

**From:** Eric Schinfeld

**Date:** February 26, 2020

**RE:** Port-Cities Aircraft Noise DC Fly-in, 3/11-12/20

---

### Overview

On March 11 & 12, you will travel to Washington, DC to meet with the Federal Aviation Administration (FAA) and members of the Washington Congressional delegation to advocate for shared federal aircraft noise & emissions policy priorities.

Below, please find additional details and suggested talking points. Let me know if you have questions.

**Contact Information:** If separated from the group, contact Eric Schinfeld at 206.214.8809

### Itinerary

#### *Wednesday, March 11*

- Travel to Washington, DC
- Travel to hotels
- 6:30 pm – Dinner at Carmine’s (425 7th Street NW, Washington, DC)

#### *Thursday, March 12*

- 8:00 am – *If leaving DC on 3/12, bring luggage to Elevate Government Affairs offices (440 First Street NW, Suite 360)*
- 9:00 am – Meeting with US Representative Smith (2216 Rayburn House Office Building)
- 9:45 am – Meeting with US Representative Jayapal (1510 Longworth House Office Building)
- 11:45 am – Lunch & Meeting with US Representative Larsen (2216 Rayburn House Office Building)
- 12:30 pm – *Travel to FAA*
- 1:00 pm – Meeting with Bailey Edwards, Assistant Administrator, Office of Policy, International Affairs, and Environment (FAA headquarters, 800 Independence Ave SW, 10th Floor)
- 2:00 pm – *Travel to Senate office building*
- 3:00 pm – Meeting with Mindi Linqvist, Chief of Staff, Office of US Senator Patty Murray (154 Russell Senate Office Building)
- 3:30 pm – Meeting with US Senator Maria Cantwell (511 Hart Senate Office Building)
- 4:00 pm – *Depart for airport (luggage will be brought to you)*
- *Travel to Seattle*

### Fly-in Participants

- Port of Seattle Commissioner Bowman
- Port of Seattle Executive Director Metruck
- Burien Councilmember Tosta
- Tukwila Councilmember Kruller
- SeaTac Mayor Sitterley
- SeaTac Councilmember Hill
- Federal Way Mayor Ferrell
- Des Moines Councilmember Harris
- Des Moines government relations contractor Anthony Hemstad

### Attachments

- Attachment A – Talking Points
- Attachment B – Port-Cities Federal Policy Letters
- Attachment C – Additional background on federal policy priorities and related items

## Attachment A – Talking Points

- The dynamic growth of the Puget Sound region’s economy over the past decade has led directly to major increases in commercial air travel demand. The Port of Seattle is extremely limited in its authority to address some of the core issues that local residents have expressed: they have no authority to set flight paths or influence when planes take off or land; they are required by federal law to accommodate all legitimate airline requests; they cannot determine what airplanes or engines are used by airlines; and airport revenue can only be used for noise insulation if the properties are within the 65 DNL noise contour.
- This is where we need your collaboration and partnership to identify new tools, new authorities, new resources, new approaches and new engagement from the federal government. The shared Port-Airport Cities federal policy priorities identify several such opportunities – both implementation of existing laws from the 2018 Federal Aviation Administration (FAA) Reauthorization Act as well as new policies that we want to work with you to introduce and pass into law.
- **FAA Reauthorization Provisions<sup>1</sup>:**
  - While all of the FAA Reauthorization noise provisions are important, we have identified three top priorities – 1) the provisions related to evaluation of the 65 DNL noise standard (sections 173, 187 and 188), 2) the study of the impact of overflight noise on human health (section 189), and 3) the proposed environmental mitigation pilot program (section 190). The timely and effective execution of these provisions are well aligned with community concerns, and have the potential for substantive benefit to our region.
  - In terms of the 65 DNL, we know that the FAA has completed its comprehensive and detailed survey of noise annoyance levels, and the findings of this study will be a key driver of next steps related to noise mitigation best practices. We are urging the release of both the survey results and associated policy guidance as soon as possible.
  - As one of the metropolitan areas called out in the legislation for focus, we are obviously particularly interested in the scope, methodology and findings of the study of health and economic impacts of overflight noise. In addition to urging swift action on this provision, we would like to be engaged with the FAA and the research university carrying out this work throughout the process.
  - Finally, our region is known for both its innovation and commitment to sustainability, and so we are very excited about the potential for a pilot program that would allow us to experiment with new approaches to reducing or mitigating aviation impacts on noise, air quality, or water quality. We certainly intend to apply for this funding, but also offer our willingness to provide input to the design and structure of the grant program. We also look forward to working with your office to ensure sufficient appropriations for this provision.
- **New Legislation<sup>2</sup>:**
  - There are also pieces of legislation that we believe would help move our priorities forward, and we look forward to working with you toward their passage:

