

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Aeronautics Act is amended by changing Section 47 as follows:

(620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

Sec. 47. Operation without certificate of approval unlawful; applications.) An application for a certificate of approval of an airport or restricted landing area, or the alteration or extension thereof, shall set forth, among other things, the location of all railways, mains, pipes, conduits, wires, cables, poles and other facilities and structures of public service corporations or municipal or quasi-municipal corporations, located within the area proposed to be acquired or restricted, and the names of persons owning the same, to the extent that such information can be reasonably ascertained by the applicant.

It shall be unlawful for any municipality or other political subdivision, or officer or employee thereof, or for any person, to make any alteration or extension of an existing airport or restricted landing area, or to use or operate any airport or restricted landing area, for which a certificate of approval has not been issued by the Department; provided, that

no certificate of approval shall be required for an airport or restricted landing area which was in existence and approved by the Illinois Aeronautics Commission, whether or not being operated, on or before July 1, 1945, or for the O'Hare Modernization Program as defined in Section 10 of the O'Hare Modernization Act; except that a certificate of approval shall be required under this Section for construction of a new runway at O'Hare International Airport with a geographical orientation that varies from a geographical east-west orientation by more than 10 degrees, or for construction of a new runway at that airport that would result in more than 10 & runways being available for aircraft operations at that airport. The Department shall supervise, monitor, and enforce compliance with the O'Hare Modernization Act by all other departments, agencies, and units of State and local government.

Provisions of this Section do not apply to special purpose aircraft designated as such by the Department when operating to or from uncertificated areas other than their principal base of operations, provided mutually acceptable arrangements are made with the property owner, and provided the owner or operator of the aircraft assumes liabilities which may arise out of such operations.

(Source: P.A. 93-450, eff. 8-6-03.)

Section 10. The Permanent Noise Monitoring Act is amended by changing Sections 5 and 15 as follows:

(620 ILCS 35/5) (from Ch. 15 1/2, par. 755)

Sec. 5. Definitions. As used in this Act:

(a) "Airport" means an airport, as defined in Section 6 of the Illinois Aeronautics Act, that has more than 500,000 aircraft operations (take-offs and landings) per year.

(a-1) "Airport sponsor" means any municipality, as defined in Section 20 of the Illinois Aeronautics Act, that can own and operate an airport.

(a-3) "Annual community noise equivalent level" or "annual CNEL" means the average sound level (on an energy basis), in decibels, of the daily community noise equivalent level over a 12-month period. The annual CNEL is calculated by the following:

$$\text{Annual CNEL} = 10 \log_{10} [ (1/365) \text{SIGMA antilog} (\text{CNEL}(i)/10) ]$$

Where:

(1) CNEL(i) = the daily CNEL for each day in a continuous 12-month period; and

(2) SIGMA means summation.

When the annual CNEL is approximated by measurements on a statistical basis, the number 365 is replaced by the number of days for which measurements are obtained.

(a-5) "Daily community noise equivalent level" or "CNEL" means the 24-hour day average sound level, in decibels,

adjusted to an equivalent level to account for the lower tolerance of people to noise during evening and night time periods relative to the daytime period. The daily community noise equivalent level is calculated from the hourly noise levels by the following:

$$\text{CNEL} = 10 \log (1/24) [ \text{SIGMA antilog} (\text{HNLD}/10) + 3 \text{SIGMA antilog} (\text{HNLE}/10) + 10 \text{SIGMA antilog} (\text{HNLN}/10) ]$$

Where:

(1) HNLD means the hourly noise levels for the period 7:00 a.m. through 6:59 p.m.;

(2) HNLE means the hourly noise levels for the period 7:00 p.m. through 9:59 p.m.;

(3) HNLN means the hourly noise levels for the period 10:00 p.m. through 6:59 a.m.; and

(4) SIGMA means summation.

(a-8) "Noise exposure level" means the level, in decibels, of the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on the reference pressure of 20 micronewtons per square meter and reference duration of one second.

