



DEPARTMENT OF ENVIRONMENTAL PROTECTION  
MONTGOMERY COUNTY, MARYLAND



NOISE WAIVER CERTIFICATE

**ISSUED TO:** Montgomery County Department of Transportation/James Kisner  
*Owner/Operator*

**Valid From:** July 20, 2020

**Valid To:** August 18, 2020

**Type of Waiver:** Temporary

**Authorizing:**

Nighttime road construction consisting of road surface milling, patching, and resurfacing, and repairing of curb, gutter, sidewalk, curb ramps, medians, and storm drain inlets. The nighttime work will occur along Cherry Hill Rd from Columbia Pike (Rt 29) to just south of FDA Blvd, Silver Spring. The work is being performed at night to alleviate traffic congestion, and impacts to pedestrians and transit users. The work hours will be from 8:00 p.m. to 5:00 a.m. and shall be performed under the following conditions:

1. All reasonable efforts should be made to perform the noisiest activities early in the evening.
2. Machinery shall be equipped with well-maintained and effective mufflers, and moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts.
3. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done.
4. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Hauling trucks and machinery shall be operated at the minimum power level necessary to complete the task in a safe manner.
6. Slamming of tailgates and dropping demo debris into empty metal containers is prohibited.
7. All onsite staff, including delivery, dump truck and rolloff truck drivers, should be notified of noise mitigation procedures prior to work.
8. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the site shall be configured to minimize backing of trucks accessing the site during nighttime hours. DEP recommends the use of OSHA approved white noise motion alarms.
9. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
10. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
11. Regular communications should be provided to nearby residences, so they are aware of the work schedule and expected noise related to construction activities.

DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities.

ECCD Case 20202116

**Location of Work:** Cherry Hill Rd from Columbia Pike to the County line (south of FDA Blvd)

**Town:** Silver Spring

**Zip:** 20904

**Approved By:** Stan Edwards

Department of Environmental Protection

**Date:** July 19, 2020

**This certificate must be available at the work site.**

Cc: MC Police, 3rd District, Silver Spring Station  
Jewru Bandeh, East County Regional Services Center  
Stan Edwards, MC DEP/ECCD  
Steve Martin, MC DEP/ECCD

INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM  
ENERGY, CLIMATE AND COMPLIANCE DIVISION  
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
255 ROCKVILLE PIKE, SUITE 120, ROCKVILLE, MARYLAND 20850  
(240) 777-7746

<https://www.montgomerycountymd.gov/DEP/contact/noise-documents.html#wavers>