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S.I. No. 140/2006 — Environmental Noise Regulations 2006

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Environmental Noise Regulations 2006

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by sections 6, 53 and 106 of the Environmental Protection Agency Act 1992 (No. 7 of 1992), as amended by Part 2 of the Protection of the Environment Act 2003 (No. 27 of 2003), for the purpose of giving effect to Council Directive 2002/49/EC relating to the assessment and management of environmental noise (¹) hereby makes the following Regulations: -

Citation

1 These Regulations may be cited as the Environmental Noise Regulations 2006.

Entry into Force

2 These Regulations shall come into operation on the 3rd day of April 2006.

Interpretation

3 (1) In these Regulations, unless the context otherwise requires:-

“acoustical planning” means controlling future noise by planned measures, such as land-use planning, systems engineering for traffic, traffic planning, abatement by sound-insulation measures and control of noise sources;

“the Act” means the Environmental Protection Agency Act 1992 ;

“action plan” means a plan designed for the purpose of managing noise issues and their effects, including noise reduction if necessary;

“action planning authority” has the meaning assigned by article 7;

“the Agency” means the Environmental Protection Agency established under Section 19 of the Environmental Protection Agency Act 1992 (No. 7 of 1992);

“agglomeration of Cork” means the restricted area of Cork as specified in the First Schedule to the Air Pollution Act 1987 (Marketing, Sale and Distribution of Fuels) Regulations 1998 (S.I. No. 118 of 1998);

“agglomeration of Dublin” means the county borough of Dublin, the administrative county of Dun Laoghaire/Rathdown other than those areas excluded in the First Schedule to the Air Pollution Act 1987 (Marketing, Sale and Distribution of Fuels) Regulations 1998 (S.I. No. 118 of 1998), and the administrative counties of Fingal and South Dublin;

“airport authority” means an airport authority established under Section 6 of the State Airports Act (No. 32 of 2004);

“the Commission” means the Commission of the European Communities;

“the Directive” means Council Directive 2002/49/EC relating to the assessment and management of environmental noise;

“environmental noise” means unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity including those defined in Annex I to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevent and control (²);

“Iarnród Éireann” means the company charged with the management, operation and development of Ireland's rail network under the Transport (Re-organisation of Coras Iompair Éireann) Act 1986 (No. 31 of 1986);

“L_{den}” (day-evening-night noise indicator) means the noise indicator for overall annoyance, as further defined in the First Schedule;

“L_{day}” (day-noise indicator) means the noise indicator for annoyance during the day period, as further defined in the First Schedule;

“L_{evening}” (evening-noise indicator) means the noise indicator for annoyance during the evening period, as further defined in the First Schedule;

“L_{night}” (night-time noise indicator) means the noise indicator for sleep disturbance, as further defined in the First Schedule;

“major road” means a national, regional or international road which has more than three million vehicle passages per year;

“major railway” means a railway line which has more than 30,000 train passages per year;

“major airport” means a civil airport which has more than 50,000 movements per year, excluding those movements purely for training purposes on light aircraft; in this context, “a movement” means a single take-off or landing of an aircraft;

“the Minister” means the Minister for the Environment, Heritage and Local Government;

“national authority” has the meaning assigned by article 5;

“National Roads Authority” means the body established under Section 16 of the Roads Act 1993 (No. 14 of 1993);

“noise-mapping” shall mean the presentation of data on an existing or predicted noise situation in terms of a noise indicator, indicating breaches of any relevant limit value in force, the number of people affected in a certain area, or the number of dwellings exposed to certain values of a noise indicator in a certain area;

“noise-mapping body” has the meaning assigned by article 6;

“quiet area in an agglomeration” means an area, delimited by an action planning authority following consultation with the Agency and approval by the Minister, where particular requirements on exposure to environmental noise shall apply;

“quiet area in open country” means an area, delimited by an action planning authority following consultation with the Agency and approval by the Minister, that is undisturbed by noise from traffic, industry or recreational activities;

“Railway Procurement Agency” means the body established under Section 9 of the Transport (Railway Infrastructure) Act 2001 (No. 55 of 2001);

“road authority” has the meaning assigned by the Roads Act 1993 (No. 14 of 1993), as amended by the Local Government Act 2001 (No. 37 of 2001); and

“strategic noise map” means a map designed for the assessment of noise exposure in a given area.

