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ANNEX

ANNEX

to the

COMMISSION IMPLEMENTING REGULATION (EU) …/...

amending Regulation (EU) No 1304/2014 as regards application of the technical specification for interoperability relating to the subsystem 'rolling stock — noise' to the existing freight wagons

ANNEX

The Annex to Regulation (EU) No 1304/2014 is amended as follows:

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

'1.1 Technical scope

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

Alongside with Commission Decision 2012/757/EU[1] (OPE TSI), this TSI applies to the operation of freight wagons which are used on railway infrastructure designated as 'quieter routes'.

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2. Chapter 2 is replaced by the following:

'2. Definition of the subsystem

A 'unit' means the rolling stock which is subject to the application of this TSI, and therefore subject to the 'EC' verification procedure. Chapter 2 of the Annex of Regulation (EU) No 1302/2014 and chapter 2 of the Annex of Regulation (EU) No 321/2013 describe what a unit can consist of.

The requirements of this TSI apply to the following categories of rolling stock set out in section 1.2 in Annex I of Directive 2008/57/EC:

(a) *Self-propelling thermal or electric trains.* This category is further defined in chapter 2 of the Annex of Regulation (EU) No 1302/2014 and shall be referred to in this TSI as multiple units, EMU (electrified) or DMU (diesel).

(b) *Thermal or electric traction units.* This category is further defined in chapter 2 of the Annex of Regulation (EU) No 1302/2014 and shall be referred to in this TSI as locomotives. Power units that form part of a 'self-propelling thermal or electric train' and railcars are not included in this category and belong to the category under point (a).

(c) *Passenger carriages and other related cars.* This category is further defined in chapter 2 of the Annex of Regulation (EU) No 1302/2014 and shall be referred to in this TSI as coaches.

(d) *Freight wagons, including vehicles designed to carry lorries.* This category is further defined in chapter 2 of the Annex of Regulation (EU) No 321/2013 and shall be referred to in this TSI as wagons.

(e) *Mobile railway infrastructure construction and maintenance equipment.* This category is further defined in chapter 2 of the Annex of Regulation (EU) No 1302/2014and consists of on-track machines (referred to in this TSI as OTMs)

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[1] Commission Decision 2012/757/EU of 14 November 2012 concerning the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system in the European Union and amending Decision 2007/756/EC (OJ L 345, 15.12.2012, p. 1).';

and infrastructure inspection vehicles, which belong to the categories in points (a), (b) or (d) depending on their design.';

3. chapter 4 is amended as follows:

(a) section 4.3 is replaced by the following:

'4.3 Functional and technical specifications of the interfaces

This TSI has the following interfaces with the rolling stock subsystem:

Interface with subsystems of points (a), (b), (c) and (e) of chapter 2 (dealt with in Regulation (EU) No 1302/2014) with regard to:

– stationary noise,

– starting noise (not applicable to coaches),

– pass-by noise,

– interior noise within the driver's cab, where applicable.

Interface with subsystems of point (d) of chapter 2 (dealt with in Regulation (EU) No 321/2013) with regard to:

– pass-by noise,

– stationary noise.

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

– pass-by noise.';

(b) section 4.4 is replaced by the following:

'4.4 Operating rules

Requirements concerning the operating rules for the subsystem rolling stock are set out in section 4.4 of the Annex of Regulation (EU) No 1302/2014 and in section 4.4 of the Annex of Regulation (EU) No 321/2013.

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 Annex of Decision 2012/757/EU include the operation of wagons not compliant with point 7.2.2.2 on quieter routes.

This measure can be applied to address capacity restrictions or operational constraints caused by rolling stock failures, extreme weather conditions, accidents or incidents and infrastructure failures.

4.4.2 Specific rules for the operation of wagons on quieter routes in case of infrastructure works and wagons maintenance

The operation of wagons not compliant with point 7.2.2.2 on quieter routes shall be possible in case of wagons maintenance activities where only a quieter route is available in order to access the maintenance workshop.

Contingency arrangements set out in point 4.4.1 are applicable in case of infrastructure works where a quieter route is the only suitable alternative.';

(c) section 4.5 is replaced by the following:

'4.5 Maintenance rules

Requirements concerning the maintenance rules for the subsystem rolling stock are set out in section 4.5 of the Annex of Regulation (EU) No 1302/2014 and in section 4.5 of the Annex of Regulation (EU) No 321/2013.';

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

5. Chapter 7 is amended as follows:

(a) section 7.2 is replaced by the following:

'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, the applicant shall demonstrate 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 or 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

The restriction of the operation set out in Article 5a of this TSI shall not apply to wagons operated on lines with a gradient of more than 40 ‰, wagons with a maximum operating speed higher than 120 km/h, wagons with an axle load higher than 22.5 t, wagons exclusively operated for infrastructure works and wagons used in rescue trains.

If a wagon is being equipped with quieter brake blocks as defined in point 7.2.2.1 and no noise sources are added to the wagon, 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:

– Brake block listed in Appendix G of Regulation (EU) No 321/2013;

– Brake block assessed in accordance with the procedure set out in Appendix F of this TSI.