---

<sup>1</sup> See Appendix C for more specifics on these provisions.

<sup>2</sup> *ibid*

- Representative Smith’s Protecting Airport Communities from Particle Emissions Act, which would direct the FAA to report on ultrafine particles and their health impacts for communities around the 20 largest U.S. airports. The study would also analyze the potential impacts of mitigation options, emissions reductions, and the increased use of aviation biofuels.
  - Representative Lynch’s Air Traffic Noise and Pollution Expert Consensus Act, which would direct the FAA to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a report on the health impacts of air traffic noise and pollution.
  - A new piece of legislation that would allow for secondary noise mitigation investments in previously insulated homes, in specific situations where those noise reduction packages failed or were flawed in some way.
- **State Aviation Coordinating Commission:**
    - Ultimately, the best solution to address aircraft noise and emissions is to move the flights somewhere else. The Port of Seattle acknowledges that growth trends in our state indicate that commercial air service demand will eventually surpass what is planned to accommodate with current and future investments at Sea-Tac.
    - The State Aviation Coordinating Commission has met twice. They are looking at six sites currently, although they may add or subtract from that list as they go. The current list is Paine Field, Bremerton Airport, Arlington Airport, JBLM and two greenfield sites – one in Pierce County, one in Thurston County. Moses Lake Airport has not yet been evaluated.
    - In addition, as part of its Regional Aviation Baseline Study, the PSRC recently released a forecast that regional demand for enplanements (passengers boarding for departure) is expected to increase between 119% to 147% by 2050. The forecast is just the start of data being prepared for the Regional Aviation Baseline Study, which is designed to set the stage for future aviation planning for the region.
    - Getting a baseline view of potential future demand is essential for future planning. The findings in this study reinforce the urgency behind a broad conversation about how our state will meet its long-term air service needs.



Attachment B – Federal Policy Letters



December 4, 2019

Administrator Steve Dickson  
Federal Aviation Administration  
U.S. Department of Transportation  
800 Independence Avenue, SW  
Washington, DC 20591

Dear Administrator Dickson,

**We are writing to share our priorities for implementation of the Subtitle D—Airport Noise and Environmental Streamlining section of the Federal Aviation Administration (FAA) Reauthorization Act of 2018.** We look forward to your swift and successful completion of these provisions.

Seattle-Tacoma International Airport (Sea-Tac) is the 8th busiest airport in the country in terms of passenger volumes and one of the fastest growing – increasing from approximately 31 million travelers served in 2010 to almost 50 million last year. The airport plays a vital role in the region’s ongoing economic vitality, but this growth is straining the capacity of our airport and having significant impacts on our communities. For this reason, the Port of Seattle (which owns and operates Sea-Tac) and the six cities immediately surrounding the airport have identified federal policies, regulations and programs we believe are essential to help address local community concerns.

