

## **Attachment E**

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### Noise Attachments

- E1 MassDEP Noise Policy
- E2 MassDEP Noise Policy Interpretation
- E3 National Weather Service Data

E1 MassDEP Noise Policy



*The Commonwealth of Massachusetts*  
*Executive Office of Environmental Affairs*  
*Department of Environmental Quality Engineering*  
*Division of Air Quality Control*  
*One Winter Street, Boston 02108*

February 1, 1990

DAQC Policy 90-001

DIVISION OF AIR QUALITY CONTROL POLICY

This policy is adopted by the Division of Air Quality Control. The Department's existing guideline for enforcing its noise regulation (310 CMR 7.10) is being reaffirmed.

P O L I C Y

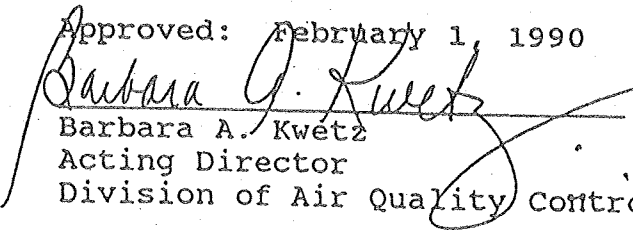
A source of sound will be considered to be violating the Department's noise regulation (310 CMR 7.10) if the source:

1. Increases the broadband sound level by more than 10 dB(A) above ambient, or
2. Produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment operating hours. The ambient may also be established by other means with the consent of the Department.

Approved: February 1, 1990

Effective: Immediately

  
Barbara A. Kwetz  
Acting Director  
Division of Air Quality Control

## E2 MassDEP Noise Policy Interpretation



## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

### Noise Pollution Policy Interpretation

Noise is a public health concern that falls within the scope of Massachusetts Department of Environmental Protection (MassDEP) authority as a form of regulated air pollution. See the related law, regulations, and policy: [M.G.L. Chapter 111, Sections 142A-M](#), [310 CMR 7.00: Air Pollution Control](#), and [MassDEP Noise Policy](#)

#### Definitions (310 CMR 7.00)

- *Noise* is defined as "sound of sufficient intensity and/or duration as to cause a condition of air pollution."
- *Air pollution* means "the presence in the ambient air space of one or more air contaminants or combinations thereof in such concentrations and of such duration as to: (a) cause a nuisance; (b) be injurious, or be on the basis of current information, potentially injurious to human health or animal life, to vegetation, or to property; or (c) unreasonably interfere with the comfortable enjoyment of life and property or the conduct of business."

#### When Does MassDEP Evaluate Noise Impacts?

MassDEP evaluates how noise may affect people when 1) the agency reviews applications for approval under its air pollution regulations (310 CMR 7.02) for construction of facilities that will generate more than threshold amounts of pollutants such as nitrogen dioxide, sulfur dioxide, carbon monoxide, volatile organic compounds, particulate matter, and substances that are toxic in air; and 2) the agency responds to complaints from the public about noise generated by an existing source:

- When reviewing applications for pre-construction approval of new sources of air pollution, MassDEP examines the potential increase in sound levels over ambient conditions and the impacts of noise at both the source's property line and at the nearest residence or other sensitive receptor (e.g., schools, hospitals) located in the area surrounding the facility and occupied at the time of the permit review. *Please note: MassDEP requires that an air approval be obtained when a proposed facility is expected to emit more than threshold amounts of specific pollutants. If noise is the only air pollutant expected to be emitted by a facility, a pre-construction air approval is not required.*
- When MassDEP responds to a complaint about an existing source of noise, it focuses on protecting affected people at their residences and in other buildings that are occupied by sensitive receptors from nuisances and the public health effects of the noise. *Please note: An existing source of sound may or may not have needed a MassDEP air approval before it was built.*

## **Where Are MassDEP's Noise Criteria Applied?**

The MassDEP noise pollution policy describes criteria that MassDEP uses to evaluate noise impacts at both the property line and the nearest occupied residence or other sensitive receptor. When noise is found to be a nuisance or a threat to health, MassDEP requires the source to mitigate its noise.

Noise levels that exceed the criteria at the source's property line by themselves do not necessarily result in a violation or a condition of air pollution under MassDEP regulations (see 310 CMR 7.10 U). The agency also considers the effect of noise on the nearest occupied residence and/or building housing sensitive receptors:

- In responding to complaints, MassDEP measures noise levels at the complainant's location and at other nearby locations that may be affected (e.g., residences and/or buildings with other sensitive receptors). If the noise level at a sensitive receptor's location is more than 10 dB(A) above ambient, MassDEP requires the noise source to mitigate its impact.
- A new noise source will be required to mitigate its sound emissions if they are projected to cause the broadband sound level at a residence or building housing sensitive receptors to exceed ambient background by more than 10 dB(A).
- A new noise source that would be located in an area that is not likely to be developed for residential use in the future (e.g., due to abutting wetlands or similarly undevelopable areas), or in a commercial or industrial area with no sensitive receptors may not be required to mitigate its noise impact on those areas, even if projected to cause noise levels at the facility's property line to exceed ambient background by more than 10 dB(A). However, a new noise source that would be located in an area in which housing or buildings containing other sensitive receptors could be developed in the future may be required to mitigate its noise impact in these areas.

This policy has been designed to protect affected residents and other sensitive occupants of nearby property, but not necessarily uninhabited areas in and around the source's property. Sources of noise may need to implement mitigation if residences or buildings occupied by sensitive receptors are developed where they may be affected by the source's noise.

## E3 National Weather Service Data

**Local Climatological Data**  
**Hourly Precipitation**  
**December 2022**

Current Location: Elev: 37 ft. Lat: 41.6719° N Lon: -70.2697° W

Generated on 12/23/2022

Station: **HYANNIS BARNSTABLE MUNICIPAL AIRPORT, MA US WBAN: 72506794720 (KHYA)**

Date	For Hour (LST) Ending at																						Date		
	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	NOON	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM		11 PM	MID
01																								01	
02																								02	
03												T	T	0.01	0.05	0.05	0.14	0.09	T	T		T		03	
04																								04	
05									T															05	
06																				T			T	06	
07			T	0.01	0.05	0.12	0.04	0.07	0.21	0.09	0.08	0.01	0.03	0.12	0.27	0.05	0.10	0.07	0.16	T				07	
08																								08	
09																								09	
10							T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	0.01	T	10
11	T	T	T	T	T				T	T	T					T	T	T	T	T	0.01	T	T		11
12				T	T	T	0.01	T	T	T	T														12
13																									13
14				T	T																	T	0.01	T	14
15												T				T	T	T	T	0.01		T	T	T	15
16	T	T		0.03	0.07	0.06	0.07	0.04	0.02	0.10	0.05	0.08	0.11	0.07	T	T	0.02	0.02	0.03	T	T		0.02	0.02	16
17								T	T	T	T	T	0.01			T									17
18																									18
19																									19
20	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	20

**Maximum Short Duration Precipitation**

Time Period (Minutes)	5	10	15	20	30	45	60	80	100	120	150	180
Precipitation (inches)												
Ending Date Time (yyyy-mm-dd hh:mi)												

Hourly, daily, and monthly totals on the Daily Summary page and the Hourly Precipitation Table are shown as reported by the instrumentation at the site. However, NWS does not edit hourly values for its ASOS sites, but may edit the daily and monthly totals for selected sites which will be reflected on the Daily Summary page.

T = Trace  
 s = Suspect  
 \* = Erroneous  
 blank = No precipitation observed  
 M = Missing