

Cabinet Order No. 324 of 1968 for Implementation of the Noise Regulation Law

Cabinet order
Latest Amendment by Cabinet Order No .8 of 1996

The Government establishes this order for the purpose of implementing the Noise Regulation Law (No. 98, 1968), pursuant to Article 2, Paragraphs 1 and 3, Article 16 and Article 25 of said Law.

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| Article 1
(Specified Facilities) | Facilities determined by the Cabinet Order, as provided for in Article 2, Paragraph 1, of the Noise Regulation Law (hereinafter referred to as the "Law") shall be those listed in Appendix I. |
| Article 2
(Specified Construction Work) | Construction work determined by the Cabinet Order, as provided for in Article 2, Paragraph 3, of the Law shall be those listed in Appendix II, except when said work is to be completed within the day of its commencement. |
| Article 3
(Reporting and Inspection) | <p>1. The prefectural governor may request the parties responsible for specified facilities, pursuant to Article 20, Paragraph 1, of the Law, to report on the status and operational mode of the specified facilities, as well as on the methods of noise abatement. The prefectural governor may also authorize his personnel to enter the specified factories and inspect specified and other facilities which emit noise, facilities installed for noise abatement, and books and records relating to such facilities.</p> <p>With regard to those parties responsible for the specified facilities provided for in Article 21, Paragraph 1, of the Law, the prefectural governor shall take said action only when he finds it necessary to exercise his authority pursuant to Paragraph 3 of the same Article.</p> <p>2. The prefectural governor may request the parties responsible for construction projects that include specified construction work, pursuant to Article 20, Paragraph 1, of the Law, to report on the progress of said construction work and on the methods of noise abatement. The prefectural governor may also authorize his personnel to enter the site of said construction project and to inspect the machinery used for specified construction work, the facilities used for noise abatement and the books and records relating to said machinery and facilities.</p> |
| Article 4
(Delegating Administrative Rights and Duties) | <p>1. Among the administrative functions entrusted to the prefectural governors as provided for in the Law, the following shall be delegated to the mayors of municipalities (excluding the mayors as designated in the next Paragraph).</p> <p style="margin-left: 40px;">(1) Receiving reports pursuant to the provisions of Article 6, Paragraph 1; Article 7, Paragraph 1; Article 8, Paragraph 1; Article 10; Article 11, Paragraph 3; and Article 14, Paragraphs 1 and 2; of the Law.</p> <p style="margin-left: 40px;">(2) Issuing recommendations pursuant to the provisions</p> |

of Article 9; Article 12, Paragraph 1; and Article 15, Paragraph 1; of the Law.

- (3) Issuing orders pursuant to the provisions of Article 12, Paragraph 2, and Article 15, Paragraph 2, of the Law.
- (4) Making requests pursuant to the provisions of Article 17, Paragraph 1 and Article 21, Paragraph 3, of the Law.
- (5) Expressing opinions pursuant to the provisions of Article 17, Paragraph 2, of the Law.
- (6) Collecting reports and authorizing inspection pursuant to the provisions of Article 20, Paragraph 1, of the Law.
- (7) Receiving notifications pursuant to the provisions of Article 21, Paragraph 2 and 4, of the Law.
- (8) Implementing monitoring pursuant to the provisions of Article 21-2 of the Law.

2. Among the administrative functions of the preceding paragraph and other administrative functions entrusted to the prefectural governors under the Law, that relating to the designation of areas pursuant to the provisions in Article

3, Paragraph 1, of the Law, that relating to the public notice to be given under Article 3, Paragraph 3, of the Law and that relating to the establishment of regulation standards under Article 4, Paragraph 1, of the Law shall be delegated to the mayors of the designated cities provided for in Article 252-19, Paragraph 1, of the Local Government Law (Law. No. 67 of 1947).

SUPPLEMENTARY PROVISIONS 1. This Order shall come into force on the day of the enforcement of the Law (December 1, 1968).

CABINET ORDER FOR IMPLEMENTATION OF THE NOISE REGULATION LAW

APPENDIX I

1. Metal fabrication machines

- (1) Rolling mills (with a rated output of 22.5 Kw or more).
- (2) Tubemills.
- (3) Bending machines (those of the roll type with a rated output of 3.75 Kw or more).
- (4) Hydraulic presses (not including reforming presses).
- (5) Mechanical presses (those with a potential pressure capacity of 30 tons or more).
- (6) Shears (those with a rated output of 3.75 Kw or more).
- (7) Forging machines.

