Current Noise Discussion in Europe

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Fraport

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EU will Nacht wieder zum Tag machen

Frankfurter Flugverbot in Gefahr

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Offenbach ▪ Nach dem Urteil des Bundesverwaltungsgerichts zum Ausbau des Frankfurter Flughafens ist das letzte Wort noch längst nicht gesprochen: Mit Sorge blicken die Fluglärm-Gegner in der Region nämlich nach Brüssel, wo die Europäische Kommission an einer Verordnung arbeitet, mit der das hart erkämpfte Nachtflugverbot gekippt werden könnte.

Bislang ist der Lärmschutz in der EU nur in einer Richtlinie geregelt, deren Umsetzung Sache der Mitgliedsstaaten ist. EU-Verordnungen haben indes unmittelbare Rechtskraft und lassen nationale Bestimmungen und Gerichtsurteile, wie das zum Nachtflugverbot, wirkungslos werden. Der geplanten Verordnung zufolge sollen Beschränkungen auf Flughäfen nur nach Abwägung mit Wirtschaftsinteressen erlaubt sein, eine dem Lärmschutz geschuldete Betriebsbeschränkung, wie sie ein Nachtflugverbot darstellt, dürfe nie als erstes Mittel eingesetzt werden.

Die Verordnung, die für Fluglärm-Gegner eindeutig die Handschrift der Luftverkehrslobby trägt, wird nach Informationen des rheinland-pfälzischen Umweltministeriums derzeit im Umwelt- und Verkehrsausschuss des Europaparlaments beraten. In Mainz geht man davon aus, dass sie bis Jahresende verabschiedet werden kann.

Deutschland hat sich in einer sogenannten Subsidiaritätsrüge dagegen ausgesprochen. Die Regelung sei überflüssig und ein nicht gerechtfertigter Eingriff in die Befugnisse der Mitgliedsstaaten. Über Betriebsbeschränkungen und Lärmschutz sei allein von den Mitgliedsstaaten anhand örtlicher Gegebenheiten zu entscheiden. Die Wirkung einer solchen Rüge ist begrenzt: Je nachdem wie viele Staaten sie aussprechen, muss die EU-Kommission sie „berücksichtigen“, überprüfen oder – wenn die Auffassung im Rat oder im Europäischen Parlament mehrheitlich geteilt wird – die geplante Verordnung von der Agenda der Gesetzgebung streichen. Meist bleibt es bei Variante 1.

Im Hessischen Verkehrsministerium sieht man dem Plan entspannt entgegen. Das Prinzip der Abwägung von Interessen gelte bislang schon, neu sei lediglich, dass die EU ein Prüfrecht habe. Falls doch der Lärmschutz tangiert werde, könne man Subsidiaritätsklage erheben.

Ähnlich wird der EU-Vorstoß von Vertretern der Fraport gewertet. In Gesprächen mit unserer Zeitung hatten sie darauf verwiesen, dass die geplante Neuregelung lediglich formalen Charakter habe. Eine Einschränkung, die die Initiativen gegen den Fluglärm nicht leiden dürften.

ICAO's Noise Policies

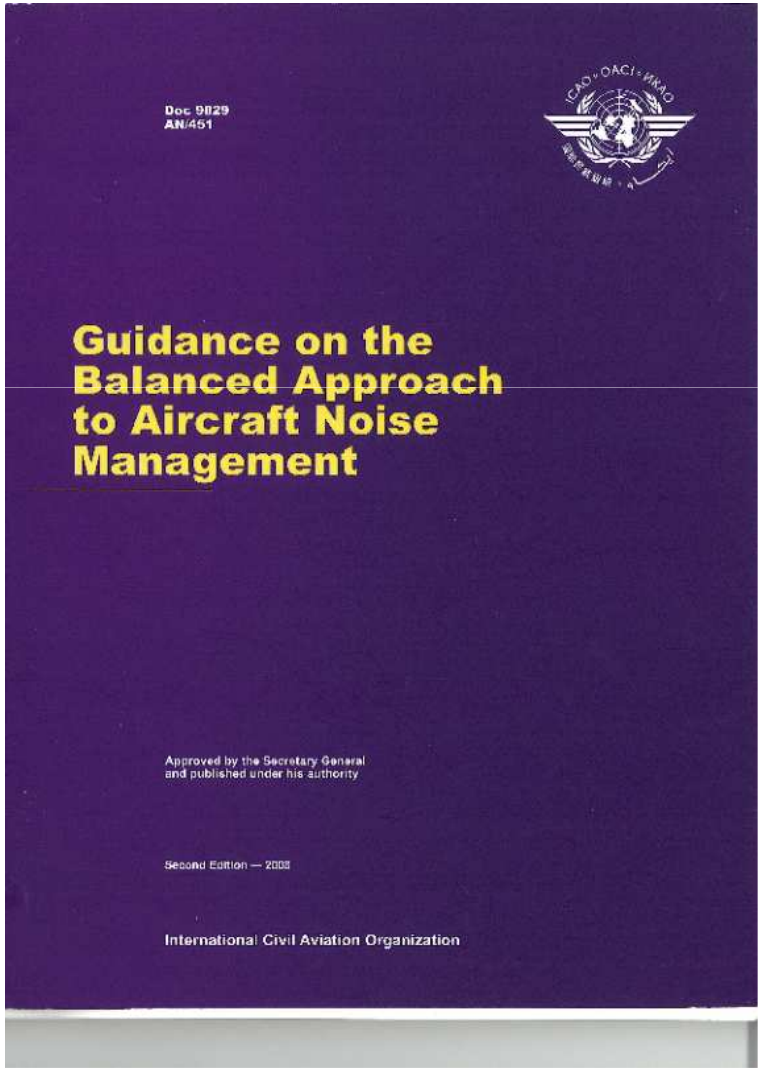
Aircraft operating restrictions were first considered in 1990. The Assembly established a global phase-out of Chapter 2 aircraft. States were allowed to impose restrictions on non Chapter 3 aircrafts (over 25 years old). The phase-out was implemented between 1995 and April 1, 2002. No operation restrictions were allowed on Chapter 3 aircraft. So the phase-out addressed the concept of aircraft economic life.

In 2001 the question of phase-out of Chapter 3 aircraft surfaced again along with a new standard of Chapter 4. CAEP had to analyse in detail on the benefits. The result was no global phase-out of Chapter 3 aircraft (limited environmental benefits, but extreme costs). Instead ICAO endorsed the concept of the Balanced Approach (ICAO, Appendix C of Assembly Resolution A33-7).

Legal Framework I – Balanced Approach

ICAO:

1968 Assembly Resolution A16-3: Aircraft noise in the vicinity of airports
2001 Assembly Resolution A33-7, Appendix C
2007 Assembly Resolution A36-22, Appendix C
2008 Doc 9829: Guidance on the Balanced Approach to Aircraft Noise Management
2011 Annex 16, Vol. I, Part III, IV, V: Standards and Recommended Practices on noise around airports



Legal Framework II – Balanced Approach

Europe:

Directive 2002/30: On the establishment of rules and procedures with regard to the introduction of noise-related operational restrictions at Community airports
Including flight restriction on marginal Chapter 3 a/c (-5 dB cumulative)

Airport Package (2011-2013):
(under revision to: *On the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at European airports within the Balanced Approach*)
Including flight restriction on marginal Chapter 3 a/c (-8/-10 dB cumulative)

Germany:

Luftverkehrsgesetz (LuftVG, 2012), §29b:
Protection of people, empathies on night time

Objectives

Can be achieved by adopting a flexible, consistent and transparent process when assessing noise objectives and alleviation measures, including:

- Airport by airport approach
- Use of objective and measurable criteria
- Consultation with stakeholders (collaborative approach)
- Timely and adequate notification of decisions
- Planning Security

Procedure to Define the Optimal Measures:

- ❖ Process Owner: relevant authority (regulator)
- Prove of a/c noise problem
- Assessment of the current and future noise impacts
- Evaluation of costs and env. benefits
- Selection of measures (environmental benefit + cost-effectiveness)
- Achieve transparency of evaluated measures
- Consultation with stakeholders (operators that use the airport)
- Provision for dispute resolution

Concept and Elements

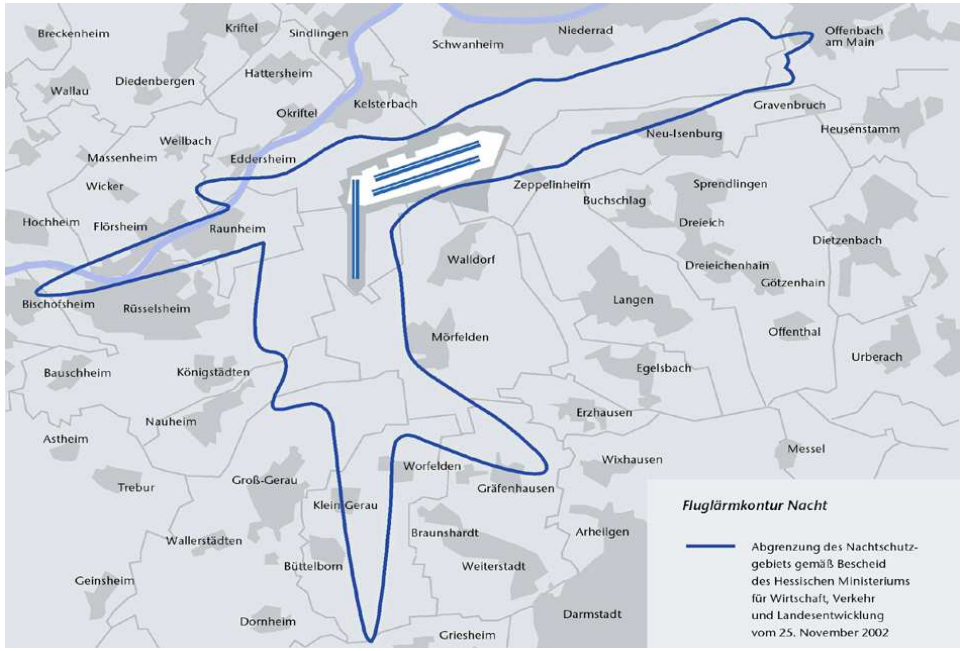
- Aim is to maintain operational capacity at an airport
- Assessment of noise situation
- Four principal elements:
  - Reduction of noise at source
  - Land-use planning and management
  - Noise abatement operational procedures
  - Operational restrictions on aircraft
- Analysis and selection of measures
  - Interrelationships

Concept and Elements 1
Assessment of Noise Situation

- Identify noise problem
  - Noise sensitive areas
  - Critical hours

- Define noise objective
  - Types of aircraft,
  - Temperature
  - procedures

- Tools/procedures useful for assessing:
  - Noise contours
  - Noise index
  - Baseline (year)
  - Management plans



Concept and Elements 2
Four Main Elements
I. Reduction of Noise at Source

Certification: ICAO, Annex 16, Vol. 1, Part 2

- Today operational standard is Chapter 3 worldwide
- Today certification standard is Chapter 4 (Chapter 4+ in 2016?)
- Expensive research and development costs
- High investment costs for airlines
- Operational time of a/c about 25-30 years

II. Land-use Planning and Management

Airport Planning Manuel, Part 2, (Doc 9184)
Harmonizing land-use and airport activities

Ensuring at existing airports that further residential developments do not endanger reduction on noise already achieved (prevention method)

Conversion of incompatible land-use

III. Noise Abatement Operational Procedures

Safety requirements (!)
Procedures to minimize noise load under the flight path (inbound, outbound), residential areas
Ground operation of a/c and a/c services

- Relatively low costs

Examples:

- Run-ups areas or facilities
- GPUs, APU, PCA
- Reverse trust
- Descent operations: low drag – low power / CDO
- Differential runway use
- Aerobridges & Hydrant refueling reducing ground movement

IV. Operational Restrictions

ICAO requirement: Last resort due to impacts of operational restrictions

Bans and restrictions have negative impact on airport capacity and traffic flow (a/l networks, connectivity)

Night flight restrictions have negative economic impacts – not only on local level, but also on regional, national and international level

Examples:

- Brussels (Belgium) DHL: super hub in Europe, loss of 1.500 direct jobs
- \+ Liege (France) TNT: main European hub

Concept and Elements 3
Analysis and Selection of Measures

- Follows comparative economic analysis based on “best practice” evaluation techniques / methods
  - CDM (cooperate decision making), sensitivity analysis

- To achieve maximum environmental benefits in the most cost-effective manner

- Combinations of measures can be necessary to achieve noise objectives

- Interrelationships must be taken into account
  - Between different main elements of BA
  - Between noise and emissions (trade-off noise, CO2, NOx)

Appropriateness of Measures

The concept of noise reduction is based on stirring a/c operations and environmental impacts in the vicinity of an airport.

The appropriateness of the chosen measure/s has to be in direct relation to the needed mitigation.

Securing operation is the final task, there are different, but appropriate measures to all noise problems.

Each measure has to be valued (environmentally, socially and economically) regarding long term planning security for all stakeholders at the airport.

Not well covered in the BA

- Noise Monitoring, Flight Tracking
- Complaints Management
- Community Relations
- Communications – Publications, Website, Meetings
- Community Outreach – Education, Projects

Conclusions

Civil Aviation has a wide range of stakeholders whose needs must be considered

Balancing environmental and economic needs should be at the starting point for any discussions on measures

Managing noise to secure operational capacity

Foresighted zoning laws and their stringent implementation have been a strong tool for preventing future noise effects

Implementing operational restrictions should be a last resort (essence of ICAO’s Balanced Approach, Doc 9829, Chapter 7.1.3)


“Those with responsibilities must look ahead and solve the problems of tomorrow today.”
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