



THE NOISE CONTROL ACT OF 1972

HIGHLIGHTS

U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

It's time for the people who talk about pollution to join the people who do things about pollution.



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Citizen Suits

Any person may start a civil action on his own behalf against any person or the U.S. and any other governmental agency for violation of this act. Similarly, civil action may be brought against the Administrator of EPA or FAA for failure to perform any non-discretionary duty under this law. No rights which a person may have under different statutes or the common law to enforce a noise control requirement are restricted by this law.

and cumulative noise exposure around airports. Using this information, EPA is to submit to the FAA proposed regulations to control aircraft noise and sonic booms. After a hearing and further consultation with EPA, the FAA may adopt or modify the proposed regulations. The FAA may reject the proposals if it believes they are unsafe, technologically or economically infeasible, or not applicable to certain aircraft. However, it must publicly explain its specific reasons for rejection. A continuing review and consultation role is provided for EPA.

AN END TO NOISE POLLUTION

The comprehensive nature of the Noise Control Act of 1972 brings under Federal regulation for the first time, nearly all of the major new sources of noise. An incentive now exists for the full employment of noise-control technology that is already available, and the day when quiet is restored appears closer. We know how to build quieter. Now the law is to give the Nation the stimulation to do it.

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December 1972

For sale by the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402

BACKGROUND OF LEGISLATION

Recognition of the fact that noise is an environmental problem that affects people other than workers has been late in coming.

Federal noise legislation first appeared in 1968 when Congress directed the Federal Aviation Administration (FAA) to establish rules and regulations to control aircraft noise.

At the State and local level, laws tended to treat noise as a public nuisance, and enforcement was both difficult and spotty. More recently some jurisdictions, notably ✓California and Chicago and New York City, have established new laws and ordinances that are based on noise-generating characteristics of specific equipment and, hence, are easier to enforce.

The Clean Air Amendments of 1970 called for the establishment of an Office of Noise Abatement and Control in the U.S. Environmental Protection Agency (EPA). The legislation also called for public hearings of environmental noise and a special report to the Congress on the problem, incorporating the results of the public hearings and other special studies. Information from this EPA report as well as ex-

The Effects of Noise

Of the some 80 million people significantly affected by noise (from transportation, construction activities and other engine-powered equipment and devices), half are exposed to levels that can damage their hearing or otherwise affect their health. Noise also interferes with communication, and interrupts sleep, generally adding to the stress of modern life, with some of the resulting physiological responses apparently chronic. For the average urban dweller, the fact that noise impinges upon the quality of the environment is probably the most impelling reason for quieting things down.

tensive Congressional hearings formed the basis of the Noise Control Act of 1972.

THE NOISE CONTROL ACT OF 1972

The Noise Control Act of 1972 represents the first major Federal attempt to eliminate excess noise at the design stage of a wide variety of new consumer products.

The Administrator of EPA is required to develop and publish information about permissible levels of noise, and then to set noise standards for products that have been identified as major sources of noise.

While aircraft noise control remains under the administration of the FAA, the law gives EPA an advisory role in formulating criteria and standards for controlling this source of noise.

Major Provisions

—EPA is directed to develop and publish information on the limits of noise required for protecting public health and welfare as well as a series of reports to identify products that are major sources of noise and to give information on the techniques for controlling noise from such products.

—Using the criteria thus developed, the EPA Administrator is required to set noise-emission standards for products that have been identified as major sources of noise and for which standards are deemed feasible. The law requires such standards to be set for products in the categories of *construction equipment, transportation equipment (except aircraft), all motors and engines, and electrical and electronic equipment.* It also grants authority to set for other products, standards deemed feasible and necessary to protect public health and safety.

EPA has authority to require the labeling of domestic or imported consumer products as to their noise-generating characteristics or their effectiveness in reducing noise. Manufacturers or importers of non-conforming or mislabeled products are subject to fines of up to \$25,000 per day for each violation and to imprisonment for up to one year. Manufacturers must issue

Some of the Common Noisemakers

Aircraft, transportation equipment—most notably trucks—and construction equipment are major sources of environmental noise. Recently the booming recreation industry has added a new dimension to the problem as snowmobiles, trailbikes and other engine-powered devices have become more and more popular. By the end of 1970, there were approximately two and a half million motorcycles in the United States, five times the number in use in 1960. Around the home, the growing number of power tools and devices—manufacturers of power lawn mowing equipment have shipped nearly 89 million units since 1946—are also adding to the din. It is not surprising, then, that from 22 to 44 million people have lost part of the use of their homes because of aircraft and transportation noise.

warrants that their regulated products comply with Federal standards at the time of sale. They are also required to maintain records and provide information, including production samples, if requested by EPA.

—The EPA Administrator also is to prescribe noise-emission standards for the operation of *equipment and facilities of interstate railroads, trucks, and buses.*

—All Federal agencies are directed to use the full extent of their authority to insure that purchasing and operating procedures conform to the intent of the law. EPA may certify low-noise emission products for purchase by the Federal Government.

Aircraft Noise

Under the Noise Control Act of 1972, the EPA Administrator is required by mid-1973 to make a comprehensive study of aircraft noise