

Poročilo: 9. srečanje Ekspertne skupine za hrup, Bruselj, 30. november 2017

Poroča: mag. Breda Vrhunec, članica Ekspertne skupine za hrup (NEG)

V Bruslju je 30. novembra 2017 potekalo deveto srečanje Ekspertne skupine za hrup (the 9th Noise Expert Group meeting). Srečanja se je udeležilo približno 80 predstavnikov držav članic in, tokrat prvič, tudi predstavnikov nevladnih organizacij in civilnih iniciativ.

Pozdravnim besedam je sledila potrditev zapisnika predhodnega srečanja z dne 24. aprila 2017.

V dopoldanskem delu srečanja so predstavniki generalnih direktorats (DG) za okolje; mobilnost in promet; notranji trg, industrijo, podjetništvo in mikro, mala in srednje velika podjetja (MSP) in DG za energijo seznanili udeležence z najnovejšimi usmeritvami in pobudami na področju urejanja okoljskega hrupa. Sledila je predstavitev predstavnice Svetovne zdravstvene organizacije (SZO), v kateri so bile prikazane aktivnosti SZO na področju zmanjševanja škodljivih učinkov prekomernega hrupa na zdravje prebivalstva.

Predstavniki DG za okolje je poročal o novostih v zvezi z Direktivo 2002/49 (the Environmental Noise Directive – END). Večina dejstev je bilo že poznanih, saj so o tem poročali že na srečanju ekspertne skupine v mesecu aprilu 2017. V letu 2018 se načrtuje nadgradnja Aneksa III Direktive o hrupu, skladno z ugotovitvami revizije Direktive in usmeritvami SZO, v letu 2020 se bo pregledal in ocenil Aneks II. V letih 2018 in 2019 se bo ponovno ocenilo predlagane usmeritve. Ostali generalni direktorati so podrobneje poročali o novostih, povzetek njihovih predstavitev bo objavljen na internetni strani NEG.

Predstavnica SZO je poročala o novostih na področju smernic v povezavi s škodljivimi učinki hrupa na zdravje, ki jih v tem času pripravljajo. SZO je ponovno ocenila obstoječe smernice, predlagajo še nižje dovoljene vrednosti hrupa v okolju. Podrobno so bili prikazani negativni učinki hrupa na zdravje, podana je bila ocena bremena bolezni (izgubljena leta zaradi bolezni in invalidnosti ter izgubljena leta zaradi prezgodnje smrti).

Popoldanski čas je bil namenjen izmenjavi mnenj in ocen štirih tematskih vsebin, ki jih je predlagal DG za okolje. Udeleženci so podali mnenja o:

- ciljih in viziji Direktive o hrupu in konkretnih ciljih na nivoju EU. Pri tej točki so bila mnenja udeležencev deljena, nekaj nejasnosti je bilo izpostavljenih glede ciljev Direktive, ne pa tudi zgornjih vrednosti dovoljenega hrupa.
- razširitvi Direktive o hrupu, ki naj bi poleg vira hrupa prometa (ceste, železnice, letališča) in industrije, vključevala tudi vetrne turbine. Pri tej točki so bila mnenja zopet deljena. Manjše število udeležencev predlog podpira, problem pa je v tem, da tega hrupa ni mogoče zmanjšati na viru.

- zmanjševanju praga v kartiranju hrupa, ki danes izključuje pomembne vire hrupa (pod vrednostmi 55 Lden in 50 Lnight.) Pri tej točki so bila mnenja tudi deljena, problem je širjenje hrupa in točnost meritev.
- natančnejši pojasnitvi definicij mirnih območij, aglomeracije, škodljivih učinkov hrupa na zdravje. Pri tej točki so se udeleženci strinjali, da bi bile potrebne natančnejše opredelitve vsebin definicij.

V diskusijo se je s predstavitvijo stanja na področju sprejemanja okoljskih predpisov vključila predstavnica Eko kroga, mag. Breda Vrhunec. G. Paviottiju, ki je v Generalnem direktoratu za okolje (DG ENV) zadolžen za "Environment Noise policy / Directive 2002/49/EC" je zastavila konkretno vprašanje. Kako EK ocenjuje implementacijo Direktive o hrupu v Sloveniji? Ali ocenjujejo, da Operativni program, ki se sprejema za aglomeraciji Ljubljana in Maribor zadovoljuje zahtevam EK? Veljavnost tega programa (ki bo verjetno sprejet l.2018) naj bi potekla julija 2018, torej se program pripravlja za obdobje preteklih petih let. Tudi vsebinsko program ne ustreza zahtevanim kriterijem in je neuporaben v praksi. Na postavljena vprašanja predstavnica Eko kroga ni dobila odgovora.

G.Paviottiju je g.Vrhunec predala tudi kopijo dopisa Ministrstva za infrastrukturo, ki v pripombah na osnutek Uredbe o mejnih vrednostih kazalcev hrupa priporoča še višje dovoljene vrednosti hrupa.

Pomembno je opozoriti, da se v razpravo ni aktivno vključil predstavnik Ministrstva za okolje in prostor, g. Antun Kvasič, čeprav so bile teme za razpravo objavljene skupaj z vabilom na srečanje. Torej lahko sklepamo, da Ministrstvo nima izdelanega mnenja, oz. se njegov predstavnik ni želel vključiti v javno diskusijo. Morda bi lahko od Ministrstva zahtevali obrazložitev za neaktivno udeležbo državnega predstavnika ali vsaj po zaključenem srečanju pridobiti poročilo Ministrstva o konferenci, ki se je je njihov predstavnik udeležil. G.Kvasič se prav tako ni odzval na poročilo predstavnice Eko kroga.

