Department of Environmental Protection
Temporary Noise Waiver Application

Authority

Chapter 31B, Section 31B.11(a), of the Montgomery County Code allows the Director of the Department of Environmental Protection (DEP) to waive any part of Chapter 31B for a temporary event if the noise the event will create or cause in excess of the limits established under Chapter 31B is offset by the benefits of the event to the public.

Application Process

Review the Code: The applicant should review and understand the requirements of Chapter 31B, Noise Control, of the Montgomery County Code. Chapter 31B can be found at http://www.montgomerycountymd.gov/dectmpl.asp?url=/Content/dep/community/ordinance.asp. Questions regarding any provision of the code should be directed to DEP via e-mail at depnoisewaiver@montgomerycountymd.gov.

Timing of Application: In accordance with Section 31B.11(a)(2), DEP is required to provide public notice of any Temporary Noise Waiver request in a manner that could reasonably reach a majority of households that might be affected by the issuance of the waiver. To fulfill this requirement, DEP may publish notices regarding Temporary Noise Waiver requests in a local newspaper. A Temporary Noise Waiver can not be issued until at least 10 days after publication of the notice in the paper. As a result, a Temporary Noise Waiver application that is deemed complete by DEP must be received at least 21 days prior to the date the waiver is needed in order to allow for the public notification process.

Submission of Application: Completed applications can be submitted electronically (preferred) or in hard copy. DEP is not responsible for delays in receipt of hard copy applications submitted via the postal service or other delivery method. Applications can be submitted electronically by clicking on the "Submit by e-mail" button at the end of this application. Hard copies should be sent to:

Attn: Temporary Noise Waiver
Department of Environmental Protection
255 Rockville Pike, Suite 120
Rockville, MD 20850

A non-refundable processing fee must be submitted with the application. See Page 3 for details.

Completing the Application: The applicant must complete all fields in the application. Incomplete applications will be returned, which may delay processing of the application. Particular attention should be give to providing complete and thorough responses to the items related to the justification for requesting a Temporary Noise Waiver. Additional information (site plans, equipment specifications, mitigation plans, etc.) may be attached to the e-mail that transmits the application.

Department of Environmental Protection
Temporary Noise Waiver Application

Applicant Information

Applicant Name: Purple Line Transit Constructors (PLTC)

Address: 8555 16th St, Suite 601 City: Silver Spring Zip Code: 20910

Primary Contact Name: Mark Edsall

Phone Number: 301-399- 2501 E-mail Address: mark.edsall@pltcllc.com

Noise Source Information

Location of noise source or activity for which the waiver is requested:

Talbot Ave and 4th Ave. , Silver Spring MD

Description of noise source or activity that will create the noise:

Pile driving hammer to install bridge abutment piles and sheet piles for the support of excavation

Date(s) and time(s) for which the waiver is requested:
(for example: 9:00 pm, May 1, 2010 to 7:00 am, May 2, 2010)

December 20, 2019 Monday - Saturday, 8am - 5pm

December 31, 2019 Monday - Saturday, 8am - 5pm

Justification for Requesting a Temporary Waiver

Why is a Temporary Noise Waiver being requested?

PLTC is requesting a waiver to install the bridge abutment and pier pile during the Rosemary Elementary School winter break time period. Installing the piles now will give PLTC the flexibility to start the concrete substructure work now rather than wait six months and start the work during the summer break.

How will the public benefit if a Temporary Noise Waiver is issued?

With the piles installed in December it will allow us to complete the substructure work earlier which will should lead to an earlier opening of the bridge.

If a Temporary Noise Waiver is issued, DEP may set conditions on the applicant. Describe the steps that have been taken or will be taken to reduce the level or duration of the noise for which the waiver is requested:

While we have requested a waiver for the winter break period, no pile driving work will take place on December 24th or 25th.

Submit by E-mail

Print Form

Application Fees

A non-refundable processing fee based on the fee schedule below must accompany this application. (If the application is submitted electronically, a check must be received by mail or other delivery service prior to publication of the required public notice.) Checks should be made payable to Montgomery County, Maryland.

Activity	First Noise Source/Site	Each Additional Source/Site
Residential, single-family	$50	n/a
Residential, all others	$230	+ $25 per source/site
Construction (all types private)	$350	+ $25 per source/site
Commercial	$350	+ $25 per source/site
Industrial	$350	+ $25 per source/site
Transportation	$350	+ $25 per source/site
Government	$350	+ $25 per source/site

Questions? Contact DEP at depnoisewaiver@montgomerycountymd.gov or 240-777-7746.