

Hannes **DESCAMPS**
Legal Counsel
Department for Environment, Nature & Energy

**Implementation of the
Directive 2002/49/EC
on Environmental Noise
in Belgium
(Flemish Region)**

Workshop on the Impact of Environmental Noise and
Environmental Noise Monitoring
Bucharest – 07/08 September 2006



Overview

1. Background
2. Objectives of the END
3. Scope
4. Noise Indicators
5. Strategic Noise Mapping
6. Action Plans
7. Implementation in Belgium
8. Conclusions



1. Background

Noise is an important local environmental problem in Europe; increasing number of complaints.

Sixth Community Environmental Programme:
"substantial reduction of the number of people regularly affected by long-term average levels of noise, in particular from traffic which, according to scientific studies, cause detrimental effect on human health, and preparing the next steps in the work with the noise directive."



1. Background

EC Environmental Noise Policy:

1. EU legislation relating to noise sources
 - Road traffic noise
 - Aircraft noise
 - Railway noise
 - Noise for equipment for use outdoors
2. 1996 Green Paper on Future Noise Policy
3. EU Noise Expert Network
4. Research activities (CALM)
5. 2002 Environmental Noise Directive



1. Background

The Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the **assessment and management** of environmental noise (Environmental Noise Directive or END)

Official Journal 18 July 2002

Transposition 18 July 2004

Phased approach

Role for competent authorities



2. Objectives

Aims to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to the exposure to environmental noise.

Aims at providing a basis for developing Community measures to reduce noise emitted by the major sources, in particular...□□



2. Objectives

To that end the following actions shall be implemented progressively:

- Determine exposure to environmental noise by common methods:
 - Common noise indicators and assessment methods
 - Strategic noise mapping
- Ensure that information on environmental noise and its effects is made available to the public
- Adoption of action plans by Member States
 - Preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health
 - Preserving environmental noise quality where it is good



3. Scope

END applies to environmental noise to which humans are exposed in particular in:

- built-up areas,
- public parks and quiet areas in an agglomeration,
- quiet areas in open country,
- near schools, hospitals, other noisesensitive buildings and areas.



3. Scope

Environmental Noise: unwanted or harmful outdoor sound created by human activities including: noise emitted by means of transport, road traffic, rail traffic, air traffic, and sites of industrial activity (IPPC)

Excluding: noise caused by the exposed person himself, by domestic activities, by neighbours, at work places, inside means of transport, due to military activities in military areas



4. Indicators

Member States shall use the noise indicators **Lden** and **Lnight**

- ☐☐ [Day min. 12 hours (7-19)
- ☐☐ Evening 2, 3 or 4 hours (19-13)
- ☐☐ Night min. 8 hours (23-7)]
- Supplementary possible
- ☐☐ Number of events; Lamax;SEL
- ☐☐ Etc.

Member States shall communicate any relevant limit values in force or under preparation, expressed in terms of Lden or Lnight



4. Noise Indicators

The values of these indicators shall be determined by means of the assessment methods (provisional computation methods).

Assessment methods

– Phase I

- ☐ ☐ Interim methods or equivalent methods
- ☐ ☐ Recommendation guidelines 6 August 2003

– Phase II

- ☐ ☐ Harmonised methods
- ☐ ☐ Harmonoise, Imagine projects (2006)



5. Strategic Noise Mapping

Phase I

- Noise maps due by 30th of June 2007
 - agglomerations $\geq 250,000$ inhab.
 - major civil airports $\geq 50,000$ movements/year
 - roads $\geq 6,000,000$ vehicles/year
 - railways $\geq 60,000$ trains/year



5. Strategic Noise Mapping

Phase II

Noise maps due by 30th of June 2012

- agglomerations $\geq 100,000$ inhab.
- roads $\geq 3,000,000$ veh./year
- railways $\geq 30,000$ trains/year

Review & revision every 5 years



5. Strategic Noise Mapping

Must be made for following contours (minimum requirements):

- L_{den} : 55-59, 60-64, 65-69, 70-74, ≥ 75
- L_{night} : 50-54, 55-59, 60-64, 65-69, ≥ 70



Information to public and action plans:

- Maps must be made available and disseminated to the public
- Graphical presentation
- Disclose exceeding of limit value
- Difference maps (current/future situations)
- MS may lay down rules on types & formats



5. Strategic Noise Mapping

In agglomerations

- emphasis on road traffic, rail traffic, airports, industrial activity sites
- other sources possible
- separate maps by source



6. Action plans

Phase I: 2008

Phase II: 2013

Revision every 5 years

Based on strategic noise maps

Mandatory consultation of the public about proposals (preparation & review)

Plans must be made available and disseminated to the public



6. Action plans

MS may define own limit values and other criteria triggering enforcement of mitigation measures

Measures within the plans are at the discretion of competent authorities

Should address priorities identified by exceeding of any relevant limit value or other criteria ...

Should apply to most important areas determined by strategic noise mapping

Should contain estimates on reduction of people annoyed, sleep disturbed, etc.

☐ EC may develop guidelines



7. Implementation in Belgium

- Belgium is a federal state
- Environment is competence of the **Regions** (Flanders, Brussels, Walloon Region)
 - Decision of the Flemish Government of 22 July 2005 relating to the assessment and management of environmental noise, amending the Decision containing general and sectoral provisions on environmental protection
 - Arrête du Gouvernement wallon du 13 mai 2004 concernant la gestion et l'évaluation du bruit
 - Ordonnance du Gouvernement Bruxelles Capitale du 01 avril 2004...



8. Conclusions

- The issue of environmental noise is high on the political agenda in Belgium (esp. the national airport case)
- The Environmental Noise Directive provides for a common approach and a basis for further measures
- Much discretion is left to the competent authorities, but need to adopt limit values and to provide information to the public.