

BL 3-40

Regulations on the abatement of noise from controlled aerodromes

Edition 2, 17 March 2003

In pursuance of Section 82 of the Danish Air Navigation Act, cf. Consolidation Act no. 543 of 13 June 2001, the Civil Aviation Administration - Denmark hereby stipulates as follows on the authority of the Ministry of Transport, cf. Ministerial Order no. 795 of 3 September 2001 on delegation of authorities to the Civil Aviation Administration - Denmark and on publication of the Regulations issued by the Administration:

1. Reference documents

1.1 BL 7-8, Regulations on the operation of air traffic service units, latest edition.

1.2 Aeronautical Information Publication Denmark, AIP Denmark, latest edition.

1.3 VFR Flight Guide Denmark contains information about the noise abatement regulations stipulated in AIP Denmark.

1.4 The documents mentioned in paragraphs 1.2 and 1.3 may be bought on application to the Civil Aviation Administration - Denmark, Aeronautical Information Service, Ellebjergvej 50, DK-2450 Copenhagen SV.

2. Definitions

AIP (Aeronautical Information Publication):
A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Air Traffic Control Unit:

A generic term meaning variously, area control centre, approach control office or aerodrome control tower.

Controlled aerodrome:

An aerodrome at which air traffic control service is provided to aerodrome traffic.

Licence holder:

A person, a company or other undertaking authorised to establish and operate a public aerodrome or a civil area on a military airbase.

MTOM - Maximum take-off mass:

The maximum approved take-off mass of an aircraft at which it has been proved that the existing airworthiness and noise certification requirements are met.

Noise abatement provisions:

Regulations on procedures for take-off and landing and on the use of the aerodrome runways (taxiways included), the object of which are to abate noise from the aerodrome.

Operator:

A person, a company or other undertaking with the object of engaging in air navigation activities.

Pilot-in-command:

The pilot responsible for the operation and safety of the aircraft during flight time.

3. Applicability

This BL lays down provisions on the abatement of noise in connection with departure from and approach to as well as use of the runway system in connection with take-off and landing at the controlled aerodromes in Denmark.

Note: The controlled aerodromes are at present: Billund Airport, Bornholms Airport, Esbjerg Airport, Karup Airport, Copenhagen Airport, Kastrup, Copenhagen Airport, Roskilde, Sønderborg Airport, Vojens Airport, Aalborg Airport and Aarhus Airport.

4. Responsibility

4.1 Operations to and from the aerodromes that are mentioned in Part 3, shall be made in accordance with the noise abatement provisions laid down for each individual aerodrome and published in AIP Denmark, cf. Part 5.

4.1.1 The pilot-in-command shall ensure that the aircraft is operated in accordance with the noise abatement provisions.

4.1.2 In connection with commercial flights the obligation mentioned in para. 4.1.1 shall also rest with the airline performing the flight.

4.1.3 The pilot-in-command shall ensure that the Civil Aviation Administration - Denmark is notified in writing of operations which according to the noise abatement provisions shall be reported.

4.1.4 The pilot-in-command or, in connection with commercial flights, the airline shall ensure that prior approval of operations during the night period is obtained if required in the noise abatement provisions.

4.1.5 The daily manager of a air traffic control unit shall ensure that local ATS instructions are issued ensuring

a. that the use of the runway system is in accordance with the noise abatement provisions,

b. that clearances to aircraft are in accordance with the take-off and landing restrictions stated in the noise abatement provisions, and

c. that the Civil Aviation Administration - Denmark is notified of matters that shall be reported according to the noise abatement provisions.

Note: The responsibility resting with the personnel of the air traffic control unit appears from BL 7-8, para. 4.4.

4.1.6 The licence holder of the aerodrome shall ensure that the Civil Aviation Administration - Denmark is notified in writing of any matters which shall be reported according to the noise abatement provisions.

5. Noise abatement provisions

5.1 The noise abatement provisions for Copenhagen Airport, Kastrup, are published in AIP Denmark, AD 2 - EKCH, Section 21 (Noise Abatement Provisions).

5.1.1 All indications of time in AIP Denmark, AD 2 - EKCH, Section 21 are Danish time.

5.1.2 The provisions in AIP Denmark, AD 2 - EKCH, Section 21, are divided into 3 parts:

a. Noise abatement procedures for jet aeroplanes irrespective of weight, and for propeller and turboprop aeroplanes with MTOM of or above 11,000 kg.

b. Noise abatement procedures for propeller and turboprop aeroplanes with MTOM below 11,000 kg.

c. Noise abatement procedures for helicopters.

5.2 For all other controlled aerodromes the noise abatement provisions, if any, are stated in AIP Denmark, AD 2, Section 21, under the relevant airport.

6. Exemption

The Civil Aviation Administration - Denmark may in particularly exceptional cases grant exemption from the regulations laid down in this BL if it is deemed compatible with the considerations on which the regulations in question are based.

7. Punishment

7.1. Violation of Chapter 4 in this BL is punishable with fine under Subsection 9 of Section 149 of the Danish Air Navigation Act if the violation can be set against the person in question as intentional or grossly negligent.

7.2. Penalty may be imposed on companies etc. (legal persons) for violation of noise regulations even though the violation cannot

be set against the legal person or a person attached to the legal person as wilful or negligent. Similarly an owner of a one-man company may be punished with fine even though the violation cannot be set against the owner or a person attached to the owner as wilful or negligent. No alternative sentence is laid down for the penalty.

8. Implementation

8.1. This BL comes into force on 1 April 2003.

8.2. At the same time BL 3-40, 1 edition of 21 March 1997 is repealed.

Civil Aviation Administration - Denmark, 17 March 2003

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