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COVER NOTE

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COMMISSION DIRECTIVE ../.../EU

of XXX

establishing common noise assessment methods according to Directive 2002/49/EC

(Text with EEA relevance)

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of **XXX**

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise¹, and in particular Article 6, paragraph 2 thereof,

Whereas:

- (1) According to its Article 1, the aim of Directive 2002/49/EC is to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. To that end the Member States shall determine the exposure to environmental noise, through noise mapping, by methods of assessment common to the Member States, shall ensure that information on environmental noise and its effects is made available to the public and shall adopt action plans based upon noise-mapping results, with a view to preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health, and to preserving environmental noise quality where it is good.
- (2) According to Article 5 of Directive 2002/49/EC, Member States shall apply the noise indicators (L_{den} and L_{night}) referred to in Annex I of that Directive for the preparation and revision of strategic noise mapping in accordance with Article 7.
- (3) According to Article 6 of Directive 2002/49/EC, the values of the noise indicators (L_{den} and L_{night}) shall be determined by means of the assessment methods defined in Annex II of that Directive.
- (4) According to Article 6 of Directive 2002/49/EC, the Commission shall establish common assessment methods for the determination of the noise indicators L_{den} and L_{night} through a revision of Annex II.
- (5) According to Article 7 of Directive 2002/49/EC, Member States shall ensure that strategic noise maps are made no later than 30 June 2007 and 30 June 2012 and thereafter reviewed, and revised if necessary, at least every five years.

¹ OJ L 189, 18.7.2002, p. 12.

- (6) Directive 2002/49/EC provides for action plans to be based on strategic noise maps. Strategic noise maps shall be drawn up with the common assessment methods when these methods have been adopted by Member States. However, Member States may use other methods to design measures addressing priorities identified by using the common methods as well as for assessment of other national measures to prevent and reduce environmental noise.
- (7) In 2008, the Commission launched the development of the common noise assessment methodological framework through the project "Common Noise Assessment Methods in the EU" ("CNOSSOS-EU") led by its Joint Research Centre. The project was carried out in close consultation with the Committee established under Article 18 of Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors, and other experts from Member States. Its results were published in the JRC Reference Report on CNOSSOS-EU².
- (8) The Annex to this Commission Directive sets out the common assessment methods. Member States are required to use these methods from 31 December 2018 onwards.
- (9) The assessment methods provided for in the Annex to this Directive are, according to its Article 2, paragraph 1, to be adopted by 31 December 2018 at the latest and until that date Member States may, according to Article 6, paragraph 2 of Directive 2002/49/EC, continue to use the existing assessment methods that they have previously adopted at the national level.
- (10) In accordance with Article 12 of Directive 2002/49/EC, the Commission shall adapt Annex II to technical and scientific progress.
- (11) Apart from the adaptation to scientific and technical progress in accordance with Article 12 of Directive 2002/49/EC, the Commission shall endeavour to modify the Annex based on the experience from Member States.
- (12) The common assessment methods are also to be used for the purpose of other EU legislation where that legislation refers to Annex II of Directive 2002/49/EC.
- (13) The measures provided for in this Directive are in accordance with the opinion of the Committee established under Article 13 of Directive 2002/49/EC.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II of Directive 2002/49/EC is replaced by the text set out in the Annex to this Directive.

² Common Noise Assessment Methods in Europe (CNOSSOS-EU) – JRC Reference Report, EUR 25379 EN. Luxembourg: Publications Office of the European Union, 2012, - ISBN 978-92-79-25281-5

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2018 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

*For the Commission
On behalf of the President
Karmenu VELLA
Member of the Commission*