

115TH CONGRESS
2D SESSION

S. 3385

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

IN THE SENATE OF THE UNITED STATES

AUGUST 23, 2018

Mrs. GILLIBRAND (for herself and Mr. SCHUMER) introduced the following
bill; which was read twice and referred to the Committee on Environment
and Public Works

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 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Approximately 28,000,000 people of the
9 United States are afflicted with hearing loss, and it

1 has been estimated that 10,000,000 of these hearing
2 impairments are at least partially attributable to
3 damage from exposure to noise.

4 (2) For millions of people of the United States,
5 noise from aircraft, vehicular traffic, and a variety
6 of other sources is a constant source of torment.

7 (3) Millions of people of the United States are
8 exposed to noise levels that can lead to sleep loss,
9 psychological and physiological damage, and work
10 disruption.

11 (4) Chronic exposure to noise has been linked
12 to an increased risk of cardiovascular disorders,
13 learning deficits in children, stress, and a diminished
14 quality of life.

15 (5) Sleep deprivation and task interruptions
16 caused by excessive noise can result in untold costs
17 to society through diminished worker productivity.

18 (6) Under the Clean Air Act (42 U.S.C. 7401
19 et seq.), the Noise Control Act of 1972 (42 U.S.C.
20 4901 et seq.), and the Quiet Communities Act of
21 1978 (Public Law 95–609; 92 Stat. 3079), the Ad-
22 ministrators of the Environmental Protection Agency
23 established an Office of Noise Abatement and Con-
24 trol.

1 (7) Before the termination of the Office of
2 Noise Abatement and Control, the duties of the Of-
3 fice included—

4 (A) the promulgation of noise emission
5 standards;

6 (B) the enforcement of relevant product la-
7 beling requirements;

8 (C) the facilitation of the development of
9 low-noise emission products;

10 (D) the coordination of Federal noise re-
11 duction programs;

12 (E) the provision of assistance to State
13 and local abatement efforts; and

14 (F) the promotion of noise education and
15 research.

16 (8) Funding for the Office was terminated in
17 1982 and no funds have been provided since that
18 year.

19 (9) Noise abatement programs throughout the
20 United States lie dormant because—

21 (A) funding for the enforcement of regula-
22 tions promulgated under the Noise Control Act
23 of 1972 (42 U.S.C. 4901 et seq.) was termi-
24 nated, although the Administrator remains le-

1 gally responsible for the enforcement of the reg-
2 ulations; and

3 (B) the Noise Control Act of 1972 (42
4 U.S.C. 4901 et seq.) prohibits State and local
5 governments from regulating noise sources in
6 many situations.

7 (10) As population growth and air and vehic-
8 ular traffic continue to increase, noise pollution is
9 likely to become an even greater problem in the fu-
10 ture.

11 (11) The health and welfare of the people of the
12 United States demands that the Administrator, as
13 the head of the lead Federal agency for the protec-
14 tion of public health and welfare, once again assume
15 a role in combating noise pollution.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) ADMINISTRATOR.—The term “Adminis-
19 trator” means the Administrator of the Environ-
20 mental Protection Agency.

21 (2) OFFICE.—The term “Office” means the Of-
22 fice of Noise Abatement and Control.

1 **SEC. 4. REESTABLISHMENT OF THE OFFICE.**

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

5 (b) DUTIES.—The Office shall—

6 (1) promote the development of effective State
7 and local noise control programs by providing States
8 with technical assistance and grants to develop the
9 programs, including the purchase of equipment for
10 local communities;

11 (2) carry out a national noise control research
12 program to assess the impacts of noise from varied
13 noise sources on mental and physical health;

14 (3) carry out a national noise environmental as-
15 sessment program—

16 (A) to identify trends in noise exposure
17 and response, ambient levels, and compliance
18 data; and

19 (B) to determine the effectiveness of noise
20 abatement actions, including actions for areas
21 around major transportation facilities (such as
22 highways, railroad facilities, and airports);

23 (4) develop and disseminate information and
24 educational materials about the mental and physical
25 effects of noise and the most effective means for
26 noise control to the public through the use of mate-

1 rials for school curricula, volunteer organizations,
2 radio and television programs, publications, and
3 other means, as determined by the Administrator;

4 (5) develop educational and training materials
5 and programs, including national and regional work-
6 shops, to support State and local noise abatement
7 and control programs;

8 (6) establish regional technical assistance cen-
9 ters which use the capabilities of university and pri-
10 vate organizations to assist State and local noise
11 control programs;

12 (7) assess of the effectiveness of the Noise Con-
13 trol Act of 1972 (42 U.S.C. 4901 et seq.); and

14 (8) carry out other activities, as determined by
15 the Administrator.

16 (c) PREFERRED APPROACHES.—In carrying out the
17 duties described in subsection (b), the Office shall empha-
18 size noise abatement approaches that rely on—

19 (1) State and local activities;

20 (2) market incentives; and

21 (3) coordination with other public and private
22 agencies.

23 (d) STUDY.—

24 (1) IN GENERAL.—The Administrator shall
25 enter into one or more contracts or other agree-

1 ments with independent scientists who have exper-
2 tise in noise measurements, noise effects, and noise
3 abatement techniques to carry out a study of airport
4 noise.

5 (2) CONTENTS.—The study under paragraph
6 (1) shall examine—

7 (A) the selection of noise measurement
8 methodologies by the Federal Aviation Adminis-
9 tration;

10 (B) the threshold of noise at which hu-
11 mans experience health impacts; and

12 (C) the effectiveness of noise abatement
13 programs at airports throughout the United
14 States.

15 (3) REPORT.—Not later than 2 years after the
16 date of enactment of this Act, the Administrator
17 shall submit to Congress a report that describes—

18 (A) the results of the study under para-
19 graph (1); and

20 (B) specific recommendations for new
21 measures to mitigate the impact of aircraft
22 noise on communities located near airports.

23 (4) FUNDING.—The study under paragraph (1)
24 shall be carried out with funds made available to the
25 Office under section 6.

1 **SEC. 5. QUIET COMMUNITIES PROGRAM GRANTS.**

2 Section 14(c)(1) of the Noise Control Act of 1972
3 (42 U.S.C. 4913(c)(1)) is amended—

4 (1) in subparagraph (C), by striking “and,” at
5 the end; and

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

7 “(E) establishing and implementing train-
8 ing programs on the use of noise abatement
9 equipment; and

10 “(F) implementing noise abatement
11 plans;”.

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to carry out
14 this Act and the amendments made by this Act
15 \$21,000,000 for each of fiscal years 2019 through 2023.

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