



AEF response to European Commission Review of Directive 2002/30/EC: Noise Related Operating Restrictions

General Comment

Where as Directive 2002/30/EC relates to noise management at airports, the underlying European policy objective, as agreed by the Council in its 2006 strategy on sustainable development, is to aim to reduce *'transport noise both at source and through mitigation measures to ensure overall exposure levels minimize impacts on health'*. The forecasts to 2010 and 2015 provided by the Commission in its review of the Directive highlight that this is unlikely to be delivered in respect of aircraft noise, with increases predicted in the population exposed during both day and night periods. While this situation may not be reflected at every EU airport, it is our view that the Commission needs to strengthen the provisions of this Directive, and the Environmental Noise Directive 2002/49/EC (during its forthcoming 5 year review) to provide airports with greater flexibility and more stringent measures to meet the challenges.

Effectiveness of Directive 2002/30/EC

We believe that the Directive has had little or limited effectiveness to date. In fact, we would argue that it may even have delayed or constrained action by some airports. While it may appear coherent to take action on an airport-by-airport basis by limiting action to airports with, or anticipating, a noise problem, the Directive sets no noise thresholds. Without thresholds, the Directive succeeds only in harmonising a process without requiring common and equivalent action for all airports. Since it came into force, the AEF has argued that few airports in competitive situations would, voluntarily, impose operating restrictions. The response by airports to the Commission's survey provides evidence of this with both a low level of implementation and with some airports specifically citing competition as a reason for not proceeding.

We acknowledge that any operational regulation binding all EU airports (such as the short-lived "hushkit" Regulation) is likely to contradict ICAO's guidance on the balanced approach, but this would not prevent the EU from defining noise thresholds, above which airports would have a duty to respond. Without agreed EU-wide thresholds we believe that the Directive will continue to have a low level of utilisation and will do little to reverse the trend of increasing numbers of people being exposed.

The introduction of Directive 2002/49/EC is relevant but does little to help the situation. While it introduces mandatory noise mapping for airports with more than 50,000 air transport movements per annum, it also fails to define the thresholds for the drawing up of action plans. With many members states failing to define unreasonable noise exposure at a national level, local interpretation has led to a varied and patchy response by EU airport operators.

We would argue that sufficient scientific evidence already exists, in the form of guidance from the World Health Organisation (WHO) and more recent studies on night noise exposure by the European WHO, to determine these thresholds. This is probably most suited to an amendment of Directive 2002/49/EC, and we will use the opportunity presented by its 5 year review to argue for its introduction. Nevertheless, this review should note the problem: without thresholds we doubt that the potential effectiveness of Directive 2002/30/EC, or any future amendment, will be realised.

Specific Comments and Recommendations

Although the Directive sets out a framework for a balanced approach to noise management at airports we believe it is important that it retains its focus on operational restrictions. Of the four elements, reductions at source, while important, are very reliant on manufacturers and the standards set by ICAO. We were disappointed with the outcome of the relatively small increase in stringency for the Chapter 4 standard as a driver for the uptake of new technology, and believe without further proposals on the table, that it will be some time before a new tier of stringency can be agreed by ICAO. With many operational procedures such as CDA already rolled out in the UK, and with limited scope to use land use planning (especially given the added complexity of emerging policies to protect tranquil areas), operational restrictions are likely to be an important component of any amelioration plan.

It is important to keep pressure on both ends of the aircraft noise spectrum, complementing and speeding up the introduction of quieter technologies by accelerating the retirement (or influencing the use) of noisier aircraft types. Noise exposure trends over recent decades show the benefit that came from the Chapter 2 phase out at EU airports.

The existing cumulative margin of -5 EPNdB has become out-dated. The original priority was to define marginally-compliant Chapter 3 aircraft to enable the hush-kit Regulation to be withdrawn whilst delivering the same result. Few such aircraft exist (around 1% of the fleet using EU airports according to the Commission's analysis) as many re-certified aircraft will now be around 40 years old. While there are younger marginally-compliant aircraft, originally certificated to Chapter 3 standards, still in service, the potential benefits of an operational phase-out at any given airport are limited. However, as shown in the Commission's analysis, by increasing the cumulative margin to -10 EPNdB the number of qualifying aircraft using EU airports rises to almost 10%.

We would argue that as a minimum there is a strong case for amending the definition in the Directive to -10 EPNdB in line with the Commission's scenario 3. We say at a minimum, because the benefits according to the Commission's forecasts appear limited with little difference in exposure compared to the "no change" scenario (although individual events would undoubtedly become perceptibly quieter). While we are aware of ICAO's guidance that Chapter 4 should not be used as the basis for operating restrictions, we believe that going beyond a cumulative reduction of -10 EPNdB will be a necessity for effective action.

On a technical point, we note that using certified as opposed to actual data has led to several concerns, notably in the application of noise quotas at the London airports. While we again appreciate that this is compliant with ICAO guidance, it serves to undermine

confidence in noise measures and can erode the benefits. We would welcome a discussion on how the Directive could be amended to overcome this difficulty.

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