

Arbeitsring Lärm der DEGA

Informations- und Geschäftszentrum



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DG Environment
Knowledge, Risks & Urban Environment Unit
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Deutsche Gesellschaft für Akustik e.V.
Informations- + Geschäftszentrum des ALD
Voltastraße 5; Gebäude 10-6
13355 Berlin

Tel. (030) 340 60 38 02

Fax (030) 340 60 38 10

ald@ald-laerm.de

www.ald-laerm.de

Consultation on the evaluation of the Environmental Noise Directive

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Dear Madam, dear Sir,

in addition to our answers in the questionnaire we would like to add the following statements:

Proposals for the END improvement

- First of all: Repealing of the END would be a **disaster** for the European and the Member State noise control policy with an abruptness of a policy the effects of which are just starting to become more and more noticeable. Instead a revision of the END could contribute to a more effective noise control policy in the Union and the MS.
- The most important improvement of the END would be the introduction of EU **noise reception limits**. Short term limits should be based on the WHO criteria to avoid health risks due to noise. This would underline the importance of noise reduction for health in Europe and would make the noise policy more stringent.
- Thereby an approach for **combined effects** or sources should be introduced.
- The introduction of limits might be politically difficult. But at least **common European target values** should be introduced.
- Currently the noise policy is based on equivalent levels. The introduction of other indicators such as L_{max} **and the number of events** would allow a better abatement of sleep disturbances.

It seems necessary to explain this preference for European limits against the common argument for national targets according to the principle of subsidiarity:

Objective of the community policy is among others the creation of **equivalent living conditions** in Europe. All people in Europe shall live in a good environment, which is characterized by a high level of protection. This also includes that no European is affected by noise in his quality of life, especially not in his **physical integrity**. The noise

impact research has shown, that the health effects of noise **do not depend on nationality**. WHO-Europe has developed **Europe-wide valid objectives** for noise protection. European dose-effect relationships have also been established for annoyance. Therefore, it is logical that the protection against noise is a Community task, focusing not only on the setting of limits for noise emissions from products (car, tires, rolling stock, outdoor machinery, etc). The END is the first important **framework** for a comprehensive noise protection in the Union, which aims at the avoidance of adverse environmental impacts.

The responsibility of the Union for a common noise policy also stems from the policy fields of the Union that have an impact on noise. In particular, the **European transport policy** has important effects on the noise pollution. The development of trans-European transport networks leads to corridors with very high noise exposure; the critical situation in the Middle Rhine Valley as part of the Rail Corridor Rotterdam – Genoa illustrates this very well (see above).

The aim of Community policy is also, in accordance with the polluter pays principle to **internalize the external costs of transport**. This is only possible if there are European dose-cost functions as the basis for the application of economic instruments for noise protection.

Furthermore, European limits would be **self-binding** for the EU policy: When developing transport corridors, for example, the impact assessment must include an evaluation of the noise impairments on the basis of European targets or limits.

- For the implementation of action plans **mandatory** European **time frames** should be introduced. Otherwise the current arbitrary noise policy will continue. NAP should only be accepted if they comply with the END (Annex V). Sanctions should be introduced.
- The European Union should participate in the **funding** for noise abatement, especially for sources which need a common European approach such as the retrofitting of the existing rail bound freight fleet. The funding of the retrofitting of freight wagons by means of the "Connecting Europe Facility" funding is a good example.
- The END should become the **Framework Directive** for the European Noise Policy which integrates all the approaches to mitigate noise: at the sources, in the sound propagation path, at the receiver – by regulations, incentives, internalisation of external costs, operating restrictions and communication:
 - The END should establish a common philosophy, standards and approaches for the **noise emission regulations** (vehicles **and** infrastructure (the latter is – by the way – currently mostly not regulated). The approach for limits should be based on the "**best available techniques**", as prescribed for industrial plants (see the Integrated Pollution Prevention and Control Directive (IPPC, 2008/1/EC).
 - A common approach to noise-related **operating restrictions** should be established as well: Currently they exist only for air transport; but they are urgently needed for rail, among others as a support for retrofitting of the existing freight wagons (since Dec. 2012 Germany has introduced Noise Differentiated Track Access Charges NDTAC in order to stimulate the retrofitting of the noisy freight wagons with cast iron (CI) block brakes. It is the aim of the German Government to ban the operation

of CI-wagons by 2021 to support the acceptance and effectiveness of the NDTAC - but this would have to be compatible with European law). The proposals in the planned communication of the Commission on railway noise from freight trains would be helpful.

- The Commission White Paper 2011 "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system" aims at the full **internalisation of external transport costs** by 2020. Therefore, common methods for the determination of **external noise costs** as well as harmonized approaches for the **internalisation** of external transport noise costs are needed and should be addressed within the END.
- The END should be embedded in an **updated European Noise Control Strategy**. This could either be done by a revision of the Green Paper Future Noise Policy of 1996 or by drafting a White Paper Noise Control. In any case a broad discussion at the European level on the Future Noise Policy is desirable and should include a better participation of the NGO. Part of an updated European Noise Control Strategy should also be a better coordination among the different Directorates of the European Commission working on noise control.. DG Environment should have the lead management.
- A better integration of the END and **other policy fields** is required: Above all this concerns the EU transport policy. Noise Control should be one of the essential requirements to be observed in the development and implementation of the European transport policy.

Some noise-related measures (i.e. speed reduction, increased transport efficiency etc.) are also beneficial or relevant for other targets within the concept of **sustainable mobility** (air quality, safety etc.). A better coordination of the different policy fields could take advantage of these synergy effects.

Michael Jaecker-Cueppers
Vice-Chair Arbeitsring Laerm der DEGA