(a-9) "Noise level" means the sound level measure, in decibels, of an A-weighted sound pressure level as measured using the slow dynamic characteristic for sound level meters specified in American National Standard Specification for

Sound Level Meters (ANSI S1.4-1983 as revised by ANSI S1.4A-1985), which is hereby incorporated by reference. The A-weighting characteristic modifies the frequency response of the measuring instrument to account approximately for the frequency characteristics of the human ear. The reference pressure is 20 micronewtons/square meter ( $2 \times 10^{-4}$  microbar).

(b) "Permanent noise monitoring system" or "system" means a system that includes at least:

(1) automated noise monitors capable of recording noise levels 24 hours per day 365 days per year; and

(2) computer equipment sufficient to process the data from each noise monitor so that permanent noise monitoring reports in accordance with Section 15 of this Act can be generated.

(c) "Division" means the Division of Aeronautics of the Illinois Department of Transportation.

(d) (Blank). ~~"Ldn" means day night average sound level. "Day night average sound level" has the meaning ascribed to it in Section 150.7 of Part 150 of Title 14 of the Code of Federal Regulations.~~

(Source: P.A. 96-37, eff. 7-13-09.)

(620 ILCS 35/15) (from Ch. 15 1/2, par. 765)

Sec. 15. Permanent noise monitoring reports. Beginning in 1993 and through 2008, the Division shall, on June 30th and December 31st of each year, prepare a permanent noise

monitoring report and make the report available to the public. Beginning in 2009, the airport sponsor shall, on June 30th and December 31st of each year, prepare a permanent noise monitoring report and make the report available to the public. Copies of the report shall be submitted to: the Office of the Governor; the Office of the President of the Senate; the Office of the Senate Minority Leader; the Office of the Speaker of the House; the Office of the House Minority Leader; the United States Environmental Protection Agency, Region V; and the Illinois Environmental Protection Agency. Beginning in 2009, a copy of the report shall also be submitted to the division. The permanent noise monitoring report shall contain all of the following:

(a) Copies of the actual data collected by each permanent noise monitor in the system.

(b) A summary of the data collected by each permanent noise monitor in the system, showing the data organized by:

- (1) day of the week;
- (2) time of day;
- (3) week of the year;
- (4) type of aircraft; and
- (5) the single highest noise event recorded at each monitor.

(c) Noise contour maps showing the 65 annual CNEL ~~Ldn~~, 70 annual CNEL ~~Ldn~~ and 75 annual CNEL ~~Ldn~~ zones around the airport.

(d) Noise contour maps showing the 65 decibel (dBA), 70 dBA, and 75 dBA zones around the airport for:

- (1) 7:00 a.m. through 6:59 ~~to 10:00~~ p.m.;
- (1.5) 7:00 p.m. through 9:59 p.m.;
- (2) 10:00 p.m. through 6:59 ~~to 7:00~~ a.m.; and
- (3) types of aircraft.

(e) The noise contour maps produced under subsections (c) and (d) shall also indicate:

- (1) residential areas (single and multi-family);
- (2) schools;
- (3) hospitals and nursing homes;
- (4) recreational areas, including but not limited to parks and forest preserves;
- (5) commercial areas;
- (6) industrial areas;
- (7) the boundary of the airport;
- (8) the number of residences (single and multi-family) within each contour;
- (9) the number of residents within each contour;
- (10) the number of schools within each contour; and
- (11) the number of school students within each contour.

(f) Through 2008, a certification by the Division that the system was in proper working order during the period or, if it was not, a specific description of any and all problems with the System during the period.

(g) Beginning in 2009, a certification by the airport

Public Act 099-0202

SB0636 Enrolled

LRB099 03346 RJF 23354 b

sponsor that the system was in proper working order during the period or, if it was not, a specific description of any and all problems with the system during the period.

(Source: P.A. 96-37, eff. 7-13-09.)