

**DRAFT RECOMMENDATION N. 006REC1072
OF THE EUROPEAN UNION AGENCY FOR RAILWAYS**

ON

The amendment of Commission Regulation (EU) No 1304/2014
concerning the technical specification for interoperability relating to the
subsystem 'Rolling stock – noise'

THE EXECUTIVE DIRECTOR

HAVING REGARD TO Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004, hereafter referred to as the 'Agency Regulation', in particular Articles 4 and 19 thereof,

HAVING REGARD TO Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union, in particular Article 5 thereof,

Whereas

[to be further developed]

HAS ADOPTED the following recommendation:

1. The TSI Noise should be amended as set out in Annex of this recommendation.
2. The following considerations should be taken into account and included in the Regulation to be adopted for this amendment to the TSI Noise:

[To be further developed]

This recommendation is addressed to the European Commission.

Valenciennes,

Josef DOPPELBAUER

Executive Director

Annex: recommendation for the revision of the TSI Noise

Annex: Amendments to Technical specification for interoperability relating to the subsystem 'Rolling stock – noise' (Annex to Regulation 1304/2014)

1. In chapter 1 'Introduction', section 1.1 is replaced by the following:

'1.1 Introduction

1.1.1 Scope related to rolling stock

This TSI applies to all rolling stock within the scope of Regulation (EU) No 1302/2014 (LOC&PAS TSI) and Regulation (EU) No 321/2013 (WAG TSI);

1.1.2 Scope related to operational aspects

This TSI applies to the operation of freight wagons which are used on infrastructure designated as 'quieter routes.'

2. In chapter 4 'Characterisation of the subsystem', the following text is added at the end of section 4.3 'Functional and technical specifications of the interfaces'

'This TSI has the following interface with operation and traffic management subsystem dealt with in Decision 2012/757/EU (OPE TSI) with regard to:

— pass-by noise.'

3. In chapter 4 'Characterisation of the subsystem', the following text is added at the end of section 4.4 'Operating rules':

'4.4.1 Specific rules for the operation of wagons on quieter routes in case of degraded operation

The contingency arrangements as defined in point 4.2.3.6.3 of the OPE TSI include the operation of wagons not compliant with point 7.2.2.2 on quieter routes.

This measure can be applied to address rolling stock failures, extreme weather conditions, infrastructure failures or infrastructure and wagons scheduled maintenance activities.'

4. In chapter 6 'Conformity assessment and EC verification', points 6.2.2.3.2.1 'EMUs, DMUs, locomotives and coaches' and 6.2.2.3.2.2 'Wagons', the text ' v_{test} ' is replaced by ' v_{test} ' (four replacements).

5. In chapter 7 'Implementation', section 7.2 'Application of this TSI to renewed and upgraded subsystems' is replaced by the following clause:

'7.2 Application of this TSI to existing subsystems

7.2.1 General provisions in case of renewal or upgrade

The applicant shall demonstrate that the noise levels of renewed or upgraded units remain below the limits set out in the TSI which was applicable when the unit in question was first authorised. If no TSI existed at the time of the first authorisation, it shall be demonstrated that the noise levels of renewed or upgraded units are either not increased or remain below the limits set out in Decision 2006/66/EC or Decision 2002/735/EC.

The demonstration shall be limited to the basic parameters affected by the renewal/upgrade.

If the simplified evaluation is applied, the original unit may represent the reference unit in accordance with the provisions of point 6.2.3.

The replacement of a whole unit or (a) vehicle(s) within a unit (e.g. a replacement after a severe damage) does not require a conformity assessment against this TSI, as long as the unit or the vehicle(s) are identical to the ones they replace.

7.2.2 Additional provisions for the application of this TSI to existing wagons

From 1 January 20xx, wagons which do not fulfil the conditions set out in point 7.2.2.2 of this TSI shall not be operated on the quieter routes as defined in Appendix D. This provision does not apply to wagons listed in Appendix E.

If a wagon is being equipped with quieter brake blocks as defined in 7.2.2.1 and no noise sources are added to the wagon under assessment, then it shall be assumed that the requirements of point 4.2.3 are met without further testing.

7.2.2.1 Quieter brake blocks

A quieter brake block is a brake block belonging to one of the following categories:

- a) Brake block listed in Appendix G of WAG TSI
- b) Brake block assessed in accordance with the procedure set out in Appendix G of this TSI.