(2) In these Regulations:-

- (a) any reference to an article or sub-article which is not otherwise identified is a reference to an article or sub-article of these Regulations;
- (b) a reference to a schedule which is not otherwise identified is a reference to a schedule of these Regulations;
- (c) a letter, word, phrase or symbol which has been assigned a meaning by the Directive, or is used in the Directive, has that meaning where the context requires except where otherwise indicated; and
- (d) a reference to a standard shall mean the use or application of the most recent revision of that standard.

Objective and Scope

- 4 (1) These Regulations provide for the implementation in Ireland of a common approach within the European Community intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.

- (2) These Regulations shall apply to environmental noise to which people are exposed, in particular in built up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, near hospitals, and near other noise-sensitive buildings and areas.
- (3) These Regulations shall not apply to noise caused by an exposed person, noise from domestic activities, noise created by neighbours, noise at work places, noise inside means of transport, or noise due to military activities in military areas.

**National
Authority**

- 5 (1) The Environmental Protection Agency shall be the designated national authority for the purposes of these Regulations.
- (2) The Agency shall exercise general supervision over the functions and actions of noise-mapping bodies and action planning authorities, and provide guidance or advice to such bodies and authorities, where necessary.
- (3) For the purposes of these Regulations, the powers conferred on the Agency by section 63 of the Act in relation to local authorities shall be exercisable by the Agency in relation to all bodies to whom noise-mapping functions are assigned in article 6.
- (4) The Agency shall submit to the Commission the information required in accordance with Article 10(2) of the Directive.

**Noise-
Mapping
Bodies**

- 6 The following shall be designated noise-mapping bodies for the purpose of making and approving strategic noise maps: -
 - (a) for the agglomeration of Cork, Cork City Council and Cork County Council;
 - (b) for the agglomeration of Dublin, Dublin City Council and the County Councils of Dun Laoghaire/Rathdown, Fingal, and South Dublin;
 - (c) for major railways, Iarnród Éireann or the Railway Procurement Agency, as appropriate, on behalf of the action planning authority or authorities concerned;
 - (d) for major roads:-
 - (i) where such roads are classified as national roads in accordance with Section 10 of the Roads Act 1993 (No. 14 of 1993), the National Roads Authority, on behalf of the action planning authority or authorities concerned, and
 - (ii) other than those provided for in sub-paragraph (i), the relevant road authority or authorities, as appropriate; and

- (e) for major airports, the relevant airport authority, on behalf of the action planning authority or authorities concerned.

**Action
Planning
Authorities**

- 7 The following shall be designated action planning authorities for the purpose of making and approving action plans, in consultation with the Agency and the noise-mapping body for the noise-map involved: -
- (a) for the agglomeration of Cork, Cork City Council and Cork County Council;
 - (b) for the agglomeration of Dublin, Dublin City Council and the County Councils of Dun Laoghaire/Rathdown, Fingal, and South Dublin;
 - (c) for major railways, the local authority or local authorities within whose functional area or areas the railway is located;
 - (d) for major roads, the relevant local authority or local authorities within whose functional area or areas the road is located; and
 - (e) for major airports, the local authority or local authorities within whose functional area the airport is located.

**Noise
Indicators**

- 8 (1) The noise indicators L_{den} and L_{night} , as set out respectively in Parts I and II of the First Schedule, shall be used by noise-mapping bodies for the preparation or revision of strategic noise maps in accordance with article 10.
- (2) (a) Pending provision for common assessment methods for the determination of L_{den} and L_{night} , as foreseen by Article 5(1) of the Directive, noise indicators and related data used by a noise-mapping body shall be subject to prior approval by the Agency.
- (b) Data approved by the Agency under paragraph (a) shall be not more than three years old and shall be converted into L_{den} and L_{night} .
- (3) Supplementary noise indicators may be used in special circumstances, such as those set out in Part III of the First Schedule, subject to approval by the Agency.
- (4) The Agency shall, as soon as possible after the coming into operation of these Regulations, submit to the Commission the information required in accordance with Article 5(4) of the Directive.

