



FIGURE 1- SNOOMETER OPTICAL SYSTEM (SCHEMATIC)

REPUBLIC OF THE PHILIPPINES
 MINISTRY OF HUMAN SETTLEMENTS
 PAMBANSANG KOMISYON SA PAGSUGPO SA POLUSYON
 (NATIONAL POLLUTION CONTROL COMMISSION)
 772 PEDRO GIL ST., COR. TAFT AVENUE
 ERMITA, MANILA

12 May 1980

NPCC MEMORANDUM CIRCULAR No. 002

Series of 1980:

To: All Concerned

SUBJECT: AMENDMENTS TO ARTICLE 1
 (NOISE CONTROL REGULATIONS),
 CHAPTER IV (MISCELLANEOUS REGU-
 LATIONS), RULES AND REGULATIONS
 OF THE NATIONAL POLLUTION CON-
 TROL COMMISSION (1978).

Pursuant to the provision of Section 6(i) of Presidential Decree 984 and Section III of its Implementing Rules and Regulations, the National Pollution Control Commission hereby amends Section 75 to 78, Article I, Chapter IV of the said rules and regulations as follows:

"SEC. 75. *General Requirements and Restrictions*—The following shall be the general requirements and restrictions on noise level and control:

(a) *Best Practicable Technology*—The best available and practicable technology shall be used to noise emissions.

(b) *Noise Level Violations*—No person shall build, erect, construct, install, or implant any new sound source, or operate, modify, or rebuild an existing source, or by any other means cause or undertake any activity, which would result in the emission of noise, or which will as determined by the Commission, result in ambient noise level greater than the ambient standards OR A LEVEL THAT COULD CAUSE ADVERSE EFFECT ON THE PUBLIC. Neither shall he [emit or] cause or suffer to be emitted noise-greater in volume, intensity, or quality than the levels prescribed for [tolerance] ALLOWABLE noise without obtaining a clearance from the Commission. Any person who shall do any such activity without a valid clearance shall be liable under these Rules and Regulations.

(c) *Malfunction Reporting*—In the event of failure or breakdown of any emission source, noise pollution control equipment, or related facility in such a manner as to cause the emission of noise level in violation of these Rules and Regulations, the person in charge of such source, equipment or facility shall notify the Commission in writing within 24 hours of such failure or breakdown, indicating all pertinent facts and other relevant information including the estimated duration of breakdown, the steps taken, if any to correct the defects, and thereafter to submit to a report whether such source equipment or facility has resumed operation.

SEC. 76. *Prohibited Acts*—The following shall constitute as prohibited acts punishable under these Rules and Regulations:

(a) *Operation of Sound Reproduction Devices*—No person shall operate or use or cause to be operated any sound reproduction device for any of the following purposes:

(1) To attract attention to any performance, show, sale, display or merchandise in connection with any commercial or business enterprise including those engaged in the sale of radios, television sets, phonographs, tape recorders, phonograph records or tapes, in front or outside of any business building, place or premises, abutting or adjacent to a public street, part or place, or in or upon any vehicle operated, standing or being in or on any public street, park or place from any stand, platform or other structure, or from any airplane or other device used for flying, or on boat, or the public streets, parks or places, except the incidental sound for which a permit has been issued.

(2) To make noise emanating from the sound reproduction device, while on railroad or ferry or any other public conveyance, audible to another person.

(3) To create unnecessary noise, except when the noise is a result of the operation of use of any claxon or air horn installed in a motor vehicle to signal imminent danger, or of any stream whistle attached to any stationary boiler to give notice of the time to start and stop work or to signal imminent danger.

(b) *Animal Noise*—No person shall permit an animal or pet, including birds, under his control to cause unnecessary noise.

(c) *Construction, Commercial and Industrial Activities*—No person shall engage in or permit any person to be engaged in construction, commercial and industrial activities where excessive noise is created, except when such activities are for the purpose of averting disasters or other emergency public safety or protecting national in-

gencies, preventing danger to human life, safety and similar incidents.

(d) Handling Containers and Construction Materials.—No person shall handle, transport or cause to be handled or transported in any public place, any container or construction material in such a way as to create unnecessary noise.

(e) Exhaust Noise.—No person shall cause or permit the discharge into the open air of the exhaust of any steam engine, diesel engine, internal combustion engine, turbine engine or similar device, so as to create UNNECESSARY NOISE in excess of 90 db measured on acceleration at 10 meters distance.

(f) Noise Emission Near School, Hospital, Courts.—No person shall cause or permit the creation of any unnecessary noise through the use of any device on any street adjacent to any hospital, school or court of justice.

SEC. 77. Noise-Sensitive Zone.—The Commission, in consultation with appropriate government agencies, may designate noise-sensitive zones in any geographical area in the country where no person shall cause the creation of unnecessary noise.

SEC. 78. Ambient [Noise] Quality AND EMISSION Standards FOR NOISE.—

(a) Classification of General Areas:

For purposes of establishing ambient noise quality standards, areas within any city, region or center of urban living shall be classified by the Commission as follows:

Class AA—a section or contiguous area which required quietness, such as areas within 100 meters from school sites, nursery schools, hospitals, and special homes for the aged.

Class A—a section or contiguous area which is primarily used for residential purposes.

Class B—a section or contiguous area which zoned or used as a heavy industrial area.

Class C—a section primarily zoned or used as a light industrial area.

