. The air operator must be able to guarantee the amount of load restraint required by NLD-SMAR 3.35, possibly through the addition of its own lashing devices.

GM1 NLD-SMAR 3.17 Qualification requirements for material and documentation

The qualification must be adapted to the certification basis of the intended aircraft. The operational requirements to which the air operator is bound must also be taken into account. GM2 to GM5 to NLD-SMAR 3.17 list generally applicable requirements. However, this list is neither binding nor exhaustive. Other or adapted requirements may be used as long as the envisaged intent is met. Additional requirements may be necessary in case of special characteristics of the air-transportable material. It is the responsibility of the air operator to establish adequate qualification requirements.

GM2 NLD-SMAR 3.17 General requirements for the material

- a. Fuel, electrical and other systems in the material may not pose a risk to on-board safety.
 1. Where necessary, there must be provisions for securing systems or system components in a safe state for transport.
Such a special provision could be, for example, main switches that completely and unambiguously deactivate electrical systems.
 2. Constructions and systems must be designed in such a manner that, when the prescribed procedures have been followed, air transport of the material can take place in accordance with the existing laws and regulations on the transport of dangerous goods by air with military aircraft.
 3. Constructions and systems of material that must also be suitable for transport in aircraft with pressurised cabins must be designed such that they do not present a danger to the aircraft or occupants on board in the event of rapid

decompression.

Examples of protective provisions include: overpressure protections, ventilation provisions, doors and windows that can be secured in a safe (open) position, etc.

4. Constructions and systems must be designed in accordance with the g-loads applicable to air transportation; see Appendix 1 of NLD-SMAR 3. Material that must be air-transportable in the presence of passengers must be designed for the g-loads applicable to combi-transport.

5. With respect to vehicle fuel tanks, a design and installation that complies with the European regulations for the approval of motor vehicles, is accepted by MAA-NLD. Consequently, compliance with the g-loads for critical systems as set out in Appendix 1 of NLD-SMAR 3 doesn't have to be demonstrated. The European regulations in this respect are annex 1 of directive 70/221/EC (Tanks and reserve tanks for liquid fuel), and the provisions of directives 96/79/EC (on the protection of occupants of motor vehicles in the event of a frontal impact), and 96/27/EC (on the protection of occupants of motor vehicles in the event of a side impact) concerning permissible fuel leakage after a frontal or side collision (max. 5×10^{-4} kg/sec) respectively, including their amendments.

Note: to be relieved from the need to demonstrate compliance with the g-loads for critical systems as set out in Appendix 1 of NLD-SMAR 3 these European requirements must be met, even when no such requirements are imposed for the type of vehicle concerned by the European regulations for motor vehicles. If no data from representative collision tests are available, an analysis may be used as a means of compliance.

6. Critical systems on the underside of the material must be shielded or protected against downward loads. This requirement is imposed because a cargo item is normally not secured against downward loads. In the event of an emergency landing, the cargo item will only be supported by the floor of the aircraft, whereat in general it is accepted in the design of an aircraft that the floor may suffer localised failure. To prevent an impact of the underside of the material with the floor of the aircraft from leading to dangerous situations, the critical systems on the underside of the material must be shielded.

This measure also protects the material against the collapse of its own support (e.g. wheel axles or legs).

7. Electrical or electronic systems may not interfere with the aircraft's on-board systems.

- b. Additional conditions apply if occupants can remain inside the material during the flight.

1. Evacuation provisions must be present in the material and the escape routes in the material must connect with those of the aircraft concerned. Particular consideration should be given to the dimensions, markings and lighting of emergency exits and escape routes.

2. The permitted seats or berths must provide protection to the occupants in the material in accordance with the g-loads applicable to combi-transport.

Occupants must be restrained in the material against the aforementioned g-

loads, as must all objects in the material which could injure occupants or obstruct their evacuation.

Seats in vehicles that comply with European regulations for road vehicles will generally be accepted by the MAA-NLD.

3. The material itself must be secured in the aircraft in all directions against the g-loads applicable to combi-transport. If in practice it is not possible to secure the material itself against the lateral and/or vertical g-loads applicable for combi-transport, these requirements may also be met through use of a cage construction in the material that protects the occupants against impact with the aircraft's walls, floor or ceiling. A safe evacuation provision for all occupants in the aircraft must be ensured, regardless of any possible shift, rotation or damage of the material after an emergency landing.
4. Provisions must be present in the material for communication with the aircraft's crew outside the material. In case of closed material, an intercom connection may be required. For open material, hand signals may be sufficient.

GM3 NLD-SMAR 3.17 Requirements for lashing provisions on material

- a. Lashing provisions must be clearly visible, accessible and be part of an operational inspection system. This is particularly critical in the dark, confined cargo hold of the aircraft.
- b. Lashing provisions must be clearly identified, and the loading capacity must be indicated in the corresponding user documentation and preferably also on the material itself.
- c. The strength of the lashing provisions must be proven.
- d. If approved loading instructions are required in accordance with NLD-SMAR 3.30, the lashing provisions on the material must be shown to be adequate to withstand the applicable g-loads in combination with those approved loading instructions. For each individual g-load it must be demonstrated that the lashing provisions can withstand the combination of all of the simultaneous force components to which they are subjected by the lashing devices (lashing straps, chains, etc.). The strength of the lashing provisions must be demonstrated up to and including the main structure of the material. The same applies to all provisions on and in the material for restraining any equipment and/or load. If, after application of the approved loading instructions, deformation of the material (e.g. as a result of vehicle suspension travel or plastic deformation) significantly affects the distribution of forces over the lashing devices, this deformation must be taken into account in the force calculations.

GM4 NLD-SMAR 3.17 User documentation

- a. The material must be provided with user documentation containing the following information:
 1. an unambiguous identification of the air-transportable material concerned.
 2. a reference to the qualification in accordance with NLD-SMAR 3.17, indicating

the scope of the qualification with regard to the type of operations for the particular aircraft type.

3. identification of any lashing points, including specification of the loading capacity of each lashing point, in conformance with GM3 NLD-SMAR 3.17, point b.
4. The following must be included for each approved type of operation, as applicable:
 - i. instructions for putting and securing the material in a safe condition for transport. In addition to the use of the special provisions, instructions may include, for example, the complete or partial emptying of fuel tanks, opening and securing windows and doors, disconnecting and packaging of batteries, emptying of pressure vessels, etc.
 - ii. a statement as to whether occupants may remain in the material during the flight, specifying the permitted seating and/or berthing locations and corresponding applicable conditions;
 - iii. any restrictions. For example, a restriction may be that the material may only be transported with certain categories of passengers on board according to the air operator's Passenger Transport Policy (ref. NLD-SMAR 300), or only when passengers are seated behind the material.
5. Maintenance and repair instructions for all provisions on the material that are required in order to remain in compliance with the qualification requirements.

GM5 NLD-SMAR 3.17 Period of validity of the qualification

- a. A qualification for material is issued per material item and for unlimited duration. A qualification shall remain valid, on the condition that:
 1. no changes are made to the material item or user documentation such that it is no longer guaranteed that the qualification requirements are met; and
 2. no other modification is made to the material item or user documentation that could affect the safety of the aircraft or the occupants of the aircraft.
- b. If a qualification loses its validity for a material item, then:
 1. it must be clearly indicated in the user documentation applicable to the material item concerned that the qualification is no longer valid; and
 2. the registration of the material item in accordance with NLD-SMAR 3.17.b must be revoked; and
 3. the air operator and all relevant organisational elements within the Ministry of Defence must be informed of this in accordance with NLD-SMAR 3.15.a.3.

GM NLD-SMAR 3.17.a

- a. This applies to all material that is intended to be regularly transported by an air operator as internal load and which meets one or more of the following

characteristics:

1. material that must be secured to more than two lashing points in the aircraft and is not transported under a cargo net results in a weight limit of 450kg for the CH-47 assuming the use of 5000lb lashing straps and the 8g requirement for load restraint, and a weight limit of 800kg for the C-130 assuming the use of 10000lb lashing chains and the 9g requirement for load restraint;
2. material that is transported in the active state during the flight, such as refrigerated containers, filled LOX containers, vehicles with active radio equipment. This does not include portable electronic devices (PEDs), such as laptops and mobile phones which may be brought along by the occupants as personal equipment or personal belongings;
3. material that is used as the whereabouts of occupants during the flight, for example a medevac container containing patients and medical personnel or a vehicle with a driver on board.

GM NLD-SMAR 3.17.d

This applies to incidental material. This is considered material belonging to the Dutch armed forces and only being offered as air-transportable material incidentally. In case of disagreement the MAA-NLD will determine the incidental character of the material.

GM NLD-SMAR 3.20.a

The C-130 and CH-47 Loading Manuals state that up to 50% of the restraint may be anchored to the unsprung part of a vehicle. As regards this point, the following must be observed:

1. The unsprung part of the vehicle may only be used for restraining the vehicle in the forward, rearward and/or sideward direction.
2. The lashing devices must be symmetrically attached to the left and right wheel suspension of an axle, as close as possible to the chassis attachment point. This is due to the strength of the wheel suspension and the limitation of the freedom of movement of the sprung part.
3. For newly introduced vehicles, the strength of the wheel suspension must be demonstrated. In case of legacy vehicles, for which the strength of the wheel suspension is unknown, it may be assumed that the collective strength of the suspension of all wheels on the vehicle is sufficient to provide 50% of the restraint and that the strength of the individual suspension points is proportional to their maximum axle load.

Example:

suppose a vehicle has three axles. The maximum axle load is 800 kg for the front axle, 1600 kg for the middle axle and 1600 kg for the rear axle as well. The total forward restraint on the unsprung part of the vehicle may not exceed 50% of the total forward restraint on the vehicle, in this case

distributed as up to 10% on the front axle, up to 20% on the middle axle and up to 20% on the rear axle.

GM NLD-SMAR 3.20.b

See GM NLD-SMAR 3.30.j.

GM NLD-SMAR 3.20.g.1

Emergency equipment prescribed in aviation requirement MAR-OPS primarily includes first aid kits, oxygen provisions, PPE, fire extinguishers, crash axe or crowbar and occupant flight equipment (ref MAR-OPS X.745, 760, 770, 775, 780, 790, 795 and 828) to the extent applicable to the aircraft type and operation.

Note: This specification is not necessarily complete. For a full overview, refer to MAR-OPS.

GM NLD-SMAR 3.20.j

It is sufficient for a passenger to only be able to see the emergency exit markings intended for that seat location from the sitting or standing position. It is not necessary for the markings to be visible from both positions.

GM NLD-SMAR 3.20.l

The air operator should include specific data in the Operations Manual that should be taken into account for the stretch of the lashing devices at the rated load and the freedom of movement (head strike envelope) of the seated people on board. The data for the stretch of the lashing devices at the rated load may come from the standards for the lashing devices or from measurements. The freedom of movement of the seated people is dependent on the characteristics of the belt system used and will have to be obtained from the MTCH.

When preparing the lashing plans, the operator will have to assess the 'high risk seating' on the basis of the provided data. Where possible, the use thereof will have to be prevented or controlled (cushions), and otherwise a substantiated request for an alternative standard operating procedure (NLD-SMAR 3.45) or an exemption must be submitted.

GM NLD-SMAR 3.20.q

Active systems can have a detrimental effect on the safe execution of flight, or may pose a danger to the occupants of the aircraft (during flight and/or during a crash). Such influences may include fire hazard, EMI/EMC, gas emissions, electric shocks, burning/freezing, etc.

When systems with these kinds of potential dangers must be active during the flight, the material must be qualified in accordance with NLD-SMAR 3.17.

In other cases, these types of systems must be deactivated. In most cases, switching the system 'off' is sufficient for deactivation. In some cases further steps may be required, such as when the 'off' mode actually switches to a standby mode. It may also be necessary to relieve pressure from a system or empty a reservoir, for example.

GM NLD-SMAR 3.25

The purpose of the registration and assessment is to gain insight into aspects for improvement in the existence and use of approved loading instructions, material qualifications and cooperation agreements. The registration records must be adequately specific to allow non-conformities to be traced to flight number, transported material and cargo supplier. The air operator needs to carry out a periodic assessment. Therefore it needs to reason this period.

It is expected that much of the required data is already registered in existing forms or systems, such as the weight and balance sheet.

The need to implement improvements will be determined on the basis of an assessment of risks versus available resources. The aim should be to manage the transport of regularly transported material to the greatest possible extent, within a reasonable period of time, through the use of approved loading instructions, qualifications and cooperation agreements. Priority will be given to the management of combi-transport.

The NLD-SMAR 3.25 requirement should be interpreted to mean that it is the responsibility of the air operator to manage improvements on the basis of periodic evaluations. Responsibility for updating loading instructions and material qualifications is borne by the air operator. However, it may be the supplier/owner of the cargo that performs a required improvement action. If in such a case an improvement action is not performed by the supplier/owner, then the air operator will have to take corrective measures, such as the introduction of additional restrictions on the transportation of the cargo in question or refusal of the cargo. The air operator is ultimately responsible for the transportation.

GM NLD-SMAR 3.30.h

Approved loading instructions should preferably provide sufficient flexibility for the air operator to maximise the likelihood that they can be carried out in practical circumstances. In particular, the available freedom in the positioning and configuration of the material should be specified. Of course, it is not the intention that detailed descriptions of all possible load variations be included in the procedure. Rather, it is the intention that the generic limitations with respect to passenger safety are provided for the position of the material. For example: 'Minimum distance between passengers and equipment = x metres', or 'No passengers permitted in front of the material'.

GM NLD-SMAR 3.30.j

In principle, approved loading instructions will be prepared in accordance with the provisions of NLD-SMAR 3. Deviation from this is only permitted if the MAA-NLD approves an alternative procedure for the transport of the concerned material in accordance with NLD-SMAR 3.45. This procedure will then have to be integrated into the approved loading instructions, including the corresponding applicable conditions. Following approval of the alternative procedure by the MAA-NLD, no further exemption is required for the use thereof.

GM NLD-SMAR 3.35.c

Standards accepted by the MAA-NLD are listed in table 1 (Note: this list is not exhaustive):

Other standards may be submitted to the MAA-NLD for approval. If no suitable standard for the application is available, a specification prepared for the specific purpose may also be submitted for acceptance.

Non-metal lashing devices, such as lashing straps and nets must comply with MAA-NLD AD12-001 fire safety requirements (JAR25.853 Ch 15 or later, or JAR29.853 Amdt 3 or later). Not all of the above standards include this, in which case these fire safety requirements must be stipulated additionally.

The applicable instructions for use and maintenance must be made known to the crew, for example by inclusion or reference in the operations manual. The instructions must include information such as the service life restrictions and the inspection and rejection criteria for the lashing devices.

For FAA TSO and EASA ETSO articles it may be assumed that they meet the requirements of the standard and no further proof is necessary. For other articles, compliance with the requirements of the standard or specification must be substantiated with proof (e.g. Certificate of Conformity, Declaration of Compliance, test reports). The supplier must provide this proof per batch.

Type of lashing device	Standard (Product markings)	Terminology for 'rated load' in accordance with NLD-SMAR 3.10
Lashing straps	FAA TSO C172	Rated ultimate load
	EASA ETSO C172	Rated ultimate load
	SAE AS 5385	Rated ultimate load
	ISO 16049	Rated ultimate load
	MIL-PRF-27260D (CGU-1/B)	Capacity
Lashing chains	MIL-DTL-25959E tensioners (MB1, MB2, CGU-3/E, CGU-4/E)	Capacity
	MIL-DTL-6458E chains	Capacity
Bow shackles		
Cargo nets (no certified pallet/net combinations)		
Other		

Table 1: Acceptable standards for lashing devices

GM NLD-SMAR 3.40.b

An evacuation route for passengers should, in principle, be suitable for use by a person with minor injuries without physical assistance or instruction from others and with only the light from the emergency lighting.

Limited instruction during the pre-flight safety briefing is allowed. The acceptability of loading configurations requiring a more thorough briefing or even an evacuation training should be established under the air operator's Passenger Transport Policy according to NLD-SMAR 300.

GM NLD-SMAR 3.40.b.2

The air operator should include specific data in the Operations Manual that should be taken into account for the stretch of the lashing devices at rated load. See also GM NLD-SMAR 3.20.I.

GM NLD-SMAR 3.40.b.3

In the event of ditching, the aircraft's floor may sink below the water level. In that case, lighting of the lashing devices on the floor is virtually impossible. Therefore, for over-water flights, more emphasis must be placed on the passenger safety briefing.

GM NLD-SMAR 3.45.a

- a. This article enables the air operator to take into account the military context of its operations. In the military context, operations must be performed under increased threat levels, under time pressure and/or with limited resources. The corresponding risks must be weighed against those risks strictly associated with aviation. This may lead to the need to establish alternative standard operating procedures in the Operations Manual that differ from the requirements of NLD-SMAR 3.

The MAA-NLD can approve these alternative procedures when the air operator is able to substantiate the need.

After approval of the alternative procedures, the approved procedures are added to the Operations Manual as standard operating procedures and may be utilised by the air operator at their own discretion subject to the applicable restrictions without the involvement of the MAA-NLD.

- b. The approval process followed by the MAA-NLD is similar to the process for granting an exemption. In case of a request for approval of alternative procedures, the requester must provide at least the following information:
1. A summary of the NLD-SMAR 3 requirements that cannot be complied with.
 2. A description of the intended operation, with emphasis on the specific details that conflict with the requirements of NLD-SMAR 3.
 3. A substantiation of the need for the aforementioned details.
 4. A substantiation, preferably quantitative, of why the aforementioned requirements cannot be complied with in the intended operation, including at least;
 - i. an indication of the negative effect on the operation if the requirements would be complied with; and
 - ii. an indication of the effort (time, money, capacity, etc.) that would be required to meet the design requirements, or to demonstrate that the design is already compliant.
 5. A description of mitigating means and restrictive conditions to offset or reduce the risks of the proposed alternative procedures.
 6. A proposed draft text for inclusion of the alternative procedures in the Operations Manual.
 7. Any other relevant information.
- c. Note: This article does not pertain to requests for an ad hoc temporary exemption. Refer to MAR-OPS 1.010 and MAR-OPS 3.010 for this. The specified MAR-OPS articles also cover the possibility that, in case of unforeseen urgent operational circumstances, the responsible commander reports a departure from the regulations after the mentioned circumstances. However, the use of temporary exemptions is not desirable when the air operator is regularly unable to comply with NLD-SMAR 3 requirements while operating in the military context. Also undesirable is a commander's repeated departure from the regulations, with reporting after the fact, at his own

initiative. The intention of NLD-SMAR 3.45 is that for regular cases, the air operator agrees on alternative standard operating procedures with the MAA-NLD so that the risks can be managed and the personnel can train and work in a uniform way.

GM Appendix 1 to NLD-SMAR 3.35 and 3.40

An example of the effect of the regulation could be that vehicles fitted with jerrycans containing fuel at the rear are preferably loaded in the aircraft facing forward (i.e. in the flight direction). As such, it is sufficient in a CH-47, for example, to secure the vehicle against 4g in the flight direction. If the vehicle were to be transported facing rearward, it would have to be secured against 8g in the flight direction. The latter is much more difficult to achieve.

Another example is the LOX transport container for the C-130, with a capacity of approximately 2000 litres of liquid oxygen. This container is one large critical system all on its own that can lead to fire and explosion in case of damage, thereby capable to destroy the entire aeroplane. This container, when filled with LOX, must be secured against 9g in the flight direction.

A special case is when a cargo item is positioned adjacent to another cargo item that contains a critical system. For example, two vehicles in a C-130, one behind the other, where the front vehicle (relative to the flight direction) has a jerrycan filled with fuel attached to the rear. In case of combi-transport, the rear vehicle must then be secured against 9g in the flight direction to protect the filled jerrycan.

As a final example, we consider the case of a vehicle that is being transported in a C-130 with a number of passengers located in front of it (relative to the flight direction). No evacuation route is required alongside the vehicle. In this case, it is sufficient for the vehicle to be secured against 9g towards the front and 1.5g to the side. However, suppose that a jerrycan filled with fuel is attached to the side of the vehicle. Because of this jerrycan, the restraint in the lateral direction must be increased to 3g. After all, the filled jerrycan is to be regarded as a critical system.

GM C-130H and C-130H-30 Requirements for load restraint b.2.

This obligation *not allowed to be reduced to 8g* is as a result of note BS2020014530 ('Antwoord op verzoek tot intrekking OD/MAA-NLD/12-001').