**Assessment
Methods**

- 9 Pending adoption of common assessment methods for the determination of L_{den} and L_{night} , as foreseen by Article 6(2) of the Directive, noise-mapping bodies shall use the assessment methods recommended in Part II of the Second Schedule.

**Strategic Noise
Maps**

- 10 (1) The noise-mapping body or bodies concerned shall, no later than 30 June 2007, make a strategic noise map for each of the following areas, in respect of the calendar year 2006:-

- (a) the agglomeration of Dublin;
 - (b) a major road which has more than 6 million vehicle passages per year;
 - (c) a major railway which has more than 60,000 train passages per year; and
 - (d) a major airport.
- (2) Without prejudice to sub-article (1), the noise-mapping body or bodies concerned shall, no later than 30 June 2012, make a strategic noise map or revised map, as appropriate, for each of the following areas, in respect of the calendar year 2011:-
- (a) an agglomeration with more than 100,000 inhabitants;
 - (b) a major road; and
 - (c) a major railway.
- (3) Strategic noise maps shall satisfy the minimum requirements set out in the Third Schedule.
- (4) Noise-mapping bodies shall co-operate, as appropriate, with their counterparts in neighbouring Member States of the European Communities with regard to the strategic noise mapping of border areas.
- (5) A noise map shall be reviewed by the noise-mapping body and, if necessary, revised not later than five years after the date on which it was made, or earlier where requested by the Agency.
- (6) Noise-mapping bodies shall ensure that information required for the purpose of article 5(4) is sent to the Agency no later than one month after the date on which a map or revised map is made.

Action Plans

- 11 (1) The action planning authority or authorities concerned shall, no later than 18 July 2008, following consultation with the Agency, make an action plan for each of the following areas:-
- (a) the agglomeration of Dublin;
 - (b) places near a major road which has more than 6 million vehicle passages per year;
 - (c) places near a major railway which has more than 60,000 train passages per year; and
 - (d) places near a major airport.
- (2) Without prejudice to sub-article (1), the action planning authority or authorities

concerned shall, no later than 18 July 2013, following consultation with the Agency, make an action plan or revised action plan, as appropriate, for each of the following areas:-

- (a) an agglomeration with more than 100,000 inhabitants;
 - (b) places near a major road, and
 - (c) places near a major railway.
- (3) (a) Subject to prior consultation with the Agency and to paragraph (b), the action planning authority or authorities concerned, as the case may be, shall determine the measures to be included in an action plan.
- (b) Each action plan shall address priorities which:-
- (i) may be identified on the basis of exceedances of any relevant noise limit value or other relevant criteria established by the Agency in accordance with sub-article 4, and
 - (ii) shall, in the first instance, address the most important area or areas, as the case may be, established by strategic noise mapping.
- (4) Without prejudice to any relevant statutory limit value for noise, the Agency may, following consultation with noise-mapping bodies and action planning authorities, establish other relevant criteria for action plan priorities for road-traffic noise, rail-traffic noise, aircraft noise around airports and noise on industrial activity sites, and shall, no later than 18 July 2013, inform the Minister, the Minister of Transport and the Commission of such criteria.
- (5) Action plans shall:
- (a) satisfy the minimum requirements set out in the Fourth Schedule.
 - (b) aim to protect quiet areas.
- (6) Action planning authorities shall ensure that:-
- (a) the public are consulted on proposals for action plans;
 - (b) the public are given early and effective opportunities to participate in the preparation and review of action plans;
 - (c) the results of public participation are taken into account in finalising action plans or reviews of action plans;
 - (d) the public are informed of the decisions taken in relation to action plans;

- (e) reasonable time-frames are adopted to allow sufficient time for each stage of public participation.
- (7) (a) Action planning authorities shall be responsible for the review and, where necessary, revision of action plans.
- (b) An action plan shall be reviewed and, if necessary, revised:
- (i) in the event of a material change in environmental noise in the area concerned,
 - (ii) if requested by the Agency, or
 - (iii) not later than five years after the date on which it was made or last reviewed.
- (8) Action planning authorities shall co-operate, as appropriate, with their counterparts in neighbouring Member States of the European Communities with regard to the drawing up and approval of action plans for border areas.
- (9) Action planning authorities shall ensure that, for the purpose of article 5(4), a summary of each action plan or revised action plan is sent to the Agency no later than one month after the date on which the action plan or revised action plan, as the case may be, was made.

