

109TH CONGRESS
1ST SESSION

H. R. 2895

To reestablish the Office of Noise Abatement and Control in the
Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2005

Mrs. LOWEY (for herself, Mr. HINCHEY, Mr. SERRANO, Mr. SMITH of Washington, Mr. WEINER, Mr. CROWLEY, Mr. NADLER, Mr. HOLT, Mr. SCOTT of Georgia, Mr. LANTOS, Mr. SHERMAN, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reestablish the Office of Noise Abatement and Control
in the Environmental Protection Agency, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Quiet Communities
5 Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Approximately 28,000,000 Americans are
2 afflicted with some hearing loss and it has been esti-
3 mated that 10,000,000 of these impairments are at
4 least partially attributable to damage from exposure
5 to noise.

6 (2) For millions of Americans, noise from air-
7 craft, vehicular traffic, and a variety of other
8 sources is a constant source of torment. Millions of
9 Americans are exposed to noise levels that can lead
10 to sleep loss, psychological and physiological damage,
11 and work disruption.

12 (3) Chronic exposure to noise has been linked
13 to increased risk of cardiovascular disorders, learn-
14 ing deficits in children, stress, and diminished qual-
15 ity of life.

16 (4) Excessive noise leading to sleep deprivation
17 and task interruptions can result in untold costs on
18 society in diminished worker productivity.

19 (5) Pursuant to authorities granted under the
20 Clean Air Act of 1970, the Noise Control Act of
21 1972, and the Quiet Communities Act of 1978, the
22 Environmental Protection Agency established an Of-
23 fice of Noise Abatement and Control. Its responsibil-
24 ities included promulgating noise emission stand-
25 ards, requiring product labeling, facilitating the de-

1 velopment of low emission products, coordinating
2 Federal noise reduction programs, assisting State
3 and local abatement efforts, and promoting noise
4 education and research. However, funding for the
5 Office of Noise Abatement and Control was termi-
6 nated in 1982 and no funds have been provided
7 since.

8 (6) Because the Environmental Protection
9 Agency remains legally responsible for enforcing reg-
10 ulations issued under the Noise Control Act of 1972
11 even though funding for these activities were termi-
12 nated, and because the Noise Control Act of 1972
13 prohibits State and local governments from regu-
14 lating noise sources in many situations, noise abate-
15 ment programs across the country lie dormant.

16 (7) As population growth and air and vehicular
17 traffic continue to increase, noise pollution is likely
18 to become an even greater problem in the future.
19 The health and welfare of our citizens demands that
20 the Environmental Protection Agency, the lead Fed-
21 eral agency for the protection of public health and
22 welfare, once again assume a role in combating noise
23 pollution.

1 **SEC. 3. REESTABLISHMENT OF OFFICE OF NOISE ABATE-**
2 **MENT AND CONTROL.**

3 (a) REESTABLISHMENT.—The Administrator of the
4 Environmental Protection Agency shall reestablish within
5 the Environmental Protection Agency an Office of Noise
6 Abatement and Control.

7 (b) DUTIES.—The responsibilities of the Office shall
8 include the following:

9 (1) To promote the development of effective
10 State and local noise control programs by providing
11 States with technical assistance and grants to de-
12 velop the programs, including the purchase of equip-
13 ment for local communities.

14 (2) To carry out a national noise control re-
15 search program to assess the impacts of noise from
16 varied noise sources on mental and physical health.

17 (3) To carry out a national noise environmental
18 assessment program to identify trends in noise expo-
19 sure and response, ambient levels, and compliance
20 data and to determine the effectiveness of noise
21 abatement actions, including actions for areas
22 around major transportation facilities (such as high-
23 ways, railroad facilities, and airports).

24 (4) To develop and disseminate information and
25 educational materials to the public on the mental
26 and physical effects of noise and the most effective

1 means for noise control through the use of materials
2 for school curricula, volunteer organizations, radio
3 and television programs, publications, and other
4 means.

5 (5) To develop educational and training mate-
6 rials and programs, including national and regional
7 workshops, to support State and local noise abate-
8 ment and control programs.

9 (6) To establish regional technical assistance
10 centers which use the capabilities of university and
11 private organizations to assist State and local noise
12 control programs.

13 (7) To undertake an assessment of the effec-
14 tiveness of the Noise Control Act of 1972.

15 (c) PREFERRED APPROACHES.—In carrying out its
16 duties under this section, the Office shall emphasize noise
17 abatement approaches that rely on local and State activi-
18 ties, market incentives, and coordination with other public
19 and private agencies.

20 (d) STUDY.—

21 (1) IN GENERAL.—Using funds made available
22 to the Office, the Administrator shall carry out a
23 study of airport noise. The Administrator shall carry
24 out the study by entering into contracts or other
25 agreements with independent scientists with exper-

1 tise in noise measurements, noise effects, and noise
2 abatement techniques.

3 (2) CONTENTS.—The study shall examine the
4 selection of noise measurement methodologies by the
5 Federal Aviation Administration, the threshold of
6 noise at which health impacts are felt, and the effec-
7 tiveness of noise abatement programs at airports
8 around the Nation.

9 (3) REPORT.—Not later than 24 months after
10 the date of enactment of this Act, the Administrator
11 shall transmit to Congress a report on the results of
12 the study, together with specific recommendations
13 on new measures that can be implemented to miti-
14 gate the impact of aircraft noise on surrounding
15 communities.

16 **SEC. 4. GRANTS UNDER QUIET COMMUNITIES PROGRAM.**

17 Section 14(c)(1) of the Noise Control Act of 1972
18 (42 U.S.C. 4913(c)(1)) is amended—

19 (1) by striking “and,” at the end of subpara-
20 graph (C); and

21 (2) by adding at the end the following:

22 “(E) establishing and implementing train-
23 ing programs on use of noise abatement equip-
24 ment; and

1 “(F) implementing noise abatement
2 plans;”.

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated for each of
5 fiscal years 2007 through 2011 \$21,000,000 for activities
6 of the Office of Noise Abatement and Control reestab-
7 lished under section 3.

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