In particular, we have looked at the 2018 FAA Reauthorization Act’s noise provisions as a way to substantively move forward on noise abatement and mitigation. As existing law with definitive deadlines for action, these items provide the most near-term opportunities for progress. **While all of the Subtitle D noise provisions are important, we have identified three top priorities – 1) the provisions related to evaluation of the 65 DNL noise standard (sections 173, 187 and 188), 2) the study of the impact of overflight noise on human health (section 189), and 3) the proposed environmental mitigation pilot program (section 190).**

The timely and effective execution of these provisions are well aligned with community concerns and have the potential for substantive benefit to our region. More specifically:

1. In terms of the 65 DNL, we know that the FAA has completed its comprehensive and detailed survey of noise annoyance levels. We request that you make available the results of this survey as soon as

possible. We are similarly interested in your responses to the FAA bill provisions related to alternative metrics and revised land use compatibility guidelines. We request the release of these guidelines as soon as possible as well. We are hopeful that the combined findings of these studies will provide improved noise mitigation best practices to address the noise impacts affecting our communities.

2. As one of the metropolitan areas called out in the legislation for focus, we are obviously particularly interested in the scope, methodology and findings of the study of health and economic impacts of overflight noise. We want to ensure that results of the study align as closely as possible to the Congressional intent behind this FAA bill provision. In addition to urging swift action on this provision, we would like to be engaged with the FAA and the research university carrying out this work throughout the process.
3. Finally, our region is known for both its innovation and commitment to sustainability, and so we are very excited about the potential for a pilot program that would allow us to experiment with new approaches to reducing or mitigating aviation impacts on noise, air quality, or water quality. We certainly intend to apply for this funding, but also offer our willingness to provide input to the design and structure of the grant program.

There is one additional topic we would like to pursue further with your staff. We are very interested in discussing whether residential buildings that have received FAA and airport funded noise insulation packages might be eligible for secondary investment. We appreciate restrictions on multiple grants for the same projects, but believe that there are situations in which the insulation has “failed” which would necessitate and justify additional investment. We would appreciate the opportunity to meet and discuss this issue with you.

We will be in touch with your staff on next steps. In the meantime, do not hesitate to contact Eric Schinfeld, Senior Manager of Federal Government Relations for the Port of Seattle, at 206.787.5031 or [schinfeld.e@portseattle.org](mailto:schinfeld.e@portseattle.org). We deeply appreciate your partnership in ensuring that aviation is as clean, quiet and environmentally sustainable as possible.

Sincerely,



Commissioner Stephanie Bowman  
President  
Port of Seattle Commission



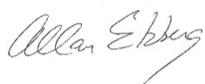
Mayor Jim Ferrell  
City of Federal Way



Mayor Matt Pina  
City of Des Moines



Mayor Jonathan Chicquette  
City of Normandy Park





Mayor Allan Ekberg  
City of Tukwila

Brian J. Wilson  
City Manager  
City of Burien

A handwritten signature in blue ink, appearing to read "Carl Cole".

Carl Cole  
City Manager  
City of SeaTac

CC:  
Kevin Welsh, Federal Aviation Administration  
Washington Congressional Delegation



December 4, 2019

The Honorable Patty Murray  
United States Senate

The Honorable Maria Cantwell  
United States Senate

The Honorable Adam Smith  
United States House of Representatives

The Honorable Pramila Jayapal  
United States House of Representatives

The Honorable Rick Larsen  
United States House of Representatives

Dear Senator Murray, Senator Cantwell, Representative Smith, Representative Jayapal and Representative Larsen,

**We are pleased to write to share our collectively developed near-term priorities for addressing airplane noise and emissions through implementation of existing law and passage of relevant legislation.** We look forward to working with you and your staff toward swift and successful completion of these provisions.

Seattle-Tacoma International Airport (Sea-Tac) is the 8th busiest airport in the country in terms of passenger volumes and one of the fastest growing – increasing from approximately 31 million travelers served in 2010 to almost 50 million last year. The airport plays a vital role in the region’s ongoing economic vitality, but this growth is straining the capacity of our airport and having significant impacts on our communities. For this reason, the Port and the six cities immediately surrounding the airport have identified federal policies, regulations and programs that we believe are essential to help address local community concerns.

