

STATEMENT OF BROCK ADAMS, SECRETARY OF TRANSPORTATION,
BEFORE THE ENVIRONMENT ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE OF THE HOUSE COMMITTEE ON GOVERNMENT
OPERATIONS, RESPECTING THE EFFECTIVENESS OF THE FEDERAL
NOISE ABATEMENT PROGRAM TUESDAY, JUNE 21, 1977.

Mr. Chairman and Members of the Subcommittee:

Thank you for your invitation to appear today to discuss the Department's responsibilities and future policy regarding implementation of the Noise Control Act of 1972, as it relates to aircraft and airport noise control. In particular, you asked how we might improve the relationship between the FAA of the Department of Transportation and the Environmental Protection Agency regarding their responsibilities in the area of aircraft noise control, and whether the Noise Control Act is adequate to address the problems of aircraft noise pollution.

These requests apparently were premised on a statement in your letter of invitation which indicates that previous witnesses in hearings on this subject before your Subcommittee had testified that little progress has been achieved in reducing aircraft noise. I do not agree, Mr. Chairman, that the progress has been "little". On the contrary, the progress made by the Department has been substantial. As you know, Harry Close, Director of the Office of Noise Abatement, testified at length before you on April 4th, and described the actions which we have taken to control and reduce

aircraft noise. Mr. Close presented to you a rather long list of actions, along with a graphic illustration of the effectiveness of the most significant of those actions in reducing the number of our citizens impacted by aircraft noise. I believe these actions speak for themselves, and indicate clearly that the Department and the FAA have acted effectively in this area. In fact, despite EPA testimony before you to the effect that only some modest improvement will result, an EPA-published report indicates that the actions already taken will reduce aircraft noise impacts by 73% by the year 2000. Although we believe that EPA report may be somewhat optimistic, the results speak for themselves and we are continuing to improve.

No matter how effective Federal regulations and standards may be, the airport noise problem can never be "solved". Airplanes inherently make noise, as an undesirable byproduct of the energy transfer which gives those airplanes forward thrust and the movement of air past the frame. The best engineering design plus the most effective operational control will never eliminate that noise. For this reason, the Department will always be open to the charge that insufficient progress has been made in solving the aircraft noise problem.

The Department's policy and responsibilities for reducing aircraft noise impacts are well described in the Aviation Noise Abatement Policy statement, issued last November, which I have reviewed and endorse. That statement defined the actions which our operating agencies will take to reduce aircraft noise impacts and those actions are being taken. The FAA has required the replacement or modification of older airplanes within a time frame that is technologically practicable and economically reasonable as required under the statute. Noise standards for new-design airplanes have been tightened, and the FAA plans to publish a proposal for noise abatement takeoff procedures. We plan to publish shortly the Administration's proposals for limiting noise from supersonic-cruise aircraft. A comprehensive plan for noise control planning by airport proprietors is in its final stages. Next month I will report to the Congress on the feasibility and practicability of soundproofing public buildings around airports in order to reduce noise impacts in schools, hospitals, and public health facilities. In short, the Department's responsibilities have been spelled out, and we have moved to carry out those responsibilities.

As the Department's previous testimony pointed out, the FAA was given specific authority in 1968 to prescribe aircraft noise standards and regulations to provide protection from aircraft noise and sonic boom. The revision of that authority by the 1972 Act consisted largely of procedural changes, which I will discuss in a moment. The 1972 Act also added a strong and unequivocal national policy - to promote an environment for all Americans free from noise that jeopardizes their health or welfare. This statement of national policy certainly supported and accelerated the initiatives which the Department already had underway to control aircraft noise. As our previous testimony pointed out, the FAA regulations to limit aircraft noise for new designs, the extension of those limits to newly produced airplanes -- and finally to all large subsonic turbojet civil airplanes -- the prohibition of sonic booms over the U.S., the establishment of procedures for jet approaches and ^{to} departures - all these beneficial actions were begun before the Noise Control Act of 1972 was passed. Therefore, we are not concerned that our authority as revised by the Noise Control Act is inadequate from the standpoint of the basic power to set standards. o:

I believe, however, that certain other Congressional actions are essential if additional aircraft noise reductions are to be achieved

soon. I refer, of course, to the need for an effective mechanism to provide financial assistance to aircraft operators in replacing or modifying their older airplanes under the schedule for compliance with the noise standards. Last month, I outlined the Administration's financing proposal in testimony before another Committee. We believe that if a proposal of that type is enacted along with a meaningful aviation regulatory reform measure, the carriers can replace their older, noisy aircraft with newer models that are not only quieter, but also more productive and more fuel-efficient. And, I should point out, that those replacement aircraft will be more quiet because Departmental regulations require them to be.

Beyond a clear statement of the national policy for noise control which I noted above, the Noise Control Act of 1972 did ~~se~~ serve another function in the area of aviation noise control - that of placing two executive agencies in adversary roles. As you know, ~~se~~ction 7 of the Act authorized the Environmental Protection Agency to propose to the FAA regulations for the control of aircraft noise and sonic boom, which the EPA Administrator determines necessary to protect the public health and welfare. The FAA Administrator must then act on those proposals, within statutory constraints. The

Federal Aviation Act requires that the standard be consistent with the highest degree of safety, economically reasonable, technologically practicable, and appropriate for the type of equipment involved. In addition, in promulgating standards, there must be compliance with the National Environmental Policy Act, the Administrative Procedure Act, and requirements imposed within the executive department, such as those dealing with inflationary impacts. This arrangement virtually insures that there will be differences of opinion on how to proceed. In the past, there have been problems between the EPA and the FAA as pointed out in the General Accounting Office report which triggered this series of hearings. Under the process established by the Act, I believe that a highly cooperative relationship between those two agencies would have been rather surprising. Very simply, I believe, Mr. Chairman, that the relationships have improved and I anticipate that they will continue to do so.

In conclusion I wish to repeat my opening statement, that the Department has moved effectively to reduce aircraft noise impacts around our airports. And I believe that regulatory and other actions already taken will become more and more evident as their effects are realized in actual operations. I look forward to progress by the Congress in providing a mechanism to assist aircraft operators

in meeting the stringent noise regulations which have been imposed, and in providing a regulatory climate which will encourage the airline industry to replace older aircraft with quieter, more productive, and more fuel-efficient models.

Mr. Chairman, that completes my prepared statement.

Now I will be happy to answer your questions.

its

th

to