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NOISE LEGISLATION MAKES AN UN-LEVEL PLAYING FIELD

By Andy Munford*

Andy Munford discusses how while the latest EC noise legislation is important for the health and safety of those working onsite, it is still creating confusion and an un-level playing field for manufacturers.

Most people in construction acknowledge the importance of the latest noise level legislation as outlined by EC Declaration of Conformity for Noise Directive 2000/14/EC and Amending Directive 2005/88/EC where the welfare and well being of those working with onsite equipment is concerned. An impact of this regulation has resulted in time consuming and costly procedures and created what could be described as an un-level playing field for manufacturers and equipment hire companies alike.

To enable us to examine the current situation, we should reflect on where noise legislation has come from and where it is now. The original standard was implemented in the mid 1980s with the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) being introduced in 1985. Under this standard, equipment manufacturers had to test products and provide documentation to prove that operating noise levels met the required criteria. This involved an initial one off test and certification which had a shelf life of five years. In Arc-Gen's experience, this costs £250 per model every five years to keep accreditation up to date and to conform with the law.

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However, the introduction of the 2000 EC directive has meant an increase of up to 1100 per cent per machine, despite 'shopping around' for alternative accreditation providers. Additionally, this figure does not include the cost for staff time spent organising and administrating the whole accreditation process.

Companies like Arc-Gen are responsible for testing to be carried out on all new and existing products as well as the recording of the data, which is then submitted to a Notified Body, or accreditation provider, for verification. An EC declaration certificate is then issued which confirms low voltage, EMC, electrical radio waves. But the process does not end there, an audit has to be carried out each year to prove that subsequent products are being manufactured to the same standard.

Where the legislation goes 'off the rails' is although onsite power generation equipment such as welders and generators have to meet with the directive and rightly so, there are other important items such as water pumps which don't have to. This is completely wrong, what is the point of having just some onsite equipment having to comply with the safety rules and parameters while other products are allowed to operate without?

Additionally, there are products being marketed which haven't undergone testing and inevitably don't carry the correct accreditation. This is extremely unfair on the manufacturers and confusing for our customers, the equipment hire companies. Ignorance, after all, is no defence of the law.

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A further frustration for companies who stick to the rules is, of course, the Internet. There are websites out there carrying equipment which does not comply with the regulations and as those offering them don't have the expense of testing and accreditation, they are available at cheap prices. The Internet has recently been described as having a 'Wild West culture'**. In this instance the article referred to online security and fraud, but inevitably an unregulated marketplace will lead to a rash of cowboy operators and ultimately, products.

The Department of Trade and Industry is responsible for the policing of the directive and after seven years, maybe the time is right to revisit the process. The current anomalies need to be addressed to get things onto more of an even keel, cut the confusion and help manufacturers and in turn our customers.

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***Andy Munford is sales director for Arc-Gen Limited.**

****House of Lords' Science & Technology Committee Report – August 2007**

Widely recognised as being one of the UK's leading specialists of onsite generation equipment, Arc-Gen's main product ranges include mobile generators, welders, lighting towers and plasma cutters which are supplied to the rental, construction and fabrication markets.

The company operates from a 3,000 sq m facility in Four Ashes, near Wolverhampton. Accredited with ISO 9001, Arc-Gen's staff includes fully trained engineers offering expert advice, service and repairs to any aspect of the product range.

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