7.2.2.2 Wagons operated on quieter routes

Wagons belonging to one of the categories below can be operated on the 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 point 7.2.2.1 or brake discs for the service brake function;

– Wagons fitted with composite brake blocks listed in Appendix E for the service brake function. The operation of these wagons on the quieter routes shall be limited in accordance with the conditions described in this appendix.'

(b) point 7.3.2.1 is replaced by the following:

'7.3.2.1. Specific cases

(a) Specific case Estonia, Finland, Latvia, Lithuania, Poland and Slovakia

('P') For units which are in shared use with third countries, the track gauge of which is different from that of the main rail network within the Union, the application of national technical rules instead of the requirements in this TSI shall be permitted.

(b) Specific case Finland

('T') Decision 2011/229/EU may continue to apply for freight wagons to be used only on the territory of Finland and until the relevant technical solution in relation to severe winter conditions is found, but in any case not later than until 31 December 2032. This shall not prevent freight wagons from other Member States to operate on the Finnish network.';

(c) in point 7.3.2.2(a), the second subparagraph is deleted;

(d) point 7.3.2.4 is replaced by the following:

'7.3.2.4. Limits for pass-by noise (point 4.2.3)

(a) Specific case Channel Tunnel

('P') For the Channel Tunnel, the limits for pass-by noise shall not apply to wagons dedicated to the transport of heavy goods vehicles between Coquelles (France) and Folkestone (United Kingdom).

(b) Specific case Sweden

('T') For locomotives with total tractive power of more than 6 000 kW and a maximum axle load of more than 25 t the limit values for

pass-by noise $L_{pAeq,Tp\ (80\ km/h)}$ in Table 4 may be raised up to 85 dB.';

(e) the following point 7.4 is added:

'7.4 Particular implementation rules

7.4.1. Particular implementation rules for the application of this TSI to existing wagons (point 7.2.2)

(a) Particular implementation rules for the application of this TSI to existing wagons in the Channel Tunnel

("P") For the calculation of the annual average daily operated freight trains during night-time the freight trains composed of wagons dedicated to the transport of heavy goods vehicles confined in the Coquelles (France) - Folkestone (United Kingdom) line shall not be taken into account.

(b) Particular implementation rules for the application of this TSI to existing wagons in Finland and Sweden

('T') The concept of quieter routes shall not apply on the Finnish and Swedish networks due to uncertainties related to the operation in severe winter conditions with composite brake blocks until 31 December 2032.'

7.4.2. Particular implementation rules for wagons operated on quieter routes (point 7.2.2.2)

(a) Particular implementation rules for wagons operated on quieter routes of Belgium

('T') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of Belgium:

– Wagons with tyred wheels until 31 December 2026

– Wagons which require the fitting of a kink valve in order to replace the cast iron block with composite brake blocks until 31 December 2026

– Wagons fitted with cast iron blocks which require the replacement of wheels with wheels compliant with the requirements set out in EN 13749-1 in order to be retrofitted with composite brake blocks until 31 December 2026

(b) Particular implementation rules for wagons operated on quieter routes of Channel Tunnel

('P') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the Channel Tunnel concession:

Wagons dedicated to the transport of heavy goods vehicles between Coquelles (France) and Folkestone (United Kingdom)

(c) Particular implementation rules for wagons operated on quieter routes of Czech Republic

('T') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of Czech Republic:

– Wagons with tyred wheels, until 31 December 2026

– Wagons with bogies of type 26-2.8 fitted with cast iron blocks until 31 December 2034

– Wagons which require the fitting of a kink valve in order to replace the cast iron block with composite brake blocks, until 31 December 2034

(d) Particular implementation rules for wagons operated on quieter routes of France

('T') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of France:

– Wagons with 1Bg or 1Bgu brake configuration fitted with cast iron brake blocks until 31 December 2030

– Wagons fitted with small wheels (diameter under 920mm) until 31 December 2030

(e) Particular implementation rules for wagons operated on quieter routes of Italy

('T') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of Italy:

– Wagons with tyred wheels until 31 December 2026

– Wagons which require the fitting of a kink valve in order to replace the cast iron block with composite brake blocks until 31 December 2026

– Wagons fitted with cast iron blocks which require the replacement of wheels with wheels compliant with the requirements set out in EN 13749-1 in order to be retrofitted with composite brake blocks until 31 December 2026

Furthermore, it shall not be mandatory to use composite brake blocks on quieter routes for existing wagons not covered by the three bullet points above and for which there exists no one-to-one-solution for replacement of cast iron brake blocks until 31 December 2030.

(f) Particular implementation rules for wagons operated on quieter routes of Poland

('T') On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of Poland until 31 December 2036:

– Wagons with tyred wheels

– Wagons with 1Bg or 1Bgu brake configuration fitted with cast iron blocks

– Wagons designed for ‘S’ traffic equipped with ‘SS’ brake fitted with cast iron blocks

– Wagons fitted with cast iron blocks and designed for ‘SS’ traffic for which retrofitting with LL brake blocks would require fitting with wheels complying with EN 13979-1 and a kink valve

(g) Particular implementation rules for wagons operated on quieter routes of Slovakia

(“T”) On top of the wagons listed in point 7.2.2.2, the following existing wagons can be operated on quieter routes in the territory of Slovakia:

– Wagons with tyred wheels until 31 December 2026

– Wagons with bogies of type 26-2.8 fitted with cast iron blocks P10 until 31 December 2036

– Wagons which require the fitting of a kink valve in order to replace the cast iron block with composite brake blocks until 31 December 2036.

(“P”) Wagons with bogies 2TS intended for circulation between Slovakia and third countries by means of exchange of bogies in the border station

(h) Particular implementation rules for wagons operated on quieter routes of UK for Great Britain

(‘P’) For units intended to operate solely on the GB Network, where existing wagons are equipped with composite brake blocks published in GMGN 2688 it shall be permitted to operate on quieter routes

(‘T’) The following types of existing wagons equipped with cast iron brake blocks intended to operate on the GB Network shall be permitted to operate on quieter routes:

– Wagons equipped with a non-UIC braking system for which there are no compatible silent brake blocks available for retrofitting until 31 December 2030.

– Wagons with a designed braking distance of 810m or less from 60 mph in goods timing / 75 mph in passenger timing, where they are operated in trains with wagons braked to GB domestic stopping distance criteria until 31 December 2030

– Wagons used exclusively for the transport of nuclear products until 31 December 2050.’;

6. In Appendix A ‘Open points’, 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 F	Assessment of the acoustic properties of the brake blocks	Alternative technical solutions available (see point 7.2.2)

7. The following Appendices D, E and F are added:

‘Appendix D

Quieter routes

D.1 Identification of quieter routes

In accordance with Article 5c(1) of this TSI the Member States shall provide the European Union Agency for Railways (‘the Agency’) with a list of quieter routes in a format allowing further processing by the users with IT-tools. The list shall contain at least the following information:

– Start and end point of the quieter route and their corresponding sections. If one of these points is at the border of the Member State, it shall be reflected. Identification of the sections making up the quieter route

The list shall be provided using the template below:

Quieter route	Sections in the route	Unique section ID	Quieter route starts/finishes at the border of the Member State
Point A - Point E	Point A - Point B	201	Yes POINT E (Country Y)
	Point B - Point C	202	
	Point C - Point D	203	
	Point D - Point E	204	
Point F - Point I	Point F - Point G	501	No
	Point G - Point H	502	
	Point H - Point I	503	

In addition, the Member States may provide maps illustrating the quieter routes on a voluntary basis. All lists and maps shall be published on the Agency website (http://www.era.europa.eu) no later than 9 months after the date of publication of this TSI.

By the same date the Agency shall inform the Commission of the lists and maps of quieter routes. The Commission shall inform the Member States accordingly through the committee referred to in Article 51 of Directive (EU) 2016/797.

D.2 Update of quieter routes

The traffic data used for the update of quieter routes in accordance with Article 5c(2) of this TSI shall refer to the last three years preceding the update for which the data is available. Member States shall provide the Agency with the updated quieter routes.

The routes designated as quieter routes shall remain as such following the update unless the volume of traffic has decreased by 50% during the period concerned.

In case of newly built lines, the expected volume of traffic shall be used for the designation of those lines as quieter routes.

The Agency shall publish the updated quieter routes on its website (http://www.era.europa.eu) no later than 3 months after their reception and they shall apply from the next December timetable change following one year after their publication.

The Agency shall inform the Commission of any changes to the quieter routes. The Commission shall inform the Member States of these changes through the committee referred to in Article 51 of Directive (EU) 2016/797.

Appendix E

Historic composite brake blocks

E.1 Historic composite brake blocks for international use.

Existing wagons equipped with the brake blocks listed below are allowed to be used on the EU railway network, including quieter routes, until the relevant date set out in Appendix N of UIC 541-4.

Manufacturer/name of product	Designation/type of block	Type of friction coefficient
Valeo/Hersot Wabco/Cobra	693 W554	K
Ferodo	I/B 436	K
Abex	229	K (Fe - sintered)
Jurid	738	K (Fe - sintered)

On top of the blocks listed above, Federal Mogul J816M blocks are allowed in existing ‘Laaers’ type wagons fitted with wheels of 680 mm nominal diameter and 2 xBg brake arrangement without any deadline.

E.2 Historic composite brake blocks for national use

Existing wagons equipped with the brake blocks listed below are only allowed to be used on the railway networks, including quieter routes, of the corresponding Member States.

Manufacturer/name of the product	Designation/type of block	Member State	Remarks
Cobra/Wabco	V133	Italy	
Cofren	M128 Mix S153	Sweden	
Cofren	229	Italy	
ICER	904	Spain, Portugal	
ICER	905	Spain, Portugal	
Jurid	838	Spain, Portugal	
	S 153	Sweden	
Wabtec	333	Sweden	

Appendix F

Assessment of 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 shall be an open point in accordance with Article 4(6) of Directive (EU) 2016/797.’