

Va. Groups Appeal Jet Noise Ruling

Virginia State Sen. Clive L. DuVal II (D-Fairfax-Arlington) said yesterday that the citizens' coalition seeking a reduction in jet traffic at National Airport has appealed a court ruling against it to the 4th U.S. Circuit Court of Appeals.

On May 26, Judge Albert V. Bryan Jr. of the U.S. District Court in Alexandria, ruled that the aircraft noise at National is a "burdensome annoyance" to some who live near it but does not violate their constitutional rights.

The citizens' organizations that filed the suit seeking a transfer of jet traffic to Dulles and Friendship International airports contended that noise from the planes violated constitutional guarantees of health and privacy.

DuVal is chairman of Virginians for Dulles, one of the groups that joined in filing the suit. He said in announcing the appeal that the plaintiffs are "optimistic" because most cases "involving injury to the environment and/or governmental interference with citizen rights have been won on appeal."

In his opinion dismissing the citizens' case, Bryan said that the 4th Circuit has "declined the invitation to elevate to the constitutional level the concerns for protection of the environment."

DuVal said that a decision on the appeal is at least 18 months away.