

## PROPOSED AMENDMENTS TO RULE 802., NOISE ABATEMENT

### 802. NOISE ABATEMENT

a. THE GOAL OF THIS RULE IS TO IDENTIFY NOISE SOURCES RELATED TO OIL AND GAS OPERATIONS THAT IMPACT SURROUNDING LANDOWNERS AND TO IMPLEMENT COST-EFFECTIVE AND TECHNICALLY-FEASIBLE MITIGATION MEASURES TO BRING OIL AND GAS FACILITIES INTO COMPLIANCE WITH THE ALLOWABLE NOISE LEVELS IDENTIFIED BELOW IN SUBSECTION C OF THIS RULE. OPERATORS SHOULD BE AWARE THAT NOISE CONTROL IS MOST EFFECTIVELY ADDRESSED AT THE SITING AND DESIGN PHASE, ESPECIALLY WITH RESPECT TO CENTRALIZED COMPRESSION AND OTHER DOWNSTREAM "GAS FACILITIES" (SEE DEFINITION IN THE 100 SERIES OF THESE RULES).

~~a~~b. Oil and gas operations, AT ANY WELL SITE, PRODUCTION FACILITY OR ~~including gas facility operations~~, shall comply with the following maximum permissible noise levels, ~~for the predominant land use existing in the zone in which the operation occurs. Any operation~~S involving pipeline or gas facility installation or maintenance, the use of a drilling rig, completion rig, workover rig, or stimulation is subject to the maximum permissible noise levels for industrial zones. ~~In the hours between 7:00 a.m. and the next 7:00 p.m. the noise levels permitted below may be increased ten (10) db(A) for a period not to exceed fifteen (15) minutes in any one (1) hour period~~ THE TYPE OF LAND USE OF THE SURROUNDING AREA SHALL BE DETERMINED BY THE COMMISSION IN CONSULTATION WITH THE LOCAL GOVERNMENTAL DESIGNEE TAKING INTO CONSIDERATION ANY APPLICABLE ZONING OR OTHER LOCAL LAND USE DESIGNATION.

~~b~~c. In the hours between 7:00 a.m. and the next 7:00 p.m. the noise levels permitted below may be increased ten (10) db(a) for a period not to exceed fifteen (15) minutes in any one (1) hour period. THE ALLOWABLE NOISE LEVEL FOR PERIODIC, IMPULSIVE OR SHRILL NOISES IS REDUCED BY FIVE (5) DB(A) FROM THE LEVELS SHOWN.

ZONE	7:00 am to next 7:00 pm	7:00 pm to next 7:00 am
Residential/AGRICULTURAL/RURAL	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)
Light industrial	70 db(A)	65 db(A)
Industrial	80 db(A)	75 db(A)

PURSUANT TO COMMISSION INSPECTION OR UPON RECEIVING A COMPLAINT FROM A NEARBY PROPERTY OWNER OR LOCAL GOVERNMENTAL DESIGNEE REGARDING NOISE RELATED TO OIL AND GAS OPERATIONS, THE COMMISSION SHALL CONDUCT AN ONSITE INVESTIGATION AND TAKE SOUND MEASUREMENTS AS PRESCRIBED HEREIN.

The following provide guidance for the measurement of sound levels ~~from oil and gas operations~~ AND ASSIGNMENT OF POINTS OF COMPLIANCE FOR OIL AND GAS OPERATIONS:

~~(1) If there are no occupied building units impacted, sound levels shall be measured at a distance of twenty-five (25) feet or more from the property line radiating the noise. Sound levels at occupied building units shall be measured as near as practicable to the exterior edge of the occupied building unit closest to the area radiating the noise.~~ SOUND LEVELS SHALL BE MEASURED AT A DISTANCE OF THREE HUNDRED AND FIFTY (350) FEET FROM THE NOISE SOURCE. AT THE REQUEST OF THE COMPLAINANT, THE SOUND LEVEL SHALL ALSO BE MEASURED AT A POINT BEYOND THREE HUNDRED AND FIFTY (350) FEET THAT THE COMPLAINANT BELIEVES IS MORE REPRESENTATIVE OF THE NOISE IMPACT. SOUND LEVELS SHALL BE MEASURED