**Specifically, we have looked at two areas of focus: 1) implementation of provisions of the 2018 Federal Aviation Administration (FAA) Reauthorization Act, and 2) passage of legislation that helps address ongoing issues of concern:**

*FAA Reauthorization Provisions*

While all of the Subtitle D noise provisions are important, we have identified three top priorities – 1) the provisions related to evaluation of the 65 DNL noise standard (sections 173, 187 and 188), 2) the study of the impact of overflight noise on human health (section 189), and 3) the proposed environmental mitigation pilot program (section 190). The timely and effective execution of these provisions can help address community concerns and have the potential for substantive benefit to our region. In particular:

4. In terms of the 65 DNL, we know that the FAA has completed its comprehensive and detailed survey of noise annoyance levels but has yet to release those findings. We also know they are examining alternative noise metrics and revised land use compatibility guidelines. We urge you to encourage the FAA to release these studies and guidelines as soon as possible. The combined findings will hopefully provide improved noise mitigation best practices to address the noise impacts affecting our communities.
5. As one of the metropolitan areas called out in the legislation for focus, we are obviously particularly interested in the scope, methodology and findings of the study of health and economic impacts of overflight noise. We want to ensure that results of the study align as closely as possible to the Congressional intent behind this FAA bill provision. We urge you to pressure the FAA to take swift action on this provision and to express our interest in being engaged with the FAA and the research university carrying out this work throughout the process.
6. Finally, our region is known for both its innovation and commitment to sustainability, and so we are very excited about the potential for a pilot program that would allow us to experiment with new approaches to reducing or mitigating aviation impacts on noise, air quality, and water quality. We certainly intend to apply for this funding and offer our willingness to provide input to the design and structure of the grant program. We urge you to ensure sufficient appropriations for this provision.

#### *New Legislation*

There are also pieces of legislation that we believe would help move our priorities forward and we look forward to working with you toward their passage. These include:

1. Representative Smith's Protecting Airport Communities from Particle Emissions Act, which would direct the FAA to report on ultrafine particles and their health impacts for communities around the 20 largest U.S. airports. The study would also analyze the potential impacts of mitigation options, emissions reductions, and the increased use of aviation biofuels.
2. Representative Lynch's Air Traffic Noise and Pollution Expert Consensus Act, which would direct the FAA to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a report on the health impacts of air traffic noise and pollution.
3. A new piece of legislation that would allow for secondary noise mitigation investments in previously insulated homes, in specific situations where those noise reduction packages failed or were flawed in some way.
4. Other additional federal investments and policies that expedite the creation and implementation of alternatives to commercial airplane travel – from Urban Air Mobility technology to high speed surface mass transportation options.

We also support Representative Smith's request<sup>3</sup> that the U.S. Government Accountability Office (GAO) include "single site" airports in the study requested by several of your Congressional colleagues<sup>4</sup> asking for a study of how the FAA measures, mitigates and engages the public on aircraft noise. The initial request related to so-called "metroplexes," but we believe that it would be valuable to have similar questions answered related to other large airports. We request your help in ensuring the GAO's action on this study.

---

<sup>3</sup> [https://b-townblog.com/wp-content/uploads/2019/11/Smith\\_GAO.pdf](https://b-townblog.com/wp-content/uploads/2019/11/Smith_GAO.pdf)

<sup>4</sup> <https://schiff.house.gov/imo/media/doc/2019-06-19%20GAO%20noise%20study%20request%20letter.pdf>

We will be in touch with your staff on next steps. In the meantime, do not hesitate to contact Eric Schinfeld, Senior Manager of Federal Government Relations for the Port of Seattle, at 206.787.5031 or [schinfeld.e@portseattle.org](mailto:schinfeld.e@portseattle.org) with ideas of how we can be most helpful and impactful in our efforts. We deeply appreciate your partnership in ensuring that aviation is as clean, quiet and environmentally sustainable as possible.

