

Quiet Communities

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Introduction

Noise is a little-recognized form of pollution. When it comes to pollution prevention laws, noise is often overlooked in favor of more obvious forms of pollution, such as industrial waste or smog. However, noise pollution has significant health effects on those exposed to it.

Studies show that noise stress releases cortisol, an unhealthy stress hormone. Elevated cortisol levels can lead to cardiovascular disease, increased aggression, chronic fatigue, headaches, high blood pressure, mental illness, and anxiety. Noise pollution also negatively impacts sleep, contributing to serious health problems. Furthermore, noise can impair cognitive task performance. Research has found a correlation between homes and schools near highways and airports and reduced academic achievement due to noise interfering with students' ability to focus and learn. Hearing loss is another concerning consequence of noise pollution, particularly among younger people, where it is rising to near-epidemic levels—an entirely preventable public health issue.

Significant sources of noise pollution include traffic, airports, industrial operations, data centers, and neighborhood activities such as leaf blowers, lawnmowers, loud parties, and music. Certain industries profit from a lack of noise regulation, including manufacturers of car stereos, subwoofers, headphones, and even children's toys. Despite its harmful effects, noise pollution remains largely unaddressed in pollution prevention legislation.

Noise Control Act

The key legislation regulating noise pollution is the Noise Control Act (NCA) of 1972. This law was established in response to a growing environmental movement during the 1970s. Increasing evidence highlighted the harmful effects of noise, and public support grew for federal legislation to regulate noise sources. In 1972, Congress passed the NCA to address the issue. The legislation directed the Environmental Protection Agency (EPA) to create an Office of Noise Abatement and Control (ONAC). This office was tasked with researching the health effects of noise, educating the public about noise pollution, regulating products, mandating product labeling, and assisting state and local governments in controlling noise.

For ten years, the NCA functioned effectively. However, in 1982, the Reagan administration defunded the program as part of a broader initiative to reduce government spending. The EPA, like many other government agencies, faced significant budget cuts. To adapt, it eliminated programs like ONAC, leaving noise pollution regulation primarily to state and local governments.

Failure of Government

The NCA is a prime example of government failure. The issue lies in the fact that the NCA was never repealed, but ONAC was defunded. As a result, the EPA can no longer perform its legally mandated duties under the NCA. Funding for ONAC is not discretionary; it is required by law. The legislation remains in place, but it is blatantly not being enforced. While Congress may have considered laws like the NCA unimportant when cutting EPA funding, this raises a critical question: What value does the law hold if it can be disregarded so easily?

Moreover, this problem cannot simply be delegated to state or local governments. The NCA prevents state and local authorities from regulating many types of noise. Even if they were allowed to, addressing noise pollution at the state or local level would be nearly impossible. For example, consider highway noise: drivers crossing state lines would encounter inconsistent noise regulations, which are impractical to enforce. A truck's volume cannot be adjusted based on location.

Unlike other pollution issues that involve coordinated efforts among local, state, and federal governments, noise pollution remains inadequately addressed. State and local governments often lack the resources to tackle the problem effectively. Many do not attempt to address noise pollution at all, and those that do rarely achieve meaningful success.

Cranston, Rhode Island

School bells, morning alarms, and cheering from the crowd are sounds typically associated with schools—not bullets. Two years ago, a couple moved to Cranston, unaware that every spring and summer in this town is marred by the constant sound of gunfire. A local police training gun range, located in an old quarry, amplifies the sound, spreading it far and wide. The noise is particularly concerning as several public schools are within a mile of the shooting range. From early spring to late fall, students endure 8 to 12 hours a day of violent, startling noise that can reach up to 70 decibels—far louder than what is considered healthy. Gunfire is inherently a violent noise, and its pervasive presence raises serious concerns about its impact on children's well-being, educational performance, and ability to learn.

Although many residents claim they have become desensitized to the noise, studies show that mental desensitization does not equate to physiological adaptation. The startle response—elevated heart rate and other stress markers—remains. This constant exposure is particularly troubling in a nation grappling with an epidemic of gun violence. Desensitizing children to gunfire sounds at school poses a significant safety issue. How would they distinguish between routine range noise and an actual school shooting?

The couple who moved during the winter—when the noise was minimal—were not informed of the issue by their realtor, despite the noise being a material factor that should have been disclosed. In their effort to mitigate the problem, they proposed enclosing the range, a measure that could drastically reduce neighborhood noise. However, the local government and school administrators have been largely unresponsive. School officials claim they have received no complaints from students, yet they declined to arrange interviews with students, further highlighting the danger of desensitization.

The shooting range predates most of the surrounding development, complicating the issue. Nevertheless, various solutions exist, including enclosing the range, relocating it, implementing soundproofing measures (e.g., requiring suppressors), reducing usage, or even shutting it down. Enclosing the range would require proper ventilation to prevent the accumulation of vaporized lead, which can cause health problems for those using the range. Addressing one issue should not create another, such as lead poisoning.

