

FIRST REGULAR SESSION

# HOUSE BILL NO. 476

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEMPSEY, SMITH (14),  
ZWEIFEL AND SPRENG (Co-sponsors).

Read 1<sup>st</sup> time February 13, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0173L.021

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### AN ACT

To amend chapter 305, RSMo, by adding thereto two new sections relating to regulation of aviation noise, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 305, RSMo, is amended by adding thereto two new sections, to be  
2 known as sections 305.588 and 305.590, to read as follows:

**305.588. 1. For the purposes of this section, the following terms shall mean:**

2 (1) "dB", decibel, the usual unit for measuring the relative loudness of sounds,  
3 measured on the A scale;

4 (2) "FAA", the Federal Aviation Administration;

5 (3) "FEIS", the Final Environmental Impact Statement for Lambert-St. Louis  
6 International Airport, Appendix Q, Noise Grid Analysis, dated December, 1997, and  
7 approved by the FAA in its Record of Decision dated September 30, 1998.

8 **2. Beginning one year after aircraft operations begin on the new runway designated**  
9 **W-1W at Lambert-St. Louis International Airport and every year thereafter, aircraft**  
10 **operations shall not cause noise levels in the vicinity of the airport to exceed those decibel**  
11 **levels published in the FAA's FEIS for Lambert-St. Louis International Airport, Table Q-**  
12 **1, page Q-2, column "2002, W-1W".**

13 **3. Noise monitors shall be erected at the locations designated "CO1" through**  
14 **"C12" in Table Q-1 and whose location is identified in Figure Q-1 of the FEIS. These**  
15 **monitors shall be fully operational coinciding with the beginning of aircraft operations on**  
16 **W-1W and shall be identical to permanent noise monitors used at other locations around**  
17 **Lambert Airport. If actual noise decibel levels as measured by those monitors exceed the**  
18 **levels identified in Table Q-1, then Lambert-St. Louis International Airport shall have one**

19 year to come into compliance with the FEIS.

20           4. If noise decibel levels are not reduced to levels at or below those listed in Table  
21 **Q-1** one year after the initial violation was identified, Lambert-St. Louis International  
22 **Airport** shall be fined the amount of twenty-five thousand dollars for each noise  
23 **monitoring location** as set forth in subsection 3 of this section that exceeds the noise decibel  
24 **level listed in Table Q-1** for that location. Measurements shall be made on a yearly basis  
25 **and compared to the Table Q-1 levels** for determinations of violations. The Aviation Noise  
26 **Regulation Committee (ANRC)** shall have the responsibility of monitoring the noise levels  
27 **and compliance with the FEIS** and distributing any fines as set forth in this section and  
28 **section 305.590.**

**305.590. 1.** There is hereby established the "Aviation Noise Regulation Committee"  
2 (ANRC) to consist of one member from each of the following political subdivisions to be  
3 appointed by the political subdivision's governing body:

- 4           **Bellerive**
- 5           **Bel-Nor**
- 6           **Bel-Ridge**
- 7           **Berkeley**
- 8           **Beverly Hills**
- 9           **Breckenridge Hills**
- 10          **Bridgeton**
- 11          **Calverton Park**
- 12          **Charlack**
- 13          **City of St. Louis**
- 14          **Cool Valley**
- 15          **Country Club Hills**
- 16          **Dellwood**
- 17          **Edmundson**
- 18          **Ferguson**
- 19          **Flordell Hills**
- 20          **Florissant**
- 21          **Glen Echo Park**
- 22          **Greendale**
- 23          **Hanley Hills**
- 24          **Hazelwood**
- 25          **Hillsdale**
- 26          **Jennings**
- 27          **Kinloch**
- 28          **Maryland Heights**
- 29          **Normandy**
- 30          **Northwoods**
- 31          **Norwood Court**

32           **Overland**  
33           **Pagedale**  
34           **Pasadena Hills**  
35           **Pasadena Park**  
36           **Pine Lawn**  
37           **St. Ann**  
38           **St. Charles City**  
39           **St. Charles County**  
40           **St. John**  
41           **St. Louis County**  
42           **Sycamore Hills**  
43           **Uplands Park**  
44           **Velda Village**  
45           **Velda Village Hills**  
46           **Vinita Park**  
47           **Vinita Terrace**  
48           **Wellston**  
49           **Woodson Terrace**

50  
51           **2. Each member appointed to the ANRC shall serve a term of four years. The**  
52 **members shall receive no compensation or reimbursement of expenses from the committee.**  
53 **In the event of any vacancy on the committee, the governing body of the political**  
54 **subdivision that appointed the person where the vacancy exists shall appoint a member to**  
55 **finish the vacating member's term. The committee shall have the authority to elect officers**  
56 **and establish rules for governance of the committee.**

57           **3. The ANRC shall determine whether Lambert-St. Louis International Airport is**  
58 **complying with the FEIS. If it determines Lambert-St. Louis International Airport has**  
59 **violated the FEIS in the manner described in section 305.588, the ANRC shall contact the**  
60 **Missouri attorney general in writing stating the nature of the violation, dates of the**  
61 **violation or violations, corrective action taken or lack thereof by the airport, and the**  
62 **required penalty. The attorney general shall notify the City of St. Louis and Lambert-St.**  
63 **Louis International Airport of the penalty and deadline for payment of such penalty.**