Sincerely,



Commissioner Stephanie Bowman  
President  
Port of Seattle Commission



Mayor Erin Sitterley  
City of SeaTac



Mayor Jimmy Matta  
City of Burien



Mayor Matt Pina  
City of Des Moines



Mayor Jim Ferrell  
City of Federal Way



Mayor Allan Ekberg  
City of Tukwila



Mayor Jonathan Chicquette  
City of Normandy Park

## Attachment C - Additional background on federal policy priorities and related items

### SEC. 173. ALTERNATIVE AIRPLANE NOISE METRIC EVALUATION DEADLINE.

- Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete the ongoing evaluation of alternative metrics to the current Day Night Level (DNL) 65 standard.

### SEC. 187. AIRCRAFT NOISE EXPOSURE.

(a) Review.--The Administrator of the Federal Aviation Administration shall conclude the Administrator's ongoing review of the relationship between aircraft noise exposure and its effects on communities around airports.

(b) Report.—

- (1) In general.--Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the results of the review.
- (2) Preliminary recommendations.--The report shall contain such preliminary recommendations as the Administrator determines appropriate for revising the land use compatibility guidelines in part 150 of title 14, Code of Federal Regulations, based on the results of the review and in coordination with other agencies.

### SEC. 188. STUDY REGARDING DAY-NIGHT AVERAGE SOUND LEVELS.

(a) Study.--The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.

(b) Report.--Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study under subsection (a).

### SEC. 189. STUDY ON POTENTIAL HEALTH AND ECONOMIC IMPACTS OF OVERFLIGHT NOISE.

(a) In General.--Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with an eligible institution of higher education to conduct a study on the health impacts of noise from aircraft flights on residents exposed to a range of noise levels from such flights.

(b) Scope of Study.--The study conducted under subsection (a) shall--

- (1) include an examination of the incremental health impacts attributable to noise exposure that result from aircraft flights, including sleep disturbance and elevated blood pressure;
- (2) be focused on residents in the metropolitan area of--
  - (A) Boston;
  - (B) Chicago;
  - (C) the District of Columbia;
  - (D) New York;
  - (E) the Northern California Metroplex;
  - (F) Phoenix;
  - (G) the Southern California Metroplex;
  - (H) Seattle; or
  - (I) such other area as may be identified by the Administrator;
- (3) consider, in particular, the incremental health impacts on residents living partly or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing;

- (4) include an assessment of the relationship between a perceived increase in aircraft noise, including as a result of a change in flight paths that increases the visibility of aircraft from a certain location, and an actual increase in aircraft noise, particularly in areas with high or variable levels of non-aircraft-related ambient noise; and
  - (5) consider the economic harm or benefits to businesses located party or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing.
- (c) Eligibility.--An institution of higher education is eligible to conduct the study if the institution--
- (1) has—
    - (A) a school of public health that has participated in the Center of Excellence for Aircraft Noise and Aviation Emissions Mitigation of the Federal Aviation Administration; or
    - (B) a center for environmental health that receives funding from the National Institute of Environmental Health Sciences;
  - (2) is located in one of the areas identified in subsection (b);
  - (3) applies to the Administrator in a timely fashion;
  - (4) demonstrates to the satisfaction of the Administrator that the institution is qualified to conduct the study;
  - (5) agrees to submit to the Administrator, not later than 3 years after entering into an agreement under subsection (a), the results of the study, including any source materials used; and
  - (6) meets such other requirements as the Administrator determines necessary.
- (d) Submission of Study.--Not later than 90 days after the Administrator receives the results of the study, the Administrator shall submit to the appropriate committees of Congress the study and a summary of the results.

