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Consultation of the European Union Agency for Railways (ERA) on the draft of the limited revision of the TSI relating to the subsystem rolling stock – noise (TSI Noise) in order to make it applicable to the existing freight wagons

Position of the Noise Control Association of the German Acoustic Society (ALD)

As a German NGO, the ALD aims at the improvement of the noise protection in Germany and Europe. We thank the ERA for the opportunity to comment on the planned application of the TSI Noise to the existing freight wagon fleet. Our main positions on the draft TSI are:

1. The ALD welcomes this extended application as an important step to ban the operation of the freight wagons with traditional braking technique (Cast Iron brake blocks CI). It is an important step for the accelerated reduction of rail noise in Europe.
2. The ALD is strongly in favor of the application of the TSI Noise limits to the existing fleet as early as possible. This would be the most effective and transparent approach.
3. To ban the operation of the CI wagons on certain – or even all - lines of the European network is in our view less suited to eliminate the CI wagons. The ALD rejects the planned concept of the Quieter Routes, as this will lead to only a limited reduction of rail noise for the population.
4. Noise exposure from rail freight operation causes health risks, not only along the important rail freight corridors in Europe. Therefore, the immediate reduction of the exposures is indispensable. The ALD cannot accept scenarios or options that delay the complete elimination of CI wagons to the year 2030.

The reasons for our positions are as follows:

Options for the application of the TSI Noise to the existing freight wagons

There is a wide consensus that noise reduction for the freight wagons is the most important measure. The introduction of noise emission limits for new railway vehicles in 2006 was the first important step to eliminate the freight wagon with CI brakes (mainly by using the K-blocks). As the freight fleet renewal is slow, it was also clear that the existing fleet must be addressed as well if one would not accept to delay this renewal up to 2050. A viable technical solution for that is available since 2013 with the homologation of the LL-blocks.

In 2013, the EU started a subsidy programme for the retrofitting of existing freight wagons within the framework of the Connecting Europe Facility (CEF). In the first call subsidies for the retrofitting of 17.098 wagons were granted, in the second call this increased to 120.855 wagons of 7 Europe wide operating wagon keeper companies with a total subsidy amount of 27,6 Mio. €. The programmes will be implemented in 2020 at the latest (European Commission 2018).

Furthermore, in 2015 the European Commission proposed a two-step-approach (European Commission 2015) for the application of the TSI Noise to existing wagons, starting with the internationally operating wagons, then with all other wagons.

The current draft of the revision (ERA 2018b) does no longer contain this approach. Instead the concept of the “Quieter routes” is proposed, where only wagons in conformity with the TSI Noise are allowed to operate. “Quieter routes” are parts of the European railway network with an average number of more than 12 freight trains during the night and a minimal length of 20 km.

Switzerland and some Member States (Germany, Netherlands) have started retrofitting programmes for the existing wagons. Germany will spend 152 Mio. € between 2013 and 2020 (in the form of mileage dependent boni). The programme is open to all wagon keepers with operation in Germany. The most important German wagon keepers (DB Cargo, VPI undertakings) with a total of 120.000 wagons have committed themselves to operate only “quiet wagons” by the end of 2020. Additionally in 2017, Germany passed a law forbidding operation of CI wagons from 2021 on. Exempted are non-scheduled services running on lines where the noise reception limits of the German Verkehrslärmschutzverordnung (Traffic Noise regulation for new or substantially upgraded lines) are complied with (for residential areas nighttime equivalent sound pressure levels of not more than 49 dB(A) outdoors) or with a reduced speed thus complying with the emissions of quiet wagons.

Switzerland introduced a ban for CI Wagons by 2020.

The Impact Assessment of ERA (ERA 2018c) distinguishes between two forms of “Quieter routes”: either parts of the network or the authorization for the Member States to introduce bans for the complete national network.

General application of the TSI Noise limits to existing wagons

Due to the achieved or expected progress in retrofitting, the early withdrawal of the certifications for CI wagons seems to be the most effective option. It would give a clear signal to all wagon keepers and railway undertakings. It would urge them to apply for retrofitting programmes and Member States could start funding. The CEF means for the third call could be increased (with a funding quota of 50 % instead of currently 20 % of the eligible costs, as already in discussion).

The implementation of this option is less complicated than the identification and monitoring of admissible lines and transport relations within the proposed “Quieter routes”- approach.

The ALD supports a withdrawal date by 2021. This would allow Germany to renounce its act for the ban of noisy wagons (which would not easily be implemented). At least the original timetable of the Commission should be applied: 2022 for internationally operating wagons, 2026 for all wagons.

Network or line related ban of CI wagons

The ALD thinks that the proposed “Quieter route” approach has considerable deficits. 12 trains with CI wagons generate an equivalent night level of around 69 dB(A) in 25 m distance (assumptions: 500 m length, speed of 100 km/h, ballast bed with concrete sleepers, average quality of the rail running surface, no measures in the sound propagation path). But the noise effect research identifies 55 dB(A) as threshold for evident health risks. Due to the slow revised identification of the quieter routes every five years, traffic on the non-quieter routes will increase leading to even higher exposures for a long time. The level of protection is below the German definition of accessible lines with nighttime reception limits of 49 dB(A). With the additional requirement of a minimum quieter route length of 20 km the number of persons with high exposure will further increase.

The concept generates a high logistic burden to infrastructure managers and railway undertakings for the implementation and supervision of admissible routes within the networks.

A ban of the whole network would have the same effect as a license withdrawal of CI wagons. Instead, the authorization of the Member State to ban the complete national network could be an acceptable option (possibly in the German form to avoid EU legal problems).

Immediate reduction of the exposures

The exposures along the European railway lines are still too high and often considerably above the thresholds for health risks - despite the implementation of mitigation programmes in many Member States. The Charta of Fundamental Rights of the European Union grants: “Everyone has the right to respect for his or her physical and mental integrity” (Art. II-63 (1)). Neglecting this right on the non-quieter routes or the delay of implementation not before 2030 (as planned for certain options) can therefore not be accepted. Furthermore, the ALD is very concerned about the methodology to derive cost-benefit-ratios within impact assessments by simply monetarizing health effects. In our view this is not compatible with the individual right of integrity.



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