7.2.2.2 Wagons operated on quieter routes

Wagons belonging to one of the categories below can be operated on quieter routes:

- Wagons holding an EC declaration of verification against Commission Decision 2006/66/EC concerning the technical specification for interoperability relating to the subsystem 'rolling stock — noise' of the trans-European conventional rail system.
- Wagons holding an EC declaration of verification against Commission Decision 2011/229/EU concerning the technical specifications of interoperability relating to the subsystem 'rolling stock – noise' of the trans-European conventional rail system.
- Wagons holding an EC declaration of verification against this TSI.
- Wagons fitted with quieter brake blocks as defined in 7.2.2.1 or brake discs for the service brake function.
- Wagons fitted with composite brake blocks listed in appendix F. The operation of these wagons on quieter routes will be limited to the area of use defined in that appendix.'

6. In Appendix A, the text ‘This TSI does not contain any open points, is replaced by the following table:

Element of the Rolling Stock subsystem	Clause of this TSI	Technical aspect not covered by this TSI	Comments
Quieter brake block	7.2.2.1 and Appendix G	Assessment of the acoustic properties of the brake blocks	Alternative technical solutions available (see point 7.2.2)

7. The following text is added at the end of the TSI:

‘Appendix D Quieter routes

D.1 Definition

A ‘quieter route’ is a part of the network of a minimum length of 20 km in the geographical scope of this TSI, on which the annual average daily operated freight trains in 2016 during night time was higher than 12.

Night time is defined for each Member State in its national legislation transposing Directive 2002/49/EC.

D.2 Maps depicting the quieter routes

The Member States shall provide the Agency with the maps depicting the quieter routes no later than 3 months after the date of publication of this TSI.

The maps shall be published on the Agency website (<http://www.era.europa.eu>) no later than 6 months after the date of publication of this TSI.

These maps contain conditions for access defined in Article 27(2) of Directive 2012/34/EU. Therefore, they shall be included in the network statement referred to in Article 27(1) of the same directive.

D.3 Update

Member States shall update the maps at least every 5 years after the application date of this TSI using traffic data for the preceding year instead of the year set out in D.1. Member States shall provide the Agency with the updated maps for their publication.

The Agency shall inform the Commission of any changes to the maps. The Commission shall inform the Member States of these changes through the committee referred to in Article 51 of Directive (EU) 2016/797. The updated maps shall be applicable one year after the Commission has informed the Member States. The Agency shall publish the maps one month after the Commission has informed the Member States.

Appendix E – Wagons exempted

- Wagons specified in Article 21(16) of Directive (EU) 2016/797
- Wagons subject to a derogation against one of the following legal acts:
 - Commission Decision 2006/66/EC concerning the technical specification for interoperability relating to the subsystem ‘rolling stock — noise’ of the trans-European conventional rail system.

- Commission Decision 2011/229/EU concerning the technical specifications of interoperability relating to the subsystem 'rolling stock – noise' of the trans-European conventional rail system.
- This TSI
- Wagons, for which the application of this Regulation is not mandatory (*e.g. 'Schnabel' wagons, on-track machines, wagons operated on the 1 520 mm track gauge system, wagons for purely historical or touristic use*)
- Wagons which are exclusively operated for infrastructure maintenance and construction works.

Appendix F – Historic composite brake blocks

Appendix F.1

Historic composite brake blocks for national use

Manufacturer/ Name of the product	Designation/type of block	Area of use
Becorit	929-1	United Kingdom, Switzerland
Cobra	W539	United Kingdom
Cobra	W573	United Kingdom
Cobra	V330	United Kingdom
Cofren M128 Mix S153	M128 Mix S153	Norway
Ferodo	3325	United Kingdom
Futuris	HA30	United Kingdom
ICER	904	Spain
ICER	905	Spain, Portugal
Jurid	816	United Kingdom, Switzerland
Jurid	838	Spain
KB	903	United Kingdom
	S 153	Norway, Sweden
Wabtec	333	Norway

Appendix F.2

Historic composite brake blocks for international use. These blocks are allowed to be used in the EU railway network under the conditions defined below until 1/2/2022.

Manufacturer/name of product	Designation/type of block	Type of friction coefficient	Area of use	Date of conformity assessment
Valeo/Hersot Wabco/Cobra	693 W554	K	Various wagons	1.2.1984 1); 2)
Wabco/Cobra	W 392	K	Swivelling-pocket wagons, standardised pocket wagons	1.2.1984 1)
Ferodo	I/B 436	K	Swivelling-pocket wagons, standardised pocket wagons	1.4.1989 1; 2))
Abex	229	K (Fe - sintered)	Y 31 C1 and Y 33 A bogies	1.3.1992 31.12.2004 1); 2)
Mintex DON	TBL 804	K	Various wagons	1.1.1994 1)
Jurid	738	K (Fe - sintered)	Y 31 C bogie	1.3.1995 31.12.2004 1); 2)

Appendix G – Assessment of the acoustic performance of a brake block

The purpose of this procedure is to demonstrate the acoustic performance of a composite brake block at interoperability constituent level.

This procedure is an open point.'