- (8) Wire forming machines.
- (9) Blast machines (hermetically sealed machines and tumbler blast machines, are excluded).
- (10) Tumbling machines.
- (11) Cutting machines (those used with grindstones).
- 2. Air compressors and blowers (those with a rated output of 7.5 Kw or more).
- 3. Crushers, grinders, screens and classifiers for earth, rock or minerals (those with a rated output of 7.5 Kw or more).
- 4. Looms (those which are engine-or motor-powered).
- 5. Construction-material making machines
 - (1) Concrete plants (those with a mixer capacity of 0.45 m³ or more, not including concrete foam plants).
 - (2) Asphalt plants (those with a mixer capacity of 200 kg or more).
- 6. Cereal and flour mills (those of roll-type with a rated output of 7.5 Kw or more).
- 7. Lumber and pulp machines
 - (1) Drum barkers.
 - (2) Chippers (with a rated output of 2.25 Kw or more).
 - (3) Wood-pulp grinders.
 - (4) Band saws (those used in saw milling with a rated output of 15 Kw or more and those used in wood-working with a rated output of 2.25 Kw or more).
 - (5) Circular saws (those used in saw milling with rated output of 15 Kw or more and those in wood-working with a rated output of 2.25 Kw or more).
 - (6) Planning machines (those with a rated output of 2.25 Kw or more).
- 8. Paper manufacturing machines.
- 9. Printing machines (those with motors).
- 10. Synthetic resin injection molding machines.
- 11. Molding machines (jolt molding machines only).

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APPENDIX II

- 1. Work which requires pile drivers (excluding manual type) and pile extractors and pile driver-extractors (excluding pressure type driver-extractors). Said work does not include that in which pile drivers are used with earth augers.

2. Work which requires riveting hammers.

3. Work which requires rock drills (limited to that in which the maximum distance between any two given work sites does not exceed fifty (50) meters in one (1) day when continual movement of work sites is involved).

4. Work which requires air compressors (limited to those compressors which use other than electric motors for power with a rated output of 15 Kw or more). Air compressors powering rock drills are excluded.

5. Operation involving batching plants (limited to those with a mixer capacity of 0.45 m³ or more) and or asphalt plants (limited to those with a mixer capacity of 200 Kg or more). Batching plants for the making of mortar are excluded.

6. Work which requires back hoes (limited to those with the rated power of the prime mover exceeding 80 kW, excluding those designated by the Director-General of the Environment Agency as not generating noise exceeding a certain limit).

7. Work which requires tractor shovels (limited to those with the rated power of the prime mover exceeding 70 kW, excluding those designated by the Director-General of the Environment Agency as not generating noise exceeding a certain limit),

8. Work which requires bulldozers (limited to those with the rated power of the prime mover exceeding 40 kW, excluding those designated by the Director-General of the Environment Agency as not generating noise exceeding a certain limit).

1. Regulatory Standards for Noise Emitted from Specified Factories (Summary)

Time Area	Daytime	Morning Evening	Nighttime	Applicable Areas
I	45 - 50 dB	40 - 45 dB	40 - 45 dB	Areas where maintenance of quiet is particularly needed to preserve a good living environment.
II	50 - 60 dB	45 - 50 dB	40 - 50 dB	Areas where quiet is needed for as they are used for residential purposes.
III	60 - 65 dB	55 - 65 dB	50 - 55 dB	Areas used for commercial and industrial as well as residential purposes where there is a need to preserve the living environment of local residents.
IV	65 - 70 dB	60 - 70 dB	55 - 65 dB	Areas mainly serving industrial purposes which are in need of measures to prevent the living environment of local residents from deteriorating.

Note: Noise level shall be measured at the boundary line of the specified factory.

2. Standards for Noise Emitted from Specified Construction Works (Summary)

Type of Restriction	Area	Pile	Riveting	Rock	Air	Batching
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	Classified	Driver etc.	Hammer	Drill	Compressor	Plant etc.
Standard value	I & II	85 dB				
Work prohibited time	I	7 p.m. - 7 a.m.				
	II	10 p.m. - 6 p.m.				
Maximum Working duration	I	10 hours per day				
	II	14 hours per day				
Maximum consecutive working days	I	6 days				
	II	6 days				
Work prohibited days	I & II	Sundays and holidays				

Notes:

- 'Area I' stands for areas to which one of the following descriptions applies:
 - (1) Areas where maintenance of quiet is particularly needed to preserve the residential environment.
 - (2) Areas which require maintenance of quiet since they are used for residential purposes.
 - (3) Areas used for commercial and industrial as well as residential purposes which are in need of measures to prevent noise pollution since a considerable number of houses are located.
 - (4) The neighborhood of schools, hospitals and the like. 'Area II' stands for areas where there is a need to preserve the living environment.
- Noise level shall be measured at the boundary line of the specified construction work site.

3. Request Limits for Motor Vehicle Noise (Summary)

Area	Time	Maximum Allowable Limit		
		Daytime	Morning Evening	Nighttime
Areas bordering on a single-lane road in Area I		55 dB	50 dB	45 dB
Areas bordering on a single-lane road in Area II		60 dB	55 dB	50 dB
Areas bordering on a two-lane road in Area I & II		70 dB	65 dB	55 dB
Areas bordering on a more-than-two-lane road in Area I & II		75 dB	70 dB	60 dB
Areas bordering on a single-lane road in Area III & IV		70 dB	65 dB	60 dB
Areas bordering on a two-lane road in Area III & IV		75 dB	70 dB	65 dB
Areas bordering on a more-than-two-lane road in Area III & IV		80 dB	75 dB	65 dB

Notes:

1. Area classification corresponds to that used for "Regulatory Standards for Noise Emitted from Specified Factories.
2. Noise level shall be measured at the point one meter from the building towards the road.