Additionally, concerns about lead pollution extend beyond the range's immediate vicinity. Lead from spent bullets could potentially leach into the surrounding environment, posing further risks to the town's residents. Beyond noise mitigation, addressing lead contamination may require urgent action to safeguard public health.

Despite these pressing concerns, local officials, including the mayor, have shown little initiative to resolve the problem. The couple described the political climate as "toxic," citing an unresponsive government and a community unwilling to challenge the police department.

Jamie Lutz

Nestled in the quiet countryside of Manitou, Kentucky, Jamie Lutz's home at 440 Wolf Hollow Road was more than just a house; it was a sanctuary. For generations, her family cherished this land, creating memories amidst the shade of maple trees planted by her grandfather and the serene ambiance of a quiet, gravel road. Jamie recalls her childhood with fondness—days spent biking with friends, catching fireflies, and swimming in the backyard pool. Her connection to this place was deeply rooted, a bond she hoped to pass on to her own children.

However, in 2011, Jamie's tranquil world changed. A coal mining portal was established nearby, bringing with it heavy machinery, increased traffic, and a relentless noise from a massive ventilation fan. The once peaceful gravel road was replaced with concrete, lined with litter from passing coal trucks. The vibrant ecosystem surrounding her home began to deteriorate, and the sound of the fan, comparable to a jet engine, became a constant presence—literally shaking the foundation of her home and her sense of peace.

Jamie recounted to us the environmental toll of the mining operation. Local water sources became contaminated with heavy metals like arsenic and lead due to acid mine drainage. Wildlife habitats were destroyed, displacing countless animals. The lush greenery that defined her childhood was replaced by stripped land, and efforts to restore it seemed superficial at best.

The mining's impact extended beyond the environment. Jamie's community began to suffer—neighbors faced increased health issues, from migraines and anxiety to respiratory diseases. Jamie herself experienced debilitating migraines, high blood pressure, and depression. Her youngest daughter, once ahead in her studies, struggled to keep up in school, falling behind academically due to the stress and noise disrupting her focus and sleep.

Determined to protect her home and family, Jamie took action. She reached out to numerous officials, including local magistrates, environmental agencies, and even the mining company itself. She spent months contacting more and more people, desperate for anyone who might listen. Yet, no matter who she contacted, the response was always almost literally word-for-

word the same: “it’s not our jurisdiction, we can’t help.” Such extreme uniformity among each response is highly suspicious, reeking of corruption. Even the people who should have had direct jurisdiction, the Mine Safety and Health Administration (MSHA) also had that same practiced response. The county’s noise ordinances, meant to prevent excessive disturbances, were ignored. Meanwhile, the community’s collective voice seemed to fall on deaf ears. Indeed, the noise from the fan is only getting louder over time.

The Coal Company has accused her of trying to get the mine shut down, but she says no, I only want some noise abatement measure put in place--such as some sound-proofing barriers or something similar.

The lack of response on the part of MSHA is particularly alarming, since their jurisdiction would absolutely cover the noise pollution coming from the fan. The fan noise also reverberates through the mine itself, affecting the miners. Studies show that most miners go at least partially deaf before they are 55. The health of the miners is also at stake. I wonder if the loudness of the fan isn’t an indication that it’s being overtaxed, and therefore not doing its job of protecting the miners from polluted air while down in the mine.

The mining company offered to buy Jamie out of her house for \$147,000. She has had real estate appraisals and this is less than half of the estimated worth of the home. This home has been in her family for generations, now, and she doesn’t want to leave it.

Seeking further support, Jamie connected with Rick Reibstein, a lecturer in environmental law and policy. Rick offered to advocate on her behalf, suggesting outreach to the corporate headquarters of the mining company to seek solutions. Jamie’s story, detailed in emails and correspondence, paints a vivid picture of a community under siege, grappling with the far-reaching consequences of coal mining.

Jamie’s narrative is a plea for change. She emphasizes the irreversible damage to the environment, the toll on human health, and the erosion of a once-vibrant community. Her story highlights the broader implications of coal mining—how it sustains power grids and economies but often at a devastating cost to those living in its shadow.

Through her efforts, Jamie hopes to inspire action and bring attention to the plight of communities like hers. Her story serves as a reminder that progress should not come at the expense of the environment or the well-being of those who call it home.

Peter Bahouth

Peter Bahouth, the former director of Greenpeace USA and the US Climate Action Network, has lived in Atlanta, Georgia, for the past 27 years. Despite his efforts to embrace a peaceful lifestyle, he finds himself constantly bothered by noise pollution caused by gas-powered leaf blowers. This persistent disturbance clashes with many of the principles he holds dear.

