

Summary of the US EPA Noise Control Act

NOTE:

This is furnished for informational purposes only.

Regulations and interpretations are subject to change.

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42 U.S.C. §4901 et seq. (1972)

<http://www.epa.gov/lawsregs/laws/nca.html>

Overview:

Inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas. The major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce.

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare.

The Act also serves to (1) establish a means for effective coordination of Federal research and activities in noise control; (2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products.

While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment.

EPA is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control.

The Role of EPA

Under the Clean Air Act, the EPA administrator established the Office of Noise Abatement and Control (ONAC) to carry out investigations and studies on noise and its effect on the public health and welfare. Through ONAC, the EPA coordinated all Federal noise control activities, but in 1981 the Administration concluded that noise issues were best handled at the State and local level. As a result, ONAC was closed and primary responsibility of addressing noise issues was transferred to State and local governments. However, EPA retains authority to investigate and study noise and its effect, disseminate information to the public regarding noise pollution and its adverse health effects, respond to inquiries on matters related to noise, and evaluate the effectiveness of existing regulations for protecting the public health and welfare, pursuant to the Noise Control Act of 1972 and the Quiet Communities Act of 1978.

General Summary

NOISE CONTROL ACT OF 1972

LEGISLATIVE TITLE: Noise Control Act of 1972

UNITED STATES CODE CITATION: 42 U.S.C. 4901 to 4918

Code of Federal Regulations Citation: 40 C.F.R. 209-211

SUMMARY

This Act establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. To accomplish this, the Act establishes a means for the coordination of Federal research and activities in noise control, authorizes the establishment of Federal noise emissions standards for products distributed in commerce, and provides information to the public respecting the noise emission and noise reduction characteristics of such products (42 U.S.C. 4901).

The Act authorizes and directs that Federal agencies, to the fullest extent consistent with their authority under Federal laws administered by them, carry out the programs within their control in such a manner as to further the policy declared in 42 U.S.C. 4901. Each department, agency, or instrumentality of the executive, legislative and judicial branches of the Federal Government having jurisdiction over any property or facility or engaged in any activity resulting, or which may result in, the emission of noise shall comply with Federal, State, interstate, and local requirements respecting control and abatement of environmental noise.

Each Federal agency shall, upon request, furnish information to the Environmental Protection Agency (EPA) regarding the nature, scope, and results of the noise research and noise-control programs of that agency, and shall consult with EPA, as required, in prescribing standards or regulations respecting noise.

Certified low-noise-emission products shall be acquired for use by the Federal Government in lieu of other products if the Administrator of General Services determines that reasonably priced, reliable substitutes exist (42 U.S.C. 4914).

The Act includes provision for citizen suits (42 U.S.C. 4911(a)) whereby any person may commence civil action against the United States or any governmental instrumentality or agency who is alleged to be in violation of any noise control requirement.