

114TH CONGRESS
2D SESSION

S. 3197

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

JULY 13, 2016

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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 2016”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that:

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 Millions of people of the United States are exposed
8 to noise levels that can lead to sleep loss, psycho-
9 logical and physiological damage, and work disruption.
10 tion.

11 (3) 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 (4) Sleep deprivation and task interruptions
16 caused by excessive noise can result in untold costs
17 to society through diminished worker productivity.

18 (5) 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 ministrator of the Environmental Protection Agency
23 established an Office of Noise Abatement and Con-
24 trol. Before the termination of the Office, the duties
25 of the Office included—

1 (A) the promulgation of noise emission
2 standards;

3 (B) the enforcement of relevant product la-
4 beling requirements;

5 (C) the facilitation of the development of
6 low emission products;

7 (D) the coordination of Federal noise re-
8 duction programs;

9 (E) the provision of assistance to State
10 and local abatement efforts; and

11 (F) the promotion of noise education and
12 research.

13 (6) Funding for the Office was terminated in
14 1982 and no funds have been provided since that
15 year.

16 (7) Noise abatement programs throughout the
17 United States lie dormant because—

18 (A) funding for the enforcement of regula-
19 tions promulgated under the Noise Control Act
20 of 1972 (42 U.S.C. 4901 et seq.) was termi-
21 nated, although the Administrator remains le-
22 gally responsible for the enforcement of the reg-
23 ulations; and

24 (B) the Noise Control Act of 1972 (42
25 U.S.C. 4901 et seq.) prohibits State and local

1 governments from regulating noise sources in
2 many situations.

3 (8) As population growth and air and vehicular
4 traffic continue to increase, noise pollution is likely
5 to become an even greater problem in the future.
6 The health and welfare of the people of the United
7 States demands that the Administrator, as the head
8 of the lead Federal agency for the protection of pub-
9 lic health and welfare, once again assume a role in
10 combating noise pollution.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) ADMINISTRATOR.—The term “Adminis-
14 trator” means the Administrator of the Environ-
15 mental Protection Agency.

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

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

19 (a) REESTABLISHMENT.—The Administrator shall
20 reestablish within the Environmental Protection Agency
21 the Office.

22 (b) DUTIES.—The Office shall—

23 (1) promote the development of effective State
24 and local noise control programs by providing States
25 with technical assistance and grants to develop the

1 programs, including the purchase of equipment for
2 local communities;

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

6 (3) carry out a national noise environmental as-
7 sessment program—

8 (A) to identify trends in noise exposure
9 and response, ambient levels, and compliance
10 data; and

11 (B) to determine the effectiveness of noise
12 abatement actions, including actions for areas
13 around major transportation facilities (such as
14 highways, railroad facilities, and airports);

15 (4) develop and disseminate information and
16 educational materials about the mental and physical
17 effects of noise and the most effective means for
18 noise control to the public through the use of mate-
19 rials for school curricula, volunteer organizations,
20 radio and television programs, publications, and
21 other means, as determined by the Administrator;

22 (5) develop educational and training materials
23 and programs, including national and regional work-
24 shops, to support State and local noise abatement
25 and control programs;

1 (6) establish regional technical assistance cen-
2 ters which use the capabilities of university and pri-
3 vate organizations to assist State and local noise
4 control programs;

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

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

9 (c) PREFERRED APPROACHES.—In carrying out du-
10 ties described in subsection (b), the Office shall emphasize
11 noise abatement approaches that rely on—

12 (1) local and State activities;

13 (2) market incentives; and

14 (3) coordination with other public and private
15 agencies.

16 (d) STUDY.—

17 (1) IN GENERAL.—The Administrator shall
18 enter into one or more contracts or other agree-
19 ments with independent scientists who have exper-
20 tise in noise measurements, noise effects, and noise
21 abatement techniques to carry out a study of airport
22 noise.

23 (2) CONTENTS.—The study described in para-
24 graph (1) shall examine—

1 (A) the selection of noise measurement
 2 methodologies by the Federal Aviation Adminis-
 3 tration;

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

6 (C) the effectiveness of noise abatement
 7 programs at airports throughout the United
 8 States.

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 that describes—

12 (A) the results of the study described in
 13 paragraph (1); and

14 (B) specific recommendations for new
 15 measures to mitigate the impact of aircraft
 16 noise on communities located near airports.

17 (4) FUNDING.—The study described in para-
 18 graph (1) shall be carried out with funds made
 19 available to the Office under section 6.

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

21 Section 14(c)(1) of the Noise Control Act of 1972
 22 (42 U.S.C. 4913(c)(1)) is amended—

23 (1) in subparagraph (C), by striking “and”;
 24 and

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

1 “(E) establishing and implementing train-
2 ing programs on the use of noise abatement
3 equipment; and

4 “(F) implementing noise abatement
5 plans;”.

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

7 There is authorized to be appropriated to carry out
8 this Act \$21,000,000 for each of fiscal years 2017 through
9 2021.

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