#### **SEC. 190. ENVIRONMENTAL MITIGATION PILOT PROGRAM.**

- (a) In General.--The Secretary of Transportation may carry out a pilot program involving not more than 6 projects at public-use airports in accordance with this section.
- (b) Grants.--In carrying out the program, the Secretary may make grants to sponsors of public-use airports from funds apportioned under section 47117(e)(1)(A) of title 49, United States Code.
- (c) Use of Funds.--Amounts from a grant received by the sponsor of a public-use airport under the program shall be used for environmental mitigation projects that will measurably reduce or mitigate aviation impacts on noise, air quality, or water quality at the airport or within 5 miles of the airport.
- (d) Eligibility.--Notwithstanding any other provision of chapter 471 of title 49, United States Code, an environmental mitigation project approved under this section shall be treated as eligible for assistance under that chapter.
- (e) Selection Criteria.--In selecting from among applicants for participation in the program, the Secretary may give priority consideration to projects that--
  - (1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis or on a per dollar of funds expended basis; and
  - (2) will be implemented by an eligible consortium.
- (f) Federal Share.--The Federal share of the cost of a project carried out under the program shall be 50 percent.
- (g) Maximum Amount.--Not more than \$2,500,000 may be made available by the Secretary in grants under the program for any single project.
- (h) Identifying Best Practices.--The Secretary may establish and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, and water quality at airports or in the vicinity of airports based on the projects carried out under the program.

- (i) Sunset.--The program shall terminate 5 years after the Secretary makes the first grant under the program.
- (j) Definitions.--In this section, the following definitions apply:
  - (1) Eligible consortium.--The term "eligible consortium" means a consortium that is composed of 2 or more of the following entities:
    - (A) Businesses incorporated in the United States.
    - (B) Public or private educational or research organizations located in the United States.
    - (C) Entities of State or local governments in the United States.
    - (D) Federal laboratories.
  - (2) Environmental mitigation project.--The term "environmental mitigation project" means a project that--
    - (A) introduces new environmental mitigation techniques or technologies that have been proven in laboratory demonstrations;
    - (B) proposes methods for efficient adaptation or integration of new concepts into airport operations; and
    - (C) will demonstrate whether new techniques or technologies for environmental mitigation are--
      - (i) practical to implement at or near multiple public-use airports; and
      - (ii) capable of reducing noise, airport emissions, or water quality impacts in measurably significant amounts.
- (k) Authorization for the Transfer of Funds From Department of Defense.--
  - (1) In general.--The Administrator of the Federal Aviation Administration may accept funds from the Secretary of Defense to increase the authorized funding for this section by the amount of such transfer only to carry out projects designed for environmental mitigation at a site previously, but not currently, managed by the Department of Defense.
  - (2) Additional grantees.--If additional funds are made available by the Secretary of Defense under paragraph (1), the Administrator may increase the number of grantees under subsection (a).

**H. R. 976 - To direct the Administrator of the Federal Aviation Administration to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a report on the health impacts of air traffic noise and pollution, and for other purposes.**

IN THE HOUSE OF REPRESENTATIVES

February 5, 2019

Mr. Lynch (for himself, Mr. Krishnamoorthi, Mr. Ted Lieu of California, Ms. Eshoo, Mr. Raskin, Mr. Smith of Washington, Mr. Quigley, Mr. Sherman, Ms. Brownley of California, Mr. Lipinski, Mr. Lowenthal, Ms. Speier, Ms. Judy Chu of California, Mrs. Napolitano, Ms. Schakowsky, Ms. Bass, Ms. Norton, Mr. Suozzi, and Miss Rice of New York) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Aviation Administration to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a report on the health impacts of air traffic noise and pollution, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Air Traffic Noise and Pollution Expert Consensus Act of 2019”.

SEC. 2. HEALTH IMPACTS OF AIR TRAFFIC NOISE AND POLLUTION.

(a) Study.—The Administrator of the Federal Aviation Administration shall enter into appropriate arrangements with the Health and Medicine Division of the National Academies of Sciences, Engineering, and Medicine under which the Division will—

- (1) not later than 30 days after the date of enactment of this Act, convene a committee of experts in health and environmental science to examine the various health impacts of air traffic noise and pollution; and
- (2) issue a corresponding expert consensus report that sets forth current scientific knowledge relating to the various health impacts of air traffic noise and pollution.