Access to Information

- 12 (1) Noise mapping bodies and action planning authorities shall, in accordance with the provisions of the [European Communities Act 1972](#) (Access to Information on the Environment) Regulations 1998 ([S.I. No. 125 of 1998](#)), make strategic noise maps and action plans available to the public and disseminate them by any appropriate means, including through the use of available information technologies.
- (2) Information for the public on noise maps and action plans shall be clear, comprehensive and accessible, and shall include a summary of the most important points.
- (3) Strategic noise-maps and action plans shall be made available to the public no later than one month after the date on which they are made.

Reporting

- 13 (1) The Agency, following consultation with noise-mapping bodies, action planning authorities and the Minister, shall:-
- (a) as soon as possible after the coming into operation of these Regulations, and
 - (b) on 30th June 2010 and at five year intervals thereafter,

inform the Commission of all agglomerations with more than 250,000 inhabitants, all major roads which have more than 6 million vehicle passages per year, all major railways which have more than 60,000 train passages per year,

and all major airports within the territory of the State.

- (2) The Agency, following consultation with noise-mapping bodies, action planning authorities and the Minister, shall, no later than 31 December 2008, inform the Commission of all agglomerations, all major roads and all major railways within the territory of the State.

FIRST SCHEDULE

NOISE INDICATORS

Part I

Definition of the day-evening-night level L_{den} .

The day-evening-night level L_{den} in decibels (dB) is defined by the following formula:



in which:

- L_{day} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the day periods of a year,
- $L_{evening}$ is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the evening periods of a year,
- L_{night} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the night periods of a year;

in which:

- the day is 12 hours, the evening four hours and the night eight hours. The Agency may decide to shorten the evening period by one or two hours, and lengthen the day and/or the night period accordingly, provided its decision is the same for all noise sources; the Agency shall provide the Commission with information on any systematic difference from the default option,
- the Agency shall decide the start of the day, and consequently the start of the evening and the start of the night; the respective default values shall be 07.00, 19.00 and 23.00 local time. The Agency's decision shall be the same for all noise sources;
- a year is a relevant year as regards the emission of sound and an average year as regards the meteorological circumstances;

and in which:

- the incident sound is considered, which means that no account is taken of the sound that is reflected at the facade of the building under consideration (as a general rule, this implies a 3 dB correction in case of measurement).

The height of the L_{den} assessment point depends on the application:

- in the case of computation for the purpose of strategic noise mapping in relation to noise exposure in and near buildings, the assessment points must be $4,0 \pm 0,2$ m (3,8 to 4,2 m) above the ground and at the most exposed facade; for this purpose, the most exposed facade will be the external wall facing onto and nearest to the specific noise source; for other purposes other choices may be made,
- in the case of measurement for the purpose of strategic noise mapping in relation to noise exposure in and near buildings, other heights may be chosen, but they must never be less than 1,5 m above the ground, and results should be corrected in accordance with an equivalent height of 4 m,
- for other purposes such as acoustical planning and noise zoning other heights may be chosen, but they must never be less than 1,5 m above the ground, for example for:
 - rural areas with one-storey houses,
 - the design of local measures meant to reduce the noise impact on specific buildings,
 - the detailed noise mapping of a limited area, showing the noise exposure of individual buildings.

Part II

Definition of the night-time noise indicator

The night-time noise indicator L_{night} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the night periods of a year;

in which:

- the night is eight hours as defined in Part 1,
- a year is a relevant year as regards the emission of sound and an average year as regards the meteorological circumstances, as defined in Part 1,
- the incident sound is considered, as laid down in Part 1,

- the assessment point is the same as for L_{den} .

Part III

Supplementary noise indicators

In some cases, in addition to L_{den} and L_{night} , and where appropriate L_{day} and $L_{evening}$, it may be advantageous to use special noise indicators. Some examples are:

- the noise source under consideration operates only for a small proportion of the time (for example, less than 20 % of the time over the total of the day periods in a year, the total of the evening periods in a year, or the total of the night periods in a year),
- the average number of noise events in one or more of the periods is very low (for example, less than one noise event an hour; a noise event could be defined as a noise that lasts less than five minutes; examples are the noise from a passing train or a passing aircraft),
- the low-frequency content of the noise is strong,
- L_{Amax} , or SEL (sound exposure level) for night period protection in the case of noise peaks,
- extra protection at the weekend or a specific part of the year,
- extra protection of the day period,
- extra protection of the evening period,
- a combination of noises from different sources,
- quiet areas in open country,
- the noise contains strong tonal components,
- the noise has an impulsive character.

SECOND SCHEDULE

ASSESSMENT METHODS FOR THE NOISE INDICATORS

Part I

Introduction

The values of L_{den} and L_{night} can be determined either by modelling or by measurement (at the assessment position). For predictions only computation is applicable.

Provisional computation and measurement methods are set out in Parts II and III.

Part II

Recommended Interim computation methods for L_{den} and L_{night}

The following methods are recommended:

For INDUSTRIAL NOISE: ISO 9613-2: 'Acoustics — Abatement of sound propagation outdoors, Part 2: General method of calculation'.

Suitable noise-emission data (input data) for this method can be obtained from measurements carried out in accordance with one of the following methods:

- ISO 8297: 1994 'Acoustics — Determination of sound power levels of multisource industrial plants for evaluation of sound pressure levels in the environment — Engineering method',
- EN ISO 3744: 1995 'Acoustics — Determination of sound power levels of noise using sound pressure — Engineering method in an essentially free field over a reflecting plane',
- EN ISO 3746: 1995 'Acoustics — Determination of sound power levels of noise sources using an enveloping measurement surface over a reflecting plane'.

For AIRCRAFT NOISE: ECAC.CEAC Doc. 29 'Report on Standard Method of Computing Noise Contours around Civil Airports', 1997. Of the different approaches to the modelling of flight paths, the segmentation technique referred to in section 7.5 of ECAC.CEAC Doc. 29 will be used.

For ROAD TRAFFIC NOISE one of the following methods is recommended:

- the UK national computation method 'Calculation of Road Traffic Noise (CRTN), Department of Transport - Welsh Office, HMSO, London, 1988. This method shall be adapted as set out in paragraph 2.1 of Annex II to the Directive.
- the French national computation method 'NMPB-Routes-96 (SETRA-CERTU-LCPCSTB)', referred to in 'Arrêté du 5 mai 1995 relatif au bruit des infrastructures routières, Journal Officiel du 10 mai 1995, Article 6' and in the French standard 'XPS 31-133'. For input data concerning emission, these documents refer to the 'Guide du bruit des transports terrestres, fascicule prévision des niveaux sonores, CETUR 1980'.

For RAILWAY NOISE one of the following methods is recommended:

- the UK national computation method 'Calculation of Rail Noise (CRN), Department of Transport, HMSO, London, 1995. This method shall be adapted as set out in paragraph 2.1 of Annex II to the Directive.
- the Netherlands national computation method published in 'Reken- en Meetvoorschrift Railverkeerslawaaï '96, Ministerie Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer, 20 November 1996'.

These methods must be adapted to the definitions of L_{den} and L_{night} .

Part III

Interim measurement methods for L_{den} and L_{night}

The measurement method may be defined on the basis of the definition of the indicator and the principles stated in ISO 1996-2: 1987 (Amd 1:1998) and ISO 1996-1:2002.

Measurement data in front of a façade or another reflecting element must be corrected to exclude the reflected contribution of this façade or element (as a general rule, this implies a 3 dB correction in case of measurement).

THIRD SCHEDULE

MINIMUM REQUIREMENTS FOR STRATEGIC NOISE MAPPING

1. A strategic noise map is the presentation of data on one of the following aspects:
 - an existing, a previous or a predicted noise situation in terms of a noise indicator,
 - the exceeding of a limit value,
 - the estimated number of buildings, schools and hospitals in a certain area that are exposed to specific values of a noise indicator,
 - the estimated number of people located in an area exposed to noise.
2. Strategic noise maps may be presented to the public as:
 - graphical plots,
 - numerical data in tables,

- numerical data in electronic form.

3. Strategic noise maps for agglomerations shall put a special emphasis on the noise emitted by:

- road traffic,
- rail traffic,
- airports,
- industrial activity sites, including ports.

