

13TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE
OFFICE OF THE SECRETARY

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SENATE

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S. No. 632

INTRODUCED BY HON. MANUEL B. VILLAR JR.

EXPLANATORY NOTE

There is no law which prescribes a uniform system for noise impact at airports taking into account the characteristics of an area, including its proximity to an airport and its non-aircraft background noise. This is important to protect the public against significant disturbances in human activities such as sleep and rest.

The bill prescribes aviation noise limits, provides for its management and reduction especially in the surrounding residential areas, and provide for a staged plan which involves zoning, land use planning and relocation.


MANUEL B. VILLAR, JR.

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SENATE

S. No. 632

INTRODUCED BY HON. MANUEL B. VILLAR JR.

**AN ACT PROVIDING FOR AVIATION NOISE MANAGEMENT AND REDUCTION IN
RESIDENTIAL AREAS**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

1 **SECTION 1. Short Title** – This Act shall be known as the “Aviation Noise Limit Act.”

2 **SECTION 2. Declaration of State Policy** – The State shall protect public health by
3 determining noise impact of residential areas near airports and by establishing programs for the
4 management of noise levels. The State shall also ensure the constitutionally protected right of
5 quiet enjoyment of private property.

6 **SECTION 3. Definitions** – For the purpose of this Act, the following definitions shall
7 apply:

8 (1) **Airspace traffic change** – a change in aircraft flight paths, operating procedures, nature
9 of aircraft traffic, and quantity of aircraft traffic which is applicable in normal circumstances.

10 (2) **Average sound level** – the level, in decibels of the mean-square, A-weighted sound
11 pressure during a specified period, with reference to the square of the standard reference sound
12 pressure of 20 micropascals.

13 (3) **Background sound level** – hourly average sound level in decibels, measured at a
14 representative of a relatively quiet residential location within an area (with aircraft contributions
15 excluded).

16 (4) **Day-night average sound level** – 24 hour average sound level, in decibels, for the
17 period from midnight to midnight, obtained after the addition of 10 decibels to sound levels
18 during nighttime hours.

(5) Nighttime hours – periods between midnight and 7:00 a.m. and between 10:00 p.m. and midnight local time.

(6) Normal circumstances – all circumstances other than unusually adverse weather and emergency circumstances.

(7) Single event maximum sound level – the level, in decibels, of the maximum A-weighted sound pressure during an aircraft overflight obtained using a standard sound level meter under a slow response setting.

(8) Vicinity of an airport – the geographic area surrounding an airport established before the effectivity of this Act described nominally as follows:

(a) The area extending in all directions a distance of 1.5 miles from each runway established before such date of effectivity.

(b) The rectangular area defined by drawing a straight center line a distance of 1 miles from the end of each runway established before such date of the effectivity in the direction of heaviest traffic and extending 1.5 miles perpendicular from the center line on each side of such runway.

SECTION 4. Aviation Noise Limits – The Air Transportation Office of the Department of Transportation and Communication shall develop a medium-term plan to reduce by at least 75 percent the number of individuals residing in residential areas in the vicinity of an airport who are exposed to a yearly day-night average sound level of 60 decibels or above. In developing such plan, the Air Transportation Office shall consider various methods for aviation noise reduction, including sound proofing, relocation incentives, use of quieter aircraft, operations restrictions and revision of air routes.

As part of the plan to be developed pursuant to the preceding paragraph, the Air Transportation Office shall make recommendations on actions and policy changes on the part of departments and agencies of the government which could assist in meeting the objective described in paragraph 1 of this section.

SECTION 5. Management and Reduction of Aviation Noise in Other Areas – Beginning on the date of the enactment of this Act, the Air Transportation Office may make an airspace traffic change only if the change will not result in an increase in aviation noise in violation of the next succeeding section.

SECTION 6. **Requirements** – A violation of any of the following requirements, which apply only to residential areas that are not in the vicinity of an airport, shall be considered to be a violation of this Section.

(a) **Hourly average sound level** – The hourly average sound level, with combined aviation and non-aviation sources, over any 1-hour period may not exceed 6 decibels above the background sound level for such 1-hour period.

(b) **Single Event Maximum Sound Level** – Under normal circumstances, the single event maximum sound level -

(i) may not exceed 70 decibels;

(ii) during nighttime hours, may not exceed 55 decibels; and

(iii) may not be more than 20 decibels above the background sound level for the 1-hour period in which the event occurs.

The requirement of this paragraph shall be considered to have been met if there are no more than 3 violations of the limits contained in this subparagraph in a 24-hour period.

(c) **Day-Night Average Sound Level** – if the day-night average sound level, with combined aviation and non-aviation sources, exceeds 45 decibels, then aviation activity may not contribute more than 3 decibels to such sound level.

SECTION 7. **Determination of Vicinity of Airport** – if the location of the airport is substantially different from the geographic area as defined by this Act, an airport may on or before the 180th day following the effectivity of this Act, transmit to the Air Transportation Office for approval alternative boundaries of the vicinity of the airport which conform to the ground noise distribution of the airport; except that the geographic area enclosed by such alternative boundaries may not include an area with a day-night average sound level of less than 60 decibels for the 1-year period ending on the date of the effectivity of this Act.

In the event that an airspace traffic change or other action makes it unfeasible or impracticable to meet the sound level limits prescribed by this Act within a residential area then such area may be added to the area considered to be in the vicinity of the airport upon acquisition of the property or by acquisition of easements of the property by the airport operator.

Not later than 1 year after the date of the effectivity of this Act, the Air Transportation Office through the Department of Transportation and Communication shall transmit to Congress

1 a report containing the plan to be developed and a description of actions taken with respect to
2 airspace changes together with recommendations for appropriate administrative and legislative
3 actions.

4 **SECTION 8. Responsibility of Secretary of Transportation** – In complying with this
5 Act, the Secretary of the Department of Transportation and Communications shall assume
6 responsibility for all non-military aviation activity, within and outside controlled airspace and
7 shall regulate such activity to ensure compliance with the requirements of this Act.

8 **SECTION 9. Separability Clause** – If any provision or part of this Act is held invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11 **SECTION 10. Repealing Clause** – Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule of regulation contrary to, or inconsistent
13 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

14 **SECTION 11. Effectivity Clause** – This Act shall take effect fifteen (15) days after its
15 publication at least 2 newspapers of general circulation.

Approved.