

1 AN ACT concerning transportation.

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

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  
17 the applicant.

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

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

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

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

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

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

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

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

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

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

14 Annual CNEL = 10 log<sub>10</sub>[(1/365) SIGMA antilog (CNEL(i)/10)]

15 Where:

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

18 (2) SIGMA means summation.

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

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

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

6 CNEL = 10 log (1/24) [ SIGMA antilog (HNLD/10) + 3 SIGMA antilog  
7 (HNLE/10) + 10 SIGMA antilog (HNLN/10) ]

8 Where:

9 (1) HNLD means the hourly noise levels for the period  
10 7:00 a.m. through 6:59 p.m.;

11 (2) HNLE means the hourly noise levels for the period  
12 7:00 p.m. through 9:59 p.m.;

13 (3) HNLN means the hourly noise levels for the period  
14 10:00 p.m. through 6:59 a.m.; and

15 (4) SIGMA means summation.

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

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

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

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

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

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

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

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

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

22 (620 ILCS 35/15) (from Ch. 15 1/2, par. 765)

23 Sec. 15. Permanent noise monitoring reports. Beginning in  
24 1993 and through 2008, the Division shall, on June 30th and  
25 December 31st of each year, prepare a permanent noise

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

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

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

18 (1) day of the week;

19 (2) time of day;

20 (3) week of the year;

21 (4) type of aircraft; and

22 (5) the single highest noise event recorded at each  
23 monitor.

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

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

3 (1) 7:00 a.m. through 6:59 ~~to 10:00~~ p.m.;

4 (1.5) 7:00 p.m. through 9:59 p.m.;

5 (2) 10:00 p.m. through 6:59 ~~to 7:00~~ a.m.; and

6 (3) types of aircraft.

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

9 (1) residential areas (single and multi-family);

10 (2) schools;

11 (3) hospitals and nursing homes;

12 (4) recreational areas, including but not limited to  
13 parks and forest preserves;

14 (5) commercial areas;

15 (6) industrial areas;

16 (7) the boundary of the airport;

17 (8) the number of residences (single and multi-family)  
18 within each contour;

19 (9) the number of residents within each contour;

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

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

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

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

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

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