Class D—a section which is primarily reserved, zoned or used as a heavy industrial area.

(b) AMBIENT NOISE LEVELS.—The maximum allowable noise levels in general areas shall be those as indicated in Table I.

TABLE I

Environmental Quality Standards for Noise in General Areas

Category of Area	Daytime	Morning & Evening	nighttime
AA	50 db	45 db	40 db
A	55 "	50 "	45 "
B	65 "	60 "	55 "
C	70 "	65 "	60 "
D	75 "	70 "	65 "

General Areas

FOR AREAS DIRECTLY FACING A PUBLIC TRANSPORTATION ROUTE OR AN URBAN TRAFFIC ARTERY, THE FOREGOING STANDARDS PLUS A CORRECTION FACTOR EQUIVALENT TO THE FOLLOWING SHALL APPLY:

i—AREAS DIRECTLY FRONTING
OR FACING A FOUR-LANE
ROAD + 5 dBA

ii—AREAS DIRECTLY FRONTING
OR FACING A FOUR-LANE
OR WIDER ROAD + 10dBA

(c) NOISE STANDARDS FOR SOUND REPRODUCTION DEVICES.—

(1) THE NOISE LEVEL EMITTED FROM SOUND REPRODUCTION DEVICES INSTALLED IN A BUILDING, OR AN ESTABLISHMENT WITHIN OR ABUTTING A PUBLIC PLACE SUCH AS A PUBLIC ROAD, STREET, THOROUGHFARE, PARK, PLAZA OR PLACE REQUESTED BY PEOPLE OR PEDESTRIANS, SHALL NOT EXCEED 75 dBA MEASURED AT ONE METER DIRECTLY IN FRONT OF THE SPEAKER, OR THE AMBIENT STANDARD WHEN MEASURED AT THE PROPERTY LINE OR DOORWAY OF THE BUILDING OR ESTABLISHMENT WHEREIN THE POINT SOURCE IS LOCATED, WHICHEVER IS APPROPRIATE.

(2) THESE LIMITS SHALL NOT APPLY TO INCIDENTAL SOUNDS GREATER THAN 75 dBA EMANATING FROM A SPORT, ENTERTAINMENT OR A PUBLIC EVENT FOR WHICH A PERMIT HAS BEEN ISSUED.

(d) NOISE STANDARDS FOR CONSTRUCTION ACTIVITIES.—

(1) THE MAXIMUM NOISE LEVEL THAT SHALL BE ALLOWED FROM SPECIFIC CONSTRUCTION ACTIVITIES AS CLASSIFIED IN PARAGRAPH (2) BELOW MEASURED AT A DISTANCE OF 30 METERS FROM THE NOISE SOURCE SHALL BE AS FOLLOWS:

CLASS 1 90 dBA
CLASS 2 85 dBA
CLASS 3-4 75 dBA

(2) THE FOREGOING STANDARDS SHALL APPLY TO THE FOLLOWING CONSTRUCTION ACTIVITIES:

CLASS 1—WORK WHICH REQUIRES PILE DRIVERS (EXCLUDING MANUAL TYPE), PILE EXTRACTORS, REVETING HAMMERS OR COMBINATION THEREOF. THIS CLASSIFICATION DOES NOT INCLUDE WORK IN WHICH PILE DRIVERS ARE USED IN COMBINATION WITH EARTH AUGERS.

CLASS 2—WORK WHICH REQUIRES ROCK DRILLS, OR SIMILAR EQUIPMENT LIKE JACK HAMMERS OR PAVEMENT BREAKERS.

CLASS 3—WORK WHICH REQUIRES AIR COMPRESSOR (LIMITED TO THOSE COMPRESSORS WHICH USE POWER OTHER THAN ELECTRIC MOTORS WITH A RATED OUTPUT OF 15 KW OR MORE). AIR COMPRESSORS POWERING ROCK DRILLS, JACK HAMMERS, PAVEMENT BREAKERS ARE EXCLUDED.

CLASS 4—OPERATION INVOLVING BATCHING PLANT (LIMITED TO THOSE WITH A MIXER CAPACITY OF 0.5 OR MORE CUBIC METERS) AND/OR ASPHALT PLANTS (LIMITED TO THOSE WITH MIXER CAPACITY OF 200 KG. OR MORE). BATCHING PLANTS FOR THE MAKING OF MORTAR ARE EXCLUDED.

(3) CONSTRUCTION ACTIVITIES.—NO PERSON SHALL ENGAGE IN OR PERMIT ANY PERSON TO BE ENGAGED IN CONSTRUCTION ACTIVITIES IN CLASS AA, A AND B AREAS AS INDICATED IN PARAGRAPH "2" ABOVE FROM 7:00 PM TO 7:00 AM FOR WORK ACTIVITIES CLASSIFIED AS CLASS 1-2 AND FROM 9:00 PM TO 7:00 AM FOR WORK ACTIVITIES CLASSIFIED AS CLASS 3-4: PROVIDED HOWEVER THAT THIS PROHIBITION DOES NOT APPLY DURING WORK IN AN EMERGENCY, DISASTER, OR CALAMITY OR WHEN THERE IS A VALID PERMIT ISSUED BY A PROPER AUTHORITY."

These Amendments shall take effect 15 days after publication in the *Official Gazette*.

(Sgd.) GUILLERMO A. PECACHE
Brig. General, AFP (Ret.)
Commissioner