



DEPARTMENT OF ENVIRONMENTAL PROTECTION
MONTGOMERY COUNTY, MARYLAND



NOISE WAIVER CERTIFICATE

ISSUED TO: NPL Construction c/o Mike Brewbaker
Owner/Operator

Valid From: 4/25/22

Valid To: 5/24/22

Type of Waiver: Temporary

Authorizing:

Nighttime construction for work associated with natural gas service upgrades at 519 - 521 South Frederick Rd., Gaithersburg. Nighttime work is being required by the Maryland State Highway Administration (SHA) and is designed to minimize traffic congestion, pedestrian safety concerns, and impacts to local businesses caused by multiple lane closures on South Frederick Rd. The work includes cutting of asphalt, excavation, pipe placement, backfilling and compaction, asphalt patching, milling, and repaving and shall be performed under the following conditions:

1. Work hours are from 9:00 p.m. to 5:00 a.m. Monday through Friday.
2. It is recommended all machinery and trucks utilized at this job site for night work shall be outfitted with OSHA approved white noise back-up alarms or use other approved non-tonal signaling methods.
3. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the work site shall be configured to minimize the backing of trucks removing and delivering materials and equipment.
4. All reasonable efforts should be made to perform the noisiest activities as early in the evening as possible, or during daytime hours.
5. Machinery shall be inspected daