



A Position Paper
from
Working Group 7

The Implications for Directive 2000/14/EC resulting from the Study on Lawnmower Noise Reduction

Working Group 7 has produced this position paper as an input to the preparation of the report that the Commission is required to give to the European Parliament and Council concerning the Directive on the approximation of the laws of the Member States

The Directive obliges the Commission to submit a report to the European Parliament and to Council concerning whether and to what extent technical progress allows a reduction in the limit values shown at Stage I for lawnmowers and lawn trimmers/ lawn edge trimmers.

Executive Summary:

1 The Commission Working Group 7 on Outdoor Equipment, with the exception of UK, EGMF and CECE recommends that the Commission Services should:

Propose to the European Parliament and Council that Stage II be implemented in its entirety.

UK, EGMF and CECE support a later implementation of the Stage II indicative permissible levels

2 The Commission Working Group 7 on Outdoor Equipment further proposes that, without prejudice to other activities relating to proposed legislation, particularly with respect to ongoing work on air quality and product safety for the user, the Commission services should consider that lawnmowers, lawn trimmers/lawn edge trimmers be included in a Stage III as foreseen in Article 20 (1) (c) with values to be confirmed at a later date.

Advisory Note:

Readers would be best served by having a copy of the Directive 2000/14/EC at their disposal while reading this short report since it is not WG7 intention to reproduce the readily available text. The Directive in question is on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors.

1. BACKGROUND

The Directive obliges the Commission to “submit a report to the European Parliament and to Council concerning whether and to what extent technical progress allows a reduction in the limit values shown at Stage I for lawnmowers and lawn trimmers/lawn edge trimmers” - Article 20 (3).

During the time between reaching the Common Position after second reading and the publication of the Directive, the Commission services created a more formal group of experts from the basic set of informal contacts used over the previous years. This is characterised below.

1.1. Who's Who

The Commission Working Group 7 on Outdoor Equipment is often referred to as WG 7. Its Members are listed below:

MEMBERS of the WG7

NAME	FORENAME	ORGANISATION	E-MAIL
BILLI Chairman of the working group	Giorgio	Ministero dell'ambiente e del territorio	Giorgio.billi@unacoma.it
BORDIAK	Greg	PNEUROP	Greg.bordiak@virgin.net
BUCKLE	Fran	Department of Trade and Industry	fran.buckle@dti.gov.uk
DUSSAUGEY	Cosette	FEM	cosette.dussaugey@mtps.org
IRMER	Volker	Umweltbundesamt	Volker.irmer@uba.de
JACQUES	Jean	CEN Consultant for Noise	Jean.jacques@inrs.fr
MOTTARD	Guy	Ministère de l'écologie et du développement durable	Guy.mottard@environnement.gouv.fr
PAPADOYANNAKIS	Michail	European Commission DG ENTR.G.3	Michail.Papadoyannakis@cec.eu.int
PIXLEY	Miles	CECE	miles.pixley@jcb.com
ROSS	Brian	European Commission DG ENV.C.1	Brian.Ross@cec.eu.int
TETTEROO	Peter	EGMF	petertetteroo@compuserve.com
WERRING	Frank	Ministerie van VROM	Frank.Werring@minvrom.nl

1.2. Study on available technology

The method used to develop the study was as follows:

Originally an open call for tender was issued under the title: A study into the available technology offering noise reduction for lawnmowers as presented to the European Union market.

Subsequently CENTRE TECHNIQUE DES INDUSTRIES MECANIQUES (CETIM) of France was selected from the tenderers and, with some delay beyond the one year limit, the “CETIM report” was delivered and immediately circulated to WG7 and shortly afterwards the report was available to all on a web page.

(See <http://europa.eu.int/comm/environment/noise/home.htm>)

The CETIM report was also specifically sent to the Member States’ representatives of the Noise Committee set up by Article 18 of Directive 2000/14/EC, and to the members of the Environmental Noise Steering Group with requests for comments by 17 May 2002.

Comments were received by the Commission services from the following bodies and then further circulated to WG 7:

WG7 Members:

UK, D, EGMF

Other stakeholders:

OPEC (UK)

1.3. WG 7's contribution

The WG7 focussed on two points from its Terms of Reference (see Annex) in its work, namely:

1. Establish appropriate mechanisms to provide a report concerning whether and to what extent technical progress allows a reduction of limit values for lawnmowers and lawn trimmers/lawn edge trimmers;

and

4. Provide advice to the Commission with respect to the conclusions and amendments on the need and the possibilities for revision of the limit values laid down taking into account the technological development.

The issues of noise emission of lawnmowers were discussed in several meetings.

The CETIM report was procured against a technical annex, developed by WG7 thereby ensuring a level of supervision.

The CETIM report and other reports made available to the working group and the subsequent commentaries were studied using a working grid that was produced by the Chairman, who proposed four options to tackle the specific challenge.

Option 1. Retain Stage I - Do not implement Stage II for the lawnmower and lawn trimmers/lawn edge trimmers categories;

Option 2. Implement Stage II;

Option 3. Modify Stage II by setting environmentally tougher permissible sound power levels;

Option 4. Reconsider the present categories of lawnmowers and lawn trimmers/lawn edge trimmers.

A preliminary draft position paper was circulated by the Chair, so that WG7 had the opportunity to offer improvements and seek consensus by creating a draft position paper from the preliminary version. The draft position paper was then circulated to WG7 in due time for a one topic meeting leading to the present document.

2. OBSERVATIONS OF WG 7

Firstly and in general, the consensus appears to be that the CETIM Report adequately describes the current situation with regard to the lawnmower noise problem, but might have not been aware of some of the nuances of the fragmented market and on the noise abatement measures already in use or applicable in the future.

WG7 felt it was necessary to reconsider the reference base to be used for establishing new limits.

One approach could be to select the known quietest machines as the reference for the envisaged development, leading to environmentally ambitious limit setting. It was felt that this approach might be too severe, as it would be based on models whose penetration of the market is not so well known.

The simple arithmetic average of all the values proposed by the various interest groups would be an immediate and intuitive reference, but the proportion of machines that are claimed to exceed the limits set in the now repealed Directive 84/538/EEC would contribute to the resulting value. This method does not offer much credibility. No one would want to argue that systematic failures to meet limits set by a Directive during the last 18 years is a suitable argument to define a reference. Nor would this average give any information about the potential noise reduction.

In order to take a balanced approach between extremely quiet values and seemingly almost unregulated values WG7 tried to evaluate noise reduction measures more generally used in low noise equipment available on the market which would give all manufacturers the possibility of meeting the permissible sound power levels of Stage II as proposed in the Directive.

WG7 further discussed the value of the correlation between measured and guaranteed values and used Part 4 of the “Position Paper on Guidelines for the application of 2000/14/EC”. The available data show a reasoned value of $K = 1$.

As a consequence of the general observations, WG7 dealt with the Chairman’s proposed options:

2.1. Option 1: Retain Stage I

This is clearly feasible technically.

Option 1 is rejected by WG7.

2.2. Option 2: Implement Stage II

The originators of the repealed Directive 84/538/EEC wished to stop access to the market of the worst and noisiest models and to give common access mechanisms to the market for the quieter equipment. 16 years later the originators of Directive 2000/14/EC confirmed the permissible sound power levels of the repealed Directive as Stage I and, adding lower indicative permissible sound power levels for Stage II, pointed out that a reduction of noise emission was wanted.

According to the CETIM report, new models in production in 2004/2005 can obtain a 2 to 3 dB reduction in emission levels, thus a 2 dB reduction of permissible sound power levels compared to the Stage I values is considered as feasible in 2006.

WG7, except UK, EGMF and CECE, endorses that approach.

UK, EGMF and CECE considered that according to their reading of the CETIM report summary and conclusions, only some electric lawnmowers should be subject to a 2 dB reduction of permissible levels by 2006. All others under consideration should not be subject to a 2 dB reduction of permissible levels until 2010.

2.3. Option 3: Modify Stage II by setting environmentally tougher permissible sound power levels.

The reality is that Stage II offers to reduce the new permissible sound power levels by 2 dB i.e. equipment shall make less noise. The values that are more stringent in the 3 cutting widths under discussion have been well signalled since 1999.

The Directive requires the collection of data and periodic reviews. This mechanism should be respected and used.

WG7 is not yet in the position to justify any further improvements.

The notion of eventually having a future Stage III, as yet undated, had some resonance in WG7.

Option 3 is rejected by WG7.

2.4. Option 4: Reconsider the present categories

WG7 considered the alternative characteristics which could be used to categorise the equipment under review such as internal combustion engine, electric motor, ride on or walk behind. No workable alternative to the cutting width characteristics could be found at this time.

Option 4 is rejected by WG7.

3. WG7'S PROPOSALS

3.1 The Commission Working Group 7 on Outdoor Equipment, with the exception of UK, EGMF and CECE recommends that the Commission Services should:

Propose to the European Parliament and Council that Stage II be implemented in its entirety.

UK, EGMF and CECE support a later implementation of the Stage II indicative permissible levels

3.2 The Commission Working Group 7 on Outdoor Equipment further proposes that, without prejudice to other activities relating to proposed legislation, particularly with respect to ongoing work on air quality and product safety for the user, the Commission services should consider that lawnmowers, lawn trimmers/lawn edge trimmers be included in a Stage III as foreseen in Article 20 (1) (c) with values to be confirmed at a later date.

Terms of Reference

Commission Working Group 7 on Outdoor Equipment

A Commission Working Group is hereby set up; it shall consist of representatives appointed by the Member States, Local Authority networks, NGOs, Industry, Commission services and a Member State representative as chairman. The Commission Working Group shall draw its own rules of procedure. The Commission Working Group shall:

1. Establish appropriate mechanisms to provide a report concerning whether and to what extent technical progress allows a reduction of limit values for lawnmowers and lawn trimmers/lawn edge trimmers. (Within 24 months of the entry into force of the Directive, the Commission has to submit the report to Council and to EP.) Thus adequate budgetary proposals shall be made;
2. Exchange information and experiences concerning the implementation and practical application of the existing Directives preceding the “Directive of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the noise emission by equipment used outdoors” and discuss matters of common interest in those fields;
3. Assist the Commission in the adaptation to the technical progress of Annex III of the Directive covering the method of measurement of airborne noise emitted by equipment for use outdoors, i.e. improvement of standards (solving fundamental problems for CEN);
4. Provide advice to the Commission with respect to the conclusions and amendments on the need and the possibilities for revision of the limit values laid down taking into account the technological development;
5. Provide a statement setting out an integrated range of instruments to be used in continuing the reduction of noise by equipment for use outdoors;
6. Investigate the connection between emission and perception; development of a philosophy for limit setting based on the contribution to the improvement of the quality of life/reduction of nuisance.