

OCCUPANTS OF LAND NEAR AIRPORTS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 1A, §7-705(a) and the first clause of the first sentence of Art. 1A, §8-803(b).

5-803. RESERVED.

PART II. STATEWIDE REGULATIONS.

5-804. LIMITS FOR CUMULATIVE NOISE EXPOSURE.

(A) ADMINISTRATOR TO ADOPT LIMITS.

WITH THE ENDORSEMENT OF THE SECRETARY OF TRANSPORTATION AND THE SECRETARY OF HEALTH AND MENTAL HYGIENE AND AFTER A PUBLIC HEARING FOLLOWING 60 DAYS NOTICE, THE ADMINISTRATOR SHALL ADOPT REGULATIONS THAT ESTABLISH LIMITS FOR CUMULATIVE NOISE EXPOSURE FOR RESIDENTIAL AND OTHER LAND USES ON THE BASIS OF THE NOISE SENSITIVITY OF A GIVEN LAND USE.

(B) SCOPE OF LIMITS.

IN ADOPTING LIMITS UNDER THIS SECTION, THE ADMINISTRATOR SHALL:

(1) CONSIDER:

(I) THE GENERAL HEALTH AND WELFARE;

(II) THE RIGHTS OF PROPERTY OWNERS;

(III) ACCEPTED SCIENTIFIC AND PROFESSIONAL STANDARDS; AND

(IV) THE RECOMMENDATIONS OF THE FEDERAL AVIATION ADMINISTRATION AND ENVIRONMENTAL PROTECTION AGENCY; AND

(2) SET THE LIMITS AT THE MOST RESTRICTIVE LEVEL THAT, THROUGH THE APPLICATION OF THE BEST AVAILABLE TECHNOLOGY AT A REASONABLE COST AND WITHOUT IMPAIRING THE SAFETY OF FLIGHT, IS CONSISTENT WITH ATTAINING THE ENVIRONMENTAL NOISE STANDARDS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

REVISOR'S NOTE: This section presently appears as Art. 1A, §7-705(c).

In subsection (a) of this section, the present deadline for adoption of the limits is deleted as obsolete. The required limits for cumulative noise exposure have been adopted, effective August 6, 1975.

The only other changes are in style.