

FORM FOR TABLING PARLIAMENTARY QUESTIONS

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To the: COUNCIL
 COMMISSION

ORAL QUESTIONS	WRITTEN QUESTIONS
Oral Question with debate (Rule 115) <input type="checkbox"/>	Written Question (Rule 117) <input checked="" type="checkbox"/>
Question Time (Rule 116) <input type="checkbox"/>	Priority Written Question (Rule 117 (4)) <input type="checkbox"/>

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SUBJECT: Noise problems HSL
 (please specify)

TEXT:

Since the official start of the High Speed Line (HSL) services on 7 September 2009, complaints of noise now have risen into the thousands. The Dutch authorities leased Bombardier TRAXX F140 MS2 trains, which are in accordance with the TSI Noise 2006/66/CE. For vehicles they chose old ICR carriages, built between 1986 and 1987. These vehicles were revised, renovated and upgraded several times since 2000, and now are called "HST-Prio". The Traxx-HST-Prio combinations are now the only conventional material permitted for the high-speed line. According to surveys of the Dutch Organisation for Applied Scientific Research (TNO), noise levels are far over the aggregated maximum under TSI Noise at 160 km/h and even higher than the maximum under TSI High-Speed 2008/232/CE at 250 km/h. TNO also states that the problems are caused by running trains of a type not calculated nor expected during planning and construction of the high-speed line. According to the Dutch Minister of Transport however, TSI Noise isn't applicable for material older than TSI noise: the multiple revision work on these vehicles does not count.

- Does the Commission agree with me that the Dutch government doesn't comply with article 3 Annex I of Directive 96/48/CE? : *"High-speed train services presuppose excellent compatibility between the characteristics of the infrastructure and those of the rolling stock. Performance levels, safety, quality of service and cost depend upon that compatibility."* Performance levels and quality of service considerations include noise emissions. This intention has been preserved in the subsequent revision through directive 2004/50/CE and the forthcoming directive 2008/57/CE. If not, why not? If yes, what specific action is the Commission planning to take?
- Does the Commission agree with the statement of the Dutch minister of Transport that TSI Noise isn't applicable for material older than TSI Noise?
- Does the Commission agree with me that in procedures for access to the Dutch High Speed Line since 2007, trains do not have to fulfil requirements of noise nuisance limits, as mentioned in the TSI Noise 2006/66/CE or the TSI High-Speed 2008/232/CE or 2002/735/CE, if the locomotives and/or carriages are older than the respective TSIs? Even if these locomotives and/or carriages will run at higher speeds than they did before on conventional tracks, thus inescapably producing more noise?

Signature(s): _____ Date: 14-01-2010