



## HIGHLIGHTS – THE ACOUSTIC POLLUTION: WHAT ABOUT THE RAILWAY TRAFFIC?

According to a report issued by the WHO (World Health Organization) on October 10, 2018, certain measures must be taken in relation to noise caused by road, air and rail traffic, which has always benefited from exceptions.

In fact, the issue of noise raises the supervision by the legislator some time ago. In October 2018, WHO decided to address this issue. Considered a public health problem, the problem of noise, according to the organization, would have direct consequences for human health and well-being. In accordance with WHO recommendations, the human health's protection from exposure to transport noise should be strengthened. From this perspective, transport noise would not be sufficiently taken into account, particularly rail traffic. As a result, WHO conducted a specific study that reevaluated the health impacts of transport-related noise and made recommendations to the political arena for immediate implementation.

As part of its study, WHO proposes two types of measures that would tend to reduce the exposure to average and nighttime noise resulting from rail traffic in agglomerations exposed to levels above the reference values established in the Directive.

With regard to the exposure to average noise, the organization insists on reducing the noise nuisance related to rail traffic to less than 54 dB (decibels) Lden, because a noise level higher than this value would have adverse effects on physical health and psychological. Regarding the issue of nocturnal noise exposure, the WHO recommends that noise levels resulting from night-time rail traffic be reduced to less than 44 dB (decibels) Lnight. Otherwise, a sound level higher than this value would have adverse effects on well-being, such as sleep disorders (insomnia, parasomnia ...) that can affect mentally and physically exposed people (fatigue, drowsiness).



## POLLUTION – GLOBAL CARBON CONSUMPTION INCREASES AGAINST PARIS AGREEMENTS 2015

A report published shortly after COP24 at the end of 2018 shows that global coal consumption increased in



2017 and will continue in 2018, despite the Paris Agreements, a general consensus, especially with banks, to do not use more or not to finance this type of polluting activities. The emerging countries' development such as China and India continue to be important and their demand for energy is increasing, despite the fact that COP21 Asia had shown encouraging signs in favor of the environment, the rejection of fossil fuels and the increase in investments in renewable energy with China at the top of the list. The second world power continues to be the largest user of this fossil energy, with a quarter of the world's coal consumption for the electricity's production. However, globally, the report of the International Energy Agency shows that coal consumption will remain stable because the increase in consumption in developing countries would be compensated by the decrease in the use of this product by Europe and the United States. Finally, the report predicts that global electricity production will continue to be supplied by coal by a quarter to at least 2023. The evolution of this trend will mainly depend on demand from Asia and air



## WASTE – PARIS PROVES ITS FIRST STREET "ZERO WASTE"

As part of its road map of the Climate Plan, the mayor of the 10th district of Paris decided to transform De Paradis street into a real waste management model. Since December 8, 2018, the city council has launched an experience that will challenge the diverse occupants of a busy Parisian street. Inhabitants, merchants or workers will try to minimize the volume of their waste during the experiment. Although the municipality has not communicated the official waste reduction goals, we can assume that it would be close to the one established by the local program for the prevention of domestic and similar waste in the city of Paris, established at 10% between 2010 and 2020.

For this, several participatory devices will be available: worm composters for organic waste, solid refrigerators, training, awareness actions, etc. The objective will also be to minimize the waste at the source by encouraging a new consumption model through an awareness campaign.

To carry out this experiment, the town hall is associated with the organization Zero Waste Paris. If the experiment is successful, the final objective will be to export this model to the rest of the capital.



## BIODIVERSITY - CREATING ARTIFICIAL ISLANDS IN THE NETHERLANDS TO PROMOTE BIODIVERSITY

The Netherlands recently built one of the largest artificial archipelagos in the world, called Marker Wadden, with the five islets' creation on the Markermeer (Lake Merken). This lake, located in the north of the Netherlands, was once a great ecological resource, allowing in particular to regulate the waves' level. But a dam's construction that separates it from the largest lake in the Netherlands, the IJsselmeer, has caused its ecosystem alteration. The presence of the dam prevented the sediments from flowing, which consequently settled at the lake's bottom, reducing the presence of many species,

quality problems, energy needs, transport and public health risks, maintaining a certain level of growth. The challenge is essential and seems difficult to fulfill.

## EUROPEAN UNION - CARBON PLANTS WILL SOON NOT BENEFIT FROM THE CAPACITY MECHANISM IN EUROPE

After 17 trading hours, the 28-member countries of the European Union reached on 19 December 2018 a substantial agreement in the electricity market. As of July 1, 2025, existing plants that produce more than 550 grams of CO<sub>2</sub> / kWh will no longer benefit from the capacity mechanism. Power plants built after the agreement cannot benefit from it. This capacity mechanism was created with the improving security aims of supply during peak consumption, especially winter peaks, by increasing the operator's remunerations of advanced power plants. This threshold excludes de facto coal power plants, which is one of the most controversial energy sources today due to its disastrous carbon footprint. Only coal accounts for 44% of global greenhouse gas emissions. However, although this agreement is an important step for the European ecological transition, one of its elements is controversial: Poland, one of the most polluting European countries and also the country most dependent on coal to provide electricity, was benefited by a clause of exemption. In fact, all contracts that will be placed before December 31, 2019 will not be affected by this agreement.

