

FIFTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

SECRET  
OFFICE OF THE SECRETARY

10 AUG -2 11:43

SENATE  
S. No. **2216**

RECORDED BY: *R*

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Introduced by Senator Miriam Defensor Santiago

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#### EXPLANATORY NOTE

There is no law which prescribes a uniform system for determining 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.

This bill prescribes aviation noise limits, provides for its management and reduction specially in surrounding areas, and provides for a staged plan which involves zoning, land use planning and relocation.\*

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MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

10 AUG -2 AM :43

SENATE  
S. No. **2216**

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 PROVIDING FOR AVIATION NOISE MANAGEMENT AND REDUCTION IN  
3 RESIDENTIAL AREAS

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

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

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

9 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

10 (A) “Airspace traffic change” means a change in aircraft flight paths, operating  
11 procedures, nature of aircraft traffic, and quantity of aircraft traffic which is  
12 applicable in normal circumstances.

13 (B) “Average sound level” means the level, in decibels of the mean-square; a weighted  
14 sound pressure during a specified period with reference to the square of the standard  
15 reference sound pressure of 20 micropascals.

16 (C) “Background sound level” means the level, in decibels, measured at a rate  
17 representative of a relatively quiet residential location within an area, with aircraft  
18 noise contributions excluded.

19 (D) “Day-night sound level” means the 24-hour average sound level, in decibels, for the  
20 period from midnight to midnight, obtained after the addition of 10 decibels to  
21 sound levels during nighttime hours.

1 (E) "Nighttime hours" means periods between midnight and 7:00 am and between  
2 10:00 p.m. and midnight local time.

3 (F) "Normal circumstances" means all circumstances other than unusually adverse  
4 weather and emergency circumstances.

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

8 (H) "Vicinity of an Airport" means the geographic area surrounding an airport  
9 established before the effectivity of this Act described nominally as follows:

10 (1) The area extending in all directions within a distance of 1.5 miles from each  
11 runway established before such date of effectivity; and

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

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

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

27 SECTION 5. *Management and Reduction of Aviation Noise in Other Areas.* – Beginning  
28 on the date of the enactment of this Act, the Air Transportation Office may make an airspace

1 traffic change only if the change will not result in an increase in aviation noise in violation of the  
2 next succeeding section.

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

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

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

11 (1) May not exceed seventy (70) decibels;

12 (2) During nighttime hours, may not exceed fifty five (55) decibels; and

13 (3) May not be more than twenty (20) decibels above the background sound level  
14 for the 1-hour period in which the event occurs.

15 The requirement of this paragraph shall be considered to have been met if there are no  
16 more than three (3) violations of the limits contained in this subparagraph in a twenty-four (24)  
17 period.

18 (C) *Day-Night Average Sound Level.* – If the day-night average sound level, with  
19 combined aviation and non-aviation sources, exceeds forty five (45) decibels, then  
20 aviation activity may not contribute more than three (3) decibels to such sound  
21 level.

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

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

5 Not later than one (1) year after the date of the effectivity of this Act, the Air  
6 Transportation Office through the Department of Transportation and Communication shall  
7 transmit to Congress a report containing the plan to be developed and a description of actions  
8 taken with respect to airspace changes together with recommendations for appropriate  
9 administrative and legislative actions.

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

14 SECTION 9. *Separability Clause.* – If any provision or part hereof, is held invalid or  
15 unconstitutional, the reminder of the law of the provision not otherwise affected shall remain  
16 valid and subsisting.

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

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

Approved,