



European Investment Bank

CONCLUSIONS REPORT

Complaint SG/E/2010/07

**Alleged noise pollution caused
by new EIB/EIF Building**

27 October 2010

External Distribution

Complainants: Mr. Stefan Urbanek

Internal Distribution

Vice President S. Brooks
Secretary General, Inspector General
EIB services concerned

CONCLUSIONS REPORT

Complainant: Mr. Stefan Urbanek

Date received: 14/07/2010

Subject of complaint: Alleged noise pollution caused by new EIB/EIF Building.

1. Complaint

1.1 On 14 July 2010, Mr. Stefan Urbanek (hereinafter the complainant) lodged a complaint by email to the Complaints Inbox concerning the new EIB/EIF building. The complainant, who resides in the neighbourhood, alleged that the technical equipment of the new EIB/EIF building would produce noise preventing all the residents of the area from resting or sleeping at night. In this context, the complainant took the view that the noise might cause serious cardio-vascular, hearing, mental and neurological disorders. As a result the complainant urged the EIB to take effective and efficient action to stop the disturbing noise.

1.2 On 28 July 2010 the EIB Complaints Office (CO) acknowledged receipt of the complaint. The complainant was informed of the fact that the CO was carrying out a review of his complaint as well as of the date by which he may expect an official reply from the EIB. On 22 September 2010, the CO informed the complainant that, with a view to obtaining all the necessary information in order to form a reasoned opinion on the issues at stake, it was necessary to extend the timeframe for the handling of the complaint in line with article 11.10.2 of the EIB Complaints Mechanism.

2. The inquiry of the Complaints Office

2.1 On 29 July 2010 the CO contacted the complainant with a view to obtaining clarifications on the complaint. In particular, the CO requested him to indicate the typology of the noise as well as the time when the complainant had perceived it. In his reply of 1 August 2010, the complainant stated that when the weather was hot (outer temperature > 25° C) the noise seemed to come from the air conditioning system of the new EIB/EIF building. In the complainant's words, the noise would be "*similar to a remote vuvuzela-like sound*". The complainant also added that since the weather was not hot and temperature had dropped down following the submission of the complaint, the noise had ceased to be produced and that if the current situation persisted, he would consider the issue solved.

2.2 Following this preliminary engagement with the complainant, the CO deemed appropriate to engage with the competent services of the EIB in an inter-services consultation. The services confirmed that the noise referred to by the complainant was due to the ventilation system used to cool down the electrical transformers of the new EIB/EIF building and automatically activated when outer temperature exceeds 32° C. In particular, the EIB competent services identified that the condition for the automatic activation of the ventilation system occurred during the summer break on two occasions and namely from 2 July 2010 around 16:30 until 3 July 2010 around 20:00 and from 11 July 2010 around 17:00 until 13 July 2010. On such occasion, the sound produced by the ventilators might have been audible from the area located in the proximity of the EIB premises.

3. Compliance review and problem-solving

3.1 On 4 February 2005, the Ministry of Environment of the Grand-Duchy of Luxembourg (MoE) issued decision n. 1/03/0548 authorising the EIB to develop and use the new EIB/EIF building. The decision of the MoE also puts conditions concerning noise. In particular, it stipulates that the facilities shall be constructed, equipped and operated so that the operation cannot cause noise or vibration, which may jeopardize the health or safety of the neighborhood or be a nuisance to its tranquility.

3.2 The MoE decision also establishes that measurements of the noise level in the immediate vicinity of buildings and construction sites on the new EIB/EIF building have been carried out according to the Annex to the Grand-Duchy Regulation of 13 February 1979 and that the intensity and the spectral composition of noise must be limited so as not to cause vibrations in the neighbour premises which could cause abnormal discomfort to residents.

3.3 Within this context, it is worth to emphasize that all cooling installations at the EIB meet the terms of the local regulations and are certified by an external compliance office. During the inter-services consultation carried out by the CO, the competent services stressed that the new EIB/EIF building obtained all required certificates and passed without reserves in this respect all necessary validations prior to its operation and that the inconvenience occurred to the complainant was primarily due to the exceptional temperature of the days referred to in §2.2 of this Report.



3.4 However, with a view to minimising inconveniences to people living in the immediate proximity of the EIB premises, the EIB technical unit agreed to adjust the threshold that triggers on the ventilation system to 40° C instead of the previous threshold of 32° C. These new settings will still guarantee a correct functioning and protection of EIB equipments whereas the ventilators will be activated only on very rare and extremely hot weather conditions.

4. Findings and Conclusions

4.1 Based on the above considerations and in light of the praiseworthy pro-activeness of the EIB competent services involved in the handling of the present complaint, the CO deems that the solution proposed addresses the complainant's concern in a satisfactory manner. As a result, it proceeds to close the complaint with no recommendation.

4.2 In addition, the CO deems appropriate to provide the complainant with the contact details of the EIB competent services, should the episodic noise occur again, as well as additional information on the EIB Complaints Mechanism through a link to the relevant webpage of the EIB's website.

A handwritten signature in blue ink, consisting of a large, stylized 'F' and a smaller 'A'.

F. Alcarpe
Head of Division
EIB Complaints Mechanism
27/10/2010

A handwritten signature in blue ink, consisting of a large, stylized 'R' and a smaller 'R'.

R. Rando
Complaints Officer

27/10/2010