TWENTY-FIVE (25) FEET FROM AN EXISTING RESIDENCE IF THE RESIDENCE IS LESS THAN THREE HUNDRED AND FIFTY (350) FEET FROM THE NOISE SOURCE. NOISE LEVELS FROM OIL AND GAS FACILITIES LOCATED ON SURFACE PROPERTY OWNED, LEASED OR OTHERWISE CONTROLLED BY THE OPERATOR SHALL BE MEASURED AT THREE HUNDRED AND FIFTY (350) FEET OR AT THE PROPERTY LINE, WHICHEVER IS GREATER.

IN SITUATIONS WHERE MEASUREMENT OF NOISE LEVELS AT THREE HUNDRED AND FIFTY (350) FEET IS IMPRACTICAL OR UNREPRESENTATIVE DUE TO TOPOGRAPHY, THE MEASUREMENT MAY BE TAKEN AT A LESSER DISTANCE AND EXTRAPOLATED TO A THREE HUNDRED AND FIFTY (350) FOOT EQUIVALENT USING THE FOLLOWING FORMULA:

$$DB(A)_{\text{DISTANCE 2}} = DB(A)_{\text{DISTANCE 1}} - 20 * \log_{10}(\text{DISTANCE 2} / \text{DISTANCE 1})$$

(2) Sound level meters shall be equipped with wind screens, and readings taken when the wind velocity at the time and place of measurement is not more than five (5) miles per hour.

(3) Sound level measurements shall be taken four (4) feet above ground level.

(4) Sound levels shall be determined by averaging MINUTE-BY-MINUTE measurements made over a MINIMUM fifteen (15) minute sample DURATION IF PRACTICABLE. THE SAMPLE SHALL BE TAKEN UNDER CONDITIONS THAT ARE REPRESENTATIVE OF THE NOISE EXPERIENCED BY THE COMPLAINANT (E.G., AT NIGHT, MORNING, EVENING, OR DURING SPECIAL WEATHER CONDITIONS).

(5) In all sound level measurements, the existing ambient noise level from all other sources in the encompassing environment at the time and place of such sound level measurement shall be considered to determine the contribution to the sound level by the oil and gas operation(s).

D. IN SITUATIONS WHERE THE COMPLAINT OR COMMISSION ONSITE INSPECTION INDICATES THAT LOW FREQUENCY NOISE IS A COMPONENT OF THE PROBLEM, THE COMMISSION SHALL OBTAIN A SOUND LEVEL MEASUREMENT TWENTY-FIVE (25) FEET FROM THE EXTERIOR WALL OF THE RESIDENCE OR OCCUPIED STRUCTURE NEAREST TO THE NOISE SOURCE, USING A NOISE METER CALIBRATED TO THE DB(C) SCALE. IF THIS READING EXCEEDS 65 DB(C), THE COMMISSION SHALL REQUIRE THE OPERATOR TO OBTAIN A LOW FREQUENCY NOISE IMPACT ANALYSIS BY A QUALIFIED SOUND EXPERT, INCLUDING IDENTIFICATION OF ANY REASONABLE CONTROL MEASURES THAT SHALL BE EMPLOYED TO MITIGATE SUCH LOW FREQUENCY NOISE IMPACT. SUCH STUDY SHALL BE PROVIDED TO THE COMMISSION FOR CONSIDERATION AND POSSIBLE ACTION.

be. Exhaust from all engines, motors, coolers and other mechanized equipment shall be vented in a direction away from all occupied buildings to the extent practicable.

ef. In "high density areas" (SEE DEFINITION IN THE 100 SERIES OF THE THESE RULES) all facilities within four hundred (400) feet of occupied buildings with engines or motors which are not electrically operated shall be equipped with quiet design mufflers or equivalent. All mufflers shall be properly installed and maintained in proper working order.