(b) Report.—Upon completion of the consensus report, the Division shall transmit the report to—

- (1) the Administrator;
- (2) the Secretary of Health and Human Services;
- (3) the Administrator of the Environmental Protection Agency;
- (4) the Committee on Transportation and Infrastructure and the Committee on Oversight and Reform of the House of Representatives; and
- (5) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

**H. R. 2351 - To direct the Administrator of the Federal Aviation Administration to conduct a study relating to ultrafine particles, and for other purposes.**

IN THE HOUSE OF REPRESENTATIVES

April 22, 2019

Mr. Smith of Washington (for himself, Ms. Jayapal, Mr. Ted Lieu of California, Ms. Schakowsky, Mr. Lynch, Mr. Suozzi, and Ms. Jackson Lee) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Aviation Administration to conduct a study relating to ultrafine particles, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Airport Communities from Particle Emissions Act”.

SEC. 2. AIRBORNE ULTRAFINE PARTICLE STUDY.

(a) In General.—The Administrator of the Federal Aviation Administration shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study that—

- (1) summarizes the relevant literature and studies done on airborne ultrafine particles worldwide;
- (2) focuses on large hub commercial airports in—

- (A) Seattle;
  - (B) Boston;
  - (C) Chicago;
  - (D) New York;
  - (E) the Northern California Metroplex;
  - (F) Phoenix;
  - (G) the Southern California Metroplex;
  - (H) the District of Columbia;
  - (I) Atlanta; and
  - (J) any other metropolitan large hub airport identified by the Administrator;
- (3) specifically looks at—
- (A) characteristics of UFPs present in the air;
  - (B) spatial and temporal distributions of UFP concentrations;
  - (C) primary sources of UFPs;
  - (D) how much aircraft and airport operations are contributing to the distribution of UFP concentrations when compared to other sources;
  - (E) potential health effects associated with elevated UFP exposures, including heart and lung diseases, asthma, nervous system disorders, and other health effects, that have been considered in previous studies; and
  - (F) potential UFP exposures, especially to susceptible and vulnerable groups;
- (4) identifies measures, including the use of sustainable aviation fuels, intended to reduce emissions from aircraft and airport operations and assess potential impacts on emissions related to UFPs; and
- (5) identifies important information gaps related to understanding relationships between UFP exposures and health effects, contributions of aviation-related emissions to UFP exposures, and the effectiveness of mitigation measures.
- (b) Coordination.—The Administrator of the Federal Aviation Administration shall coordinate with the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, and any other agency that the Administrator deems appropriate to provide data and other assistance necessary for the study.
- (c) Report.—Not later than 2 years after the date of execution of the funding agreement between the Federal Aviation Administration and the National Academy of Sciences, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the study.
- (d) Definition.—In this Act, the terms “ultrafine particle” and “UFP” mean particles with diameters less than or equal to 100 nanometers.

**H. R. XXXX - To amend title 49, United States Code, to allow additional funds to be provided under the airport improvement program for certain noise mitigation projects, and for other purposes.**

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Washington introduced the following bill; which was referred to the Committee on XXXXXXX

A BILL

To amend title 49, United States Code, to allow additional funds to be provided under the airport improvement program for certain noise mitigation projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NOISE MITIGATION PROJECTS.

(a) GOVERNMENT SHARE.—Section 47109 of title 49, United States Code, is amended by adding at the end the following:

(g) SPECIAL RULE FOR NOISE MITIGATION PROJECTS.—With respect to a project to carry out noise mitigation that is granted a waiver under section 47110(j), the allowable project cost for such project shall be calculated without consideration of any costs that were previously paid by the Government.”.

(b) NOISE MITIGATION PROJECTS.—Section 47110 of title 49, United States Code, is amended by adding at the end the following:

(j) SPECIAL RULE FOR NOISE MITIGATION PROJECTS.—The Secretary shall waive the requirement of subsection (b)(4) for a project to carry out noise mitigation for a building or other structure that has previously received Federal assistance under this subchapter for noise mitigation if the Secretary determines that the additional assistance is justified due to—

“(1) the deterioration of sound insulation or other noise mitigation materials, including the degradation such installation or materials due to surpassing the lifetime of the product; or

“(2) an increase in interior noise since the initial installation of noise mitigation materials.”.