

Ministerial order dated 2 August, 2001 restricting use of certain aircraft under chapter 3 on the Paris - Charles de Gaulle (Vald'Oise) aerodrome

NOR: EQUA0101153A

The French Ministry of Equipment, Transport and Housing,
In view of the international civil aviation conventions signed in Chicago on 7 December, 1944 and, in particular, of appendix 6 and the second part of the first volume of appendix 16;
In view of EU regulation No. 2408/92 of 23 July 1992 concerning access of community airlines to intra-community liaisons, and, in particular of article 8.2 thereof;
In view of the civil aviation code and particularly article R.221-3;
In view of the recommendation of the Environmental Advisory Board of the Paris - Charles de Gaulle aerodrome, dated 9 July 2001;
In view of the recommendation of the airport noise Control Authority dated 24 July 2001;
The following Ministerial order hereby applies:

Article 1: In compliance with the provisions of article R.221-3 of the code of civil aviation, and with a view to reducing noise around the Paris - Charles de Gaulle (Vald'Oise) aerodrome, the following restrictions of use have been decided on this platform:

I. In the present order:

- the term "operator" designates the technical operator of an aircraft;
- "the noise staircraft in chapter 3", designates turbojets whose acoustic certification complies with the standards enumerated in chapter 3 of the second part of the first volume of appendix 16 of the international civil aviation convention dated 7 December, 1944 with an accumulative margin of certified noise levels, with respect to the permissible limits defined in this chapter, of less than 5EPNdB;
- "noisy aircraft in chapter 3" designates turbojets whose acoustic certification complies with the standards enumerated in chapter 3 of the second part of the first volume of appendix 16 of the international civil aviation convention dated 7 December, 1944 with a cumulative margin of certified noise levels, with respect to the permissible limits defined in this chapter, of more than or equal to 5EPNdB and less than 8EPNdB;
- "the acoustic energy of an aircraft takeoff" designates the value W_d defined by the equation
$$W_d = 10^{(L_s/10)}$$
- where L_s represents the certified noise level of this aircraft at the so-called fixing (fly-over?) point, in conformity with the standards enumerated in appendix 16 of the aforementioned convention;
- $W_{d,n}$ designates the accumulation for a year of acoustic energies of takeoffs on the Paris - Charles de Gaulle aerodrome of the noise staircraft for the operator in question between 11.15 p.m. and 6 a.m., local apron departure times;

- "the acoustic energy of an aircraft landing", designates the value W defined by the equation

$$W_a = 10^{(L_a/10)}$$

where L_a represents the certified noise level of this aircraft at the so-called approach point, in conformity with the standards enumerated in appendix 16 of the aforementioned convention;

- $W_{a,n}$ designates the cumulation for year n of acoustic energies of landings on the Paris - Charles de Gaulle aerodrome of the noisiest aircraft for the operator in question between 11.30 p.m. and 6.15 a.m., local apron arrival times;
- "nocturnal indicator of the noisiest aircraft for year n " of an aircraft operator, designates the value I_n defined by the equation:

$$I_n = \frac{1}{2} \left[\frac{W_{a,n}}{W_{a,2000}} + \frac{W_{d,n}}{W_{d,2000}} \right] \times 100$$

where: $W_{a,2000}$ represents the highest of the following numbers:

- accumulation for year 2000 of the acoustic energies of landings on the Paris - Charles de Gaulle aerodrome of the noisiest aircraft for the operator in question between 11.30 p.m. and 6.15 a.m., local apron arrival times; or
- 40×10^{10} joules;

and: $W_{d,2000}$ represents the highest of the following numbers:

- accumulation for year 2000 of the acoustic energies of takeoffs on the Paris - Charles de Gaulle aerodrome of the noisiest aircraft for the operator in question between 11.15 p.m. and 6 a.m., local apron departure times;
- 2×10^{10} joules;
- "movement" designate a landing or a takeoff.

II. - Subject to the provisions stipulated in IV of the present article, on the Paris - Charles de Gaulle aerodrome, none of the noisiest aircraft in chapter 3 can:

- land between 23.30 p.m. and 6.15 a.m. local apron arrival times ;
- takeoff between 23.15 p.m. and 6 a.m. local apron departure times;

The forbidding of landings or takeoffs on the Paris - Charles de Gaulle aerodrome, transiently does not apply to aircraft operated on this aerodrome for less than five years prior to the edate of application of the present order, provided the landing or takeoff does not make the nocturnal indicator of the operator's noisiest aircraft exceed the following maximum values for the year in question:

- 80 for 2001 or 22.5 for the last term of 2001;
- 60 for 2002;
- 40 for 2003;
- 20 for 2004.

The aforementioned values for the years 2003 and 2004 may be reviewed according to the observed evolution of noise due to the airport.

The French Ministry responsible for civil aviation may grant authorization to exceed the maximum value of the nocturnal indicator of the noisiest aircraft to operators whose total fleet comprises a very small number of aircraft and who, in particular, given the composition of their fleet of aircraft, provide proof, on one hand, that at failings such a waiver, their activities may be unreasonably compromised and, on the other, that they are committed to a program aimed at reducing the acoustic energy resulting from the operation on the Paris - Charles de Gaulle aerodrome of their noisiest aircraft in chapter 3.

Requests to exceed the maximum value must be submitted to the French Ministry responsible for civil aviation by 31 March of the year for which the request is made. For 2001, the request must be sent by the latest on 1 November, 2001.

III - Subject to the provisions stipulated in IV of the present article, on the Paris - Charles de Gaulle aerodrome, no noisy aircraft in chapter 3 can:

- land between 23.30 p.m. and 6.15 a.m. local apron arrival times
- take off between 23.15 p.m. and 6 a.m. local apron departure times

unless the operator of this aircraft can prove that the latter has been operated for less than five years on this aerodrome prior to the date of application of the present order.

Waiver to these provisions may exceptionally be granted by the French Ministry responsible for civil aviation.

IV. - The provisions stipulated in II and III of the present article do not bar the exceptional landing and take off of the following aircraft:

- aircraft performing medical or humanitarian missions, missions for the protection of persons and property, state and military missions, public service missions;
- aircraft in emergency situations dependent on reasons of flight safety.

Article 2. - The provision of the present order becomes effective on 1 October, 2001

Article 3. - The Director General of French civil aviation and the Director General of Aeroports de Paris are, each within his own responsibilities, in charge of executing the present ministerial order to be published in the French Official Gazette.

Written in Paris, 2 August, 2001

Jean-Claude Gayssot