



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

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Opinion

Title

Impact Assessment on a Proposal for a Regulation on Rules and Procedures with regard to the introduction of Noise-related Operating Restrictions at EU Airports

(resubmitted draft of 24 June 2011)

(A) Context

Directive 2002/30/EC (hereinafter "the Directive") is the legislative foundation of a balanced approach to noise management at EU airports. The Directive aims to facilitate the introduction of operating restrictions in a consistent manner at airport level so as to limit or reduce the number of people affected by the harmful effects of noise. It lays down common rules and procedures for the introduction of such restrictions at Community airports to safeguard environmental protection in a way that is compatible with internal market requirements. The common framework includes rules on the noise assessment process, which has to be carried out prior to the introduction of noise related operations restrictions (noise-related actions that limit or reduce access of jet aeroplanes to airports). The Directive sets rules on the introduction of operating restrictions aimed at the withdrawal of marginally compliant aircraft (hereinafter MCA), defined as aeroplanes that have a cumulative margin of no more than 5 decibels in relation to Chapter 3 certification limits. The rules aim to ensure optimal targeting of operating restrictions on the noisiest aircraft.

(B) Overall assessment

The revised report has improved but still needs further work on a number of issues. Firstly, the report should provide a clearer description of the problems that this initiative addresses by focusing on the deficiencies of the main instruments of the Directive, i.e. the rules for operating restrictions, and for withdrawal of MCA. Secondly, it should strengthen the description of key aspects of the policy options, and provide a clear rationale for the specific combinations of policy parameters that have been proposed. Thirdly, the report should provide a clearer overview of the expected impacts. Finally the report should provide clearer references to the different views of stakeholder groups, throughout the report.

In its written exchange with the Board DG MOVE accepted to revise the report in line with the recommendations of this opinion.

(C) Main recommendations for improvement

(1) Provide a clearer and more focused problem description. The report should present the concrete problems this initiative intends to address (including the underlying problem drivers) more clearly. It should explicitly state that the scope of the initiative is limited to improving the functioning of the existing Directive, and more in particular, the functioning of the two main instruments (the set of rules and procedures for the introduction of operating restrictions at Community airports, and the specific rules aimed at the withdrawal of MCA). The report should bring out more clearly the deficiencies of the current Directive, and explain how this initiative relates in practice to the Environmental Noise Directive (2002/49/EC).

(2) Better describe core elements of the options. The report should better explain the trade-offs between stringency of the MCA definition, the length of the phasing-out period and the proposed procedural arrangements, and provide a clear rationale for the specific combinations of policy parameters that have been proposed. It should more clearly demonstrate that the design of these options is based on considerations of cost-efficiency. With regard to Policy Options 3 and 4, the report should better explain the specific roles envisaged for the Commission. It should also better assess (i) the need for suspension or authorization powers, (ii) their proportionality and (iii) the impacts in terms of administrative costs.

(3) Present the impacts more clearly. The report should clarify the link between the evidence presented in the impacts section and the qualifications in the summary table (Table 10). It should explain why the expected impact on employment (and other economic indicators) is limited. It should also emphasise that the options are designed to reduce or limit noise pollution or at least to maintain existing noise protection standards. It should also indicate which part of the administrative costs will fall on private operators, public entities, and others involved parties. It should summarise in a table the comparison of options in terms of efficiency, effectiveness and coherence, and more clearly explain the arguments on which the choice of the preferred option is based.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

The report should provide clearer references to the input of different stakeholder groups, throughout the report, including those contributions that are critical of existing policy arrangements or certain aspects of the options presented. The consequences of noise for human health should be mentioned under social impacts, with reference to the more extensive assessment under environmental impacts.

(E) IAB scrutiny process

Reference number	2008/MOVE/054
External expertise used	No
Date of Board Meeting	Written procedure. Earlier versions of this report were submitted to the IAB in 2008, for which the Board has issued opinions on 15 July and 9 October 2008.