Govor predstavnice Ekokroga na 9. srečanju ekspertne skupine za hrup

Respected members of the board and the Noise expert group members,

I am a recent member of the Noise expert group and this is my first attendance at the group's meeting. I was delegated to the group with the support of the Slovenian civil initiative Eko krog, the president of which is Mr. Uroš Macerl, the recipient of the Goldman environmental prize for Europe this year.

Civil initiatives and other non-governmental organisations in Slovenia are becoming increasingly active in all segments of environmental protection, which is the result of highly unsatisfactory performance of administrative functions of Slovenian public authorities, especially the Ministry for the environment and spatial planning. This conference is a

wonderful opportunity to exchange information concerning the noise-related issues, especially the absence of necessary environmental legislation.

On behalf of the public and the public concerned in Slovenia, I will briefly address the following three salient points:

One: The **implementation** of the **Directive 2002/49 (hereinafter: Noise Directive)**. Slovenia received a letter of formal notice in September 2016 for failing to comply with the provisions of the Directive, which was followed by a reasoned opinion in October 2017. The Commission considers that not enough progress has been made since September 2016 in the application of the Directive on environmental noise in Slovenia. Some action plans are still missing and some outdated action plans have not been revised.

Currently, the Ministry for the environment and spatial planning (hereinafter the Ministry) responsible for the development of action plan is preparing the Noise Action plan for the period 2013 to 2018, the validity of which will expire in July 2018. Yes, you heard me correctly, the Ministry is making plans for the past! This is something unheard of. (If you could make plans for the past, would you change some of your life decisions?)

Also, this action plan states no specific actions, includes no time frames, impacts, there are no performance indicators, numbers if individuals affected or targets.

The competent authority for the implementation of the Environmental Noise Directive is the Environment Directorate at the Ministry of the Environment and Spatial Planning. The general director of the Directorate openly admitted that their primary concern is to oblige and satisfy the requirements of the European Commission (Val 202, a public-owned Slovene radio station). The health and wellbeing of the citizens, the primary aim of the Directive, seems to be of minor or of no importance.

Two: The Ministry is currently revising the **Decree on limit values for environment noise indicators (hereinafter A Decree.)** Over 50 individuals, laymen and experts, associations and civil initiatives responded to the proposed draft and made great efforts in preparing suggestions, proposals, critical evaluations and analysis of the draft, which were never openly discussed with the public.

It is inadmissible that the Slovenian Environment Agency (SEA) proposes even higher permitted levels of environmental noise in order to prevent the public to claim financial recompensation. We may speculate that the proposed higher thresholds for noise mapping in the new decree are envisioned to serve some interest groups or lobbies (e.g. Slovenia General Construction Company Reconstruction of roads Technique). *(I gave a copy of the letter by the general secretary of SEA, Radovanka Petrić to Mr. Paviotti)*

The decree also eliminates certain sources of noise, so the Ministry's 'experts' decided that only the roads with more than 3 million vehicles per year produce enough noise to be

considered in road mapping. The next road mapping will probably show that the problem of road noise in Slovenia is magically resolved by a simple wave of the hand. Higher permissible noise levels – miraculously, no noise.

These novelties, among others, are in direct opposition to the Noise Directive, WHO guidelines recommendations as well as the Slovenian Environmental Protection Act.

Three: The rights of the public (individuals and their associations), with regard to the environment, as defined in the Aarhus convention and the Noise Directive.

The Ministry for the environment excludes the public and the public concerned from environmental decision-making processes and denies them the right to participate in projects, plans and programmes relating to the environment as much as possible. The public's comments and proposals are not taken into due account, the public authorities do not provide the public with the information on final decisions and the reasons for them. The access to justice in environmental matters is extremely difficult. *(I gave a CD with all the newspaper articles, recordings of TV and radio shows from the last six months dealing with the noise issues, which present the endeavours of the individuals and associations to prevent adoption of harmful legal documents related to noise.)*

QUESTIONS:

1. And now I would like to ask two questions, the first question is for Mr.Paviotti. My question is very simple and straightforward:

We are all aware of the overall objective of the Commission which is to ensure that EU environmental legislation is implemented in full, correctly and on time. So, will the Action plan referring to the past five years, which was prepared by the Ministry, remedy the breach of Community environment law? Will further actions against the member state be necessary?

2. A question for the representative of the Ministry of the environment and spatial planning, Mr.Antun Kvasič.
 - What are the reasons for the delay in the implementation of the Noise Directive?
 - Is it true that the Action plan is based on the noise maps from 2014, with the reference year 2012?
 - Do you expect that that Action plan will provide the rationale and legal basis for noise reduction by noise managers?
 - And finally, will this action plan help provide noise mitigation and reduce the exposure to noise in my living environment where the permitted levels are exceeded by 10 – 13 decibels with strong adverse effects on our health?

(Unfortunately, I had no opportunity to address my question to Mr. Kvasič).

Poročilo je pripravila mag. Breda Vrhunec, članica Ekspertne skupine za hrup (NEG) in članica Ekokroga, ki se je udeležila 9. srečanja Ekspertne skupine za hrup.