



Rep. Martin J. Moylan

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1 AMENDMENT TO SENATE BILL 636

2 AMENDMENT NO. _____. Amend Senate Bill 636 by replacing
3 everything after the enacting clause with the following:

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

6 (620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

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

1 the applicant.

2 It shall be unlawful for any municipality or other
3 political subdivision, or officer or employee thereof, or for
4 any person, to make any alteration or extension of an existing
5 airport or restricted landing area, or to use or operate any
6 airport or restricted landing area, for which a certificate of
7 approval has not been issued by the Department; provided, that
8 no certificate of approval shall be required for an airport or
9 restricted landing area which was in existence and approved by
10 the Illinois Aeronautics Commission, whether or not being
11 operated, on or before July 1, 1945, or for the O'Hare
12 Modernization Program as defined in Section 10 of the O'Hare
13 Modernization Act; except that a certificate of approval shall
14 be required under this Section for construction of a new runway
15 at O'Hare International Airport with a geographical
16 orientation that varies from a geographical east-west
17 orientation by more than 10 degrees, or for construction of a
18 new runway at that airport that would result in more than 10 &
19 runways being available for aircraft operations at that
20 airport. The Department shall supervise, monitor, and enforce
21 compliance with the O'Hare Modernization Act by all other
22 departments, agencies, and units of State and local government.

23 Provisions of this Section do not apply to special purpose
24 aircraft designated as such by the Department when operating to
25 or from uncertificated areas other than their principal base of
26 operations, provided mutually acceptable arrangements are made

1 with the property owner, and provided the owner or operator of
2 the aircraft assumes liabilities which may arise out of such
3 operations.

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

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

7 (620 ILCS 35/5) (from Ch. 15 1/2, par. 755)

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

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

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

15 (a-3) "Annual community noise equivalent level" or "annual
16 CNEL" means the average sound level (on an energy basis), in
17 decibels, of the daily community noise equivalent level over a
18 12-month period. The annual CNEL is calculated by the
19 following:

20
$$\text{Annual CNEL} = 10 \log_{10} [(1/365) \text{SIGMA antilog } (\text{CNEL}(i)/10)]$$

21 Where:

22 (1) CNEL(i) = the daily CNEL for each day in a

1 continuous 12-month period; and

2 (2) SIGMA means summation.

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

6 (a-5) "Daily community noise equivalent level" or "CNEL"
7 means the 24-hour day average sound level, in decibels,
8 adjusted to an equivalent level to account for the lower
9 tolerance of people to noise during evening and night time
10 periods relative to the daytime period. The daily community
11 noise equivalent level is calculated from the hourly noise
12 levels by the following:

13 $CNEL = 10 \log (1/24) [\text{SIGMA antilog} (HNL D/10) + 3 \text{ SIGMA antilog}$
14 $(HNLE/10) + 10 \text{ SIGMA antilog} (HNLN/10)]$

15 Where:

16 (1) HNL D means the hourly noise levels for the period
17 7:00 a.m. through 6:59 p.m.;

18 (2) HNLE means the hourly noise levels for the period
19 7:00 p.m. through 9:59 p.m.;

20 (3) HNLN means the hourly noise levels for the period
21 10:00 p.m. through 6:59 a.m.; and

22 (4) SIGMA means summation.

23 (a-8) "Noise exposure level" means the level, in decibels,
24 of the time-integrated A-weighted squared sound pressure for a

1 stated time interval or event, based on the reference pressure
2 of 20 micronewtons per square meter and reference duration of
3 one second.

4 (a-9) "Noise level" means the sound level measure, in
5 decibels, of an A-weighted sound pressure level as measured
6 using the slow dynamic characteristic for sound level meters
7 specified in American National Standard Specification for
8 Sound Level Meters (ANSI S1.4-1983 as revised by ANSI
9 S1.4A-1985), which is hereby incorporated by reference. The
10 A-weighting characteristic modifies the frequency response of
11 the measuring instrument to account approximately for the
12 frequency characteristics of the human ear. The reference
13 pressure is 20 micronewtons/square meter (2×10^{-4} microbar).

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

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

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

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

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

1 ~~Regulations.~~

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

3 (620 ILCS 35/15) (from Ch. 15 1/2, par. 765)

4 Sec. 15. Permanent noise monitoring reports. Beginning in
5 1993 and through 2008, the Division shall, on June 30th and
6 December 31st of each year, prepare a permanent noise
7 monitoring report and make the report available to the public.
8 Beginning in 2009, the airport sponsor shall, on June 30th and
9 December 31st of each year, prepare a permanent noise
10 monitoring report and make the report available to the public.
11 Copies of the report shall be submitted to: the Office of the
12 Governor; the Office of the President of the Senate; the Office
13 of the Senate Minority Leader; the Office of the Speaker of the
14 House; the Office of the House Minority Leader; the United
15 States Environmental Protection Agency, Region V; and the
16 Illinois Environmental Protection Agency. Beginning in 2009, a
17 copy of the report shall also be submitted to the division. The
18 permanent noise monitoring report shall contain all of the
19 following:

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

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

24 (1) day of the week;

25 (2) time of day;

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

5 (c) Noise contour maps showing the 65 annual CNEL ~~Ldn~~, 70

6 annual CNEL ~~Ldn~~ and 75 annual CNEL ~~Ldn~~ zones around the

7 airport.

8 (d) Noise contour maps showing the 65 decibel (dBA), 70

9 dBA, and 75 dBA zones around the airport for:

- 10 (1) 7:00 a.m. through 6:59 ~~to 10:00~~ p.m.;
- 11 (1.5) 7:00 p.m. through 9:59 p.m.;
- 12 (2) 10:00 p.m. through 6:59 ~~to 7:00~~ a.m.; and
- 13 (3) types of aircraft.

14 (e) The noise contour maps produced under subsections (c)

15 and (d) shall also indicate:

- 16 (1) residential areas (single and multi-family);
- 17 (2) schools;
- 18 (3) hospitals and nursing homes;
- 19 (4) recreational areas, including but not limited to
- 20 parks and forest preserves;
- 21 (5) commercial areas;
- 22 (6) industrial areas;
- 23 (7) the boundary of the airport;
- 24 (8) the number of residences (single and multi-family)
- 25 within each contour;
- 26 (9) the number of residents within each contour;

1 (10) the number of schools within each contour; and

2 (11) the number of school students within each contour.

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

7 (g) Beginning in 2009, a certification by the airport
8 sponsor that the system was in proper working order during the
9 period or, if it was not, a specific description of any and all
10 problems with the system during the period.

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