## JURISPRUDENCE - REJECTION OF THE ACTION AGAINST THE DECREE OF AUGUST 30, 2016 CONCERNING THE CONDITIONS FOR THE APPLICATION OF THE PROHIBITION OF PLASTIC GARBAGE

In a judgment issued on December 28, 2018, the Council of State rejected the appeal, which requested the annulment of the provisions of the decree of August 30 on the modalities to implement the limitation of disposable cups and plates made of plastic. The provisions of this decree prohibited the supply of disposable kitchen plates and cups for the table as of January 1, 2020.

In this case, the requesting companies invoke the irregularity of the decree for lack of signature by the Minister of Finance Economy, and ignore article L.541-10-5 of the Environment Code, articles 34 and 35 of the Treaty of Functioning of the European Union (TFEU). With regard to this last reason, the State Council ruled that "by adopting the challenged measure, the legislator has pursued the objective of reducing the volume of plastic waste to prevent and limit soil contamination and damage to biodiversity." Consequently, the Council of State refuted the "substitution" measures proposed by the applicant companies, namely, the establishment of collection and recycling systems and the implementation of programs for the prevention of garbage destined for the public. These proposals would not be enough to replace a ban that aims to reduce the production of plastic waste.

Therefore, the administrative judge concluded that the provisions of the decree of August 30, 2016 were necessary measures in view of the imperative requirement of environmental protection, proportionate and justified in view of the objective pursued.

especially fish and birds.

This project lasted two and a half years and was possible thanks to the collaboration of many actors, such as a local NGO working for the protection of the environment, Natuurmonumenten, the Ministry of Agriculture or even fishermen's associations. It was developed to form marshy areas and reservoirs of food for migratory birds. In October 2018, a few months after the end of the construction, 127 types of plants could be identified on the islets. In addition, an explosion of plankton has been appreciated, thus guaranteeing a food resource for birds, whose number of species in the archipelago continues to increase.



## POLICY - IMPORTANT CHANGES' GENERAL DESCRIPTION TO TAKEN ON JANUARY 1, 2019

Every January 1 of each year marks the entry into force of many provisions made during the previous year. Some provisions are abandoned, such as the carbon tax that follows the movement of the yellow vests, others are extended and finally some will apply from January 1. This new year foresees restrictive measures with respect to biocides: in fact, the sale for individuals will be prohibited and only bio-control products will remain authorized, low-risk products and products authorized in organic agriculture will continue to be authorized. It is also scheduled a reinforcement of the tariff for diffuse pollution, for which reason it is foreseen the modification of its base and an increase of the applicable tariffs. The multi-year energy plan (EPP, French acronym) is extended, the tax credit for the energy transition is extended and the energy verification too, so that there will be more beneficiaries of this credit that has been very successful. At transport level, it must be taken into account that the "auto malus" tax is lightened for larger vehicles, or that the semi-depreciation device for so-called "clean" vehicles is prolonged until 2021. Many changes are foreseen in terms of facilities classified for environmental protection (ICPE, French acronym), such as the combination of financial guarantees for the Seveso installations, or a periodic inspection obligation that will be applied to 9 categories of installations subject to declaration. This is a summary of the many changes that occurred on January 1, 2019.

## WASTE - THE EU DECLARES WAR ON PLASTIC PRODUCTS FOR SINGLE USE.

Some plastic products considered as single-use products, such as straws and cotton swabs, will be banned in the European Union as of 2021 under an agreement negotiated in Brussels. The main reason would be the harmful effects of this type of plastic waste in the oceans. The agreement, after having raised a broad debate after the initial proposal of the European Commission, would have as main objective to ban a dozen categories of products that represent in themselves 70% of the waste found at sea. This agreement was discussed in Parliament. After several hours of final negotiations. The products in question are: cotton swabs, cutlery, plates, straws, stirrers for drinks or ball sticks.

According to the first vice president of the European Commission, Frans Timmermans: "The Europeans are aware that plastic waste is a big problem and that the EU as a whole has shown real value to face it." 'She, world leader in the fight against marine plastic waste'.

For products that are harmful but are not classified in the category of single-use plastic products, the idea would be to reduce their consumption nationally and regulate their design better by imposing obligations on producers in terms of waste management. This specific measure would be part of a general objective to present other environmental and economic benefits that allow, for example, "to avoid the emission of 3.4 million tons of CO<sub>2</sub> equivalent".

These radical measures of the European Union are a step forward in the desire to consider a future without plastic and avoid irreversible environmental damage that would cost us the equivalent of 20 billion euros between now and 2030.