Peter explains that the noise from leaf blowers is not only disruptive but also unnecessary. He questions the cultural obsession with perfectly leaf-free lawns, noting that removing leaves destroys habitats for creatures like lightning bugs and luna moths. Beyond its ecological impact, the use of gas-powered leaf blowers contributes to air pollution, climate

change, and health risks for workers, who face potential hearing loss and adverse effects from prolonged exposure to machine vibrations.

Unlike the occasional sound of a chainsaw or other one-time events, Peter emphasizes that leaf blower noise is constant. It invades outdoor spaces and makes it impossible to enjoy time in nature. He argues that the solution is simple: transitioning to electric leaf blowers or traditional rakes would eliminate the problem.

When Peter raises concerns, responses are often dismissive. Suggestions like “Why don’t you wear headphones?” or “Why don’t you move?” fail to address the core issue—everyone has the right to peace in their own home. He underscores the physiological stress caused by the jarring, persistent noise, which triggers a fight-or-flight response, leading to health problems such as heart issues and cognitive difficulties.

One challenge Peter highlights is the disconnect between those responsible for the noise and those affected by it. Families hiring lawn care companies often aren’t present during the work and thus remain unaware of the disruption they’re causing. Attempts to discuss the issue with neighbors are frequently met with resistance, as they view it as their right to manage their property as they see fit.

Peter has taken legal action, suing for an injunction rather than damages. His goal is not financial compensation but to hold his neighbors accountable and encourage them to adopt quieter landscaping practices. He believes this small change would significantly improve quality of life in the community. He wishes he did not have to sue his neighbors and he tried to avoid having to do that for many years.

Peter sees his efforts as a necessary fight for a problem that can and should be solved. Despite the personal toll, Peter remains committed to advocating for change, hoping to inspire a more considerate approach to community living.

Part of a Larger Issue

The erasure of the Office of Noise Abatement and Control (ONAC) is a microcosm of a larger, deeply rooted issue: the erosion of the administrative state. This trend began in earnest during the Reagan era, when public trust in government started to wane. The pervasive belief that government is inherently unresponsive, inefficient, and disconnected from the needs of the populace has taken hold over decades. Laws designed to safeguard public welfare, like the Noise Control Act (NCA), are no longer properly enforced, leaving citizens to wonder about the true role and purpose of government. If the government does not actively work to improve people’s lives, then its very existence is brought into question.

Reinstating programs like ONAC would be a significant step toward mending the frayed fabric of the social contract. This would help rebuild the trust between citizens and government, showing that the state can and will act in the public’s best interest. The importance of this trust cannot be overstated, as it underpins the legitimacy of governance and the belief in its ability to manage public resources and policy effectively. A common thread with almost all interviews we

conducted is that local or state noise laws were being violated, and yet there was absolutely no enforcement. Laws have to be enforced, or the entire legitimacy of the government crumbles.

ONAC's defunding also brings up crucial questions about civil liberties and rights as citizens. Without ONAC, states are left to manage noise pollution on their own, leading to inconsistent policies that may vary greatly when crossing state lines. This disparity is alarming as it creates an unequal system where the right to a peaceful living environment depends on your location. Such an uneven approach to rights is anathema to the idea of equal protection and fairness under the law, and highlights a dangerous trend in the erosion of civil liberties.

Why should fundamental rights change when individuals travel or move between states? This is more than a question of inconvenience—it is a matter of fairness, equity, and the protection of public health and safety. It is not just about quality of life but the broader principle that citizens should be guaranteed certain protections regardless of geographic boundaries.

Solutions

The solutions to these issues are both clear and achievable. The Environmental Protection Agency (EPA) must receive adequate funding from Congress to reinstate ONAC and support its work. The need for a robust, properly funded noise monitoring program is imperative. It is well-documented that complaint-based programs often fail to deliver effective results, as they rely on individuals reporting noise issues rather than proactive monitoring and regulation. A noise monitoring program run by the EPA could provide a systematic approach to identifying and addressing sources of excessive noise pollution.

To maximize the program's impact, attention should be focused on the most significant sources of noise, such as industrial operations, rather than more minor sources like loud music or neighborhood disturbances. Programs should also shift the responsibility of responding to noise complaints from law enforcement to public health officials, who are better equipped to understand and address the potential health risks posed by persistent noise exposure. This shift would allow police forces to focus on more pressing security matters, while public health officials could handle noise pollution, thus aligning the response with a more appropriate level of expertise.

It is essential for government programs that directly benefit the public to be funded and prioritized. The declining trust between the people and their government stems from the perception that the state is no longer responsive to critical issues such as noise pollution. Restoring funding and programs like ONAC would demonstrate the government's commitment to addressing the real needs of its citizens, reinforcing the idea that the government is not just a distant entity but a partner in the well-being of the community.