4. Strategic noise mapping will be used for the following purposes:

- the provision of the data to be sent to the Commission in accordance with article 5(4) and the Fifth Schedule,
- a source of information for the general public in accordance with article 12,
- a basis for action plans in accordance with article 11(3).

Each of those applications requires a different type of strategic noise map.

5. Minimum requirements for the strategic noise maps concerning the data to be sent to the Commission are set out in paragraphs 1.5, 1.6, 2.5, 2.6 and 2.7 of the Fifth Schedule.

6. For the purposes of informing the general public in accordance with article 12 and the development of action plans in accordance with article 11(3), additional and more detailed information must be given, such as:

- a graphical presentation,
- maps disclosing the exceeding of a limit value,
- difference maps, in which the existing situation is compared with various possible future situations,
- maps showing the value of a noise indicator at a height other than 4 m where appropriate.

The Agency may lay down rules on the types and formats of these noise maps.

7. Strategic noise maps for local or national application must be made for an

assessment height of 4 m and the 5 dB ranges of L_{den} and L_{night} as required in the Fifth Schedule.

8. For agglomerations separate strategic noise maps must be made for road-traffic noise, rail-traffic noise, aircraft noise and industrial noise. Maps for other sources may be added.

FOURTH SCHEDULE

MINIMUM REQUIREMENTS FOR ACTION PLANS

1. An action plan must at least include the following elements:
 - a description of the agglomeration, the major roads, the major railways or major airports and other noise sources taken into account,
 - the authority responsible,
 - the legal context,
 - any statutory limit values in place,
 - a summary of the results of the noise mapping,
 - an evaluation of the estimated number of people exposed to noise, identification of problems and situations that need to be improved,
 - a record of the public consultations organised in accordance with article 11(6),
 - any noise-reduction measures already in force and any projects in preparation,
 - actions which the action planning authorities intend to take in the next five years, including any measures to preserve quiet areas,
 - long-term strategy,
 - financial information (if available): budgets, cost-effectiveness assessment, cost-benefit assessment,
 - provisions envisaged for evaluating the implementation and the results of the action plan.

2. The actions which the action planning authorities intend to take in the fields within their competence may for example include:
 - traffic planning,
 - land-use planning,

- technical measures at noise sources,
- selection of quieter sources,
- reduction of sound transmission,
- regulatory or economic measures or incentives.

3. Each action plan should contain estimates in terms of the reduction of the number of people affected (annoyed, sleep disturbed, or other).

FIFTH SCHEDULE

DATA TO BE SENT TO THE COMMISSION

The data to be sent to the Commission are as follows:

1. For agglomerations

- 1.1 A concise description of the agglomeration: location, size, number of inhabitants.
- 1.2 The responsible authority.
- 1.3 Noise-control programmes that have been carried out in the past and noise-control measures in place.
- 1.4 The computation or measurement methods that have been used.
- 1.5 The estimated number of people (in hundreds) living in buildings that are exposed to each of the following bands of values of L_{den} in dB 4 m above the ground on the most exposed facade: 55-59, 60-64, 65-69, 70-74, > 75, separately for noise from road, rail and air traffic, and from industrial sources. The figures must be rounded to the nearest hundred (e.g. 5 200 = between 5 150 and 5 249; 100 = between 50 and 149; 0 = less than 50).

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in buildings that have:

- special insulation against the noise in question, meaning special insulation of a building against one or more types of environmental noise, combined with such ventilation or air conditioning facilities that high values of insulation against environmental noise can be maintained,
- a quiet façade, meaning the façade of a building at which the value of L_{den} four metres above the ground and two metres in front of the façade, for the noise emitted from a specific source, is more than 20 dB lower than at the façade having the highest value of L_{den} .

An indication should also be given on how major roads, major railways and major airports as defined in Article 3 of the Directive contribute to the above.

- 1.6 The estimated total number of people (in hundreds) living in buildings that are exposed to each of the following bands of values of L_{night} in dB 4 m above the ground on the most exposed façade: 50-54, 55-59, 60-64, 65-69, > 70, separately for road, rail and air traffic and for industrial sources. These data may also be assessed for value band 45-49 before the date laid down in Article 11(1) of the Directive.

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in buildings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,
- a quiet façade, as defined in paragraph 1.5.

It must also be indicated how major roads, major railways and major airports contribute to the above.

- 1.7 In case of graphical presentation, strategic maps must at least show the 60, 65, 70 and 75 dB contours.
- 1.8 A summary of the action plan covering all the important aspects referred to in the Fourth Schedule, not exceeding ten pages in length.

2. For major roads, major railways and major airports

- 2.1 A general description of the roads, railways or airports: location, size, and data on the traffic.
- 2.2 A characterisation of their surroundings: agglomerations, villages, countryside or otherwise, information on land use, other major noise sources.
- 2.3 Noise-control programmes that have been carried out in the past and noise-control measures in place.
- 2.4 The computation or measurement methods that have been used.
- 2.5 The estimated total number of people (in hundreds) living outside agglomerations in buildings that are exposed to each of the following bands of values of L_{den} in dB 4 m above the ground and on the most exposed façade: 55-59, 60-64, 65-69, 70-74, > 75.

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in buildings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,

- a quiet façade, as defined in paragraph 1.5.
- 2.6 The estimated total number of people (in hundreds) living outside agglomerations in buildings that are exposed to each of the following bands of values of L_{night} in dB 4 m above the ground and on the most exposed façade: 50-54, 55-59, 60-64, 65-69, > 70. These data may also be assessed for value band 45-49 before the date laid down in Article 11(1) of the Directive.

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in buildings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,
 - a quiet façade, as defined in paragraph 1.5.
- 2.7 The total area (in km²) exposed to values of L_{den} higher than 55, 65 and 75 dB respectively. The estimated total number of buildings (in hundreds) and the estimated total number of people (in hundreds) living in each of these areas must also be given. Those figures must include agglomerations. The 55 and 65 dB contours must also be shown on one or more maps that give information on the location of villages, towns and agglomerations within those contours.
- 2.8 A summary of the action plan covering all the important aspects referred to in the Fourth Schedule, not exceeding ten pages in length.

Given under the Official Seal of the
Minister for the Environment, Heritage
and Local Government this 29th day of
March 2006.

DICK ROCHE

Minister for the Environment, Heritage
and Local Government.

Explanatory Note

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations transpose EU Directive 2002/49/EC relating to the assessment and management of environmental noise. The Directive aims to provide a common framework to avoid, prevent or reduce, on a prioritised basis, the harmful effects of exposure to environmental noise.

For the purposes of these Regulations, environmental noise means unwanted or harmful outdoor sound created by human activities, including noise emitted by means of

transport, road traffic, rail traffic, air traffic, and from sites of industrial activity including those defined in Annex I to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control. Types of noise not included are noise that is caused by the exposed person, noise from domestic activities, noise created by neighbours, noise at workplaces or noise inside means of transport or due to military activities in military areas.

The Regulations set out a two-stage process for addressing environmental noise. Firstly, noise must be assessed through the preparation of strategic noise maps for areas and infrastructure falling within defined criteria, e.g. large agglomerations, major roads, railways and airports. Secondly, based on the results of the mapping process, the Regulations require the preparation of noise action plans for each area concerned. The fundamental objective of action plans is the prevention and reduction of environmental noise.

The two-stage process will be implemented in two phases; the first phase involving the areas identified in article 9(1) of the Regulations and the second phase involving the areas identified in article 9(2).

The Regulations designate noise-mapping bodies and action planning authorities for the making of strategic noise maps and action plans. Primary responsibility for both noise mapping and action planning is assigned to local authorities. While a number of other bodies also have noise mapping functions, they will be carried out on behalf of the local authorities concerned.

The Regulations designate the Environmental Protection Agency as the National Authority for the purposes of the Regulations. The Agency's role includes supervisory, advisory and coordination functions in relation to both noise mapping and action planning, as well as reporting requirements for the purpose of the Directive.

The Regulations provide for strategic noise maps and action plans to be made available to the general public. They also provide for public consultation on proposed action plans, and for the results of public consultation to be taken into account in finalising action plans or reviews of action plans.

¹ O.J. No. L189/12 of 18 July 2002.

² O.J. No. L 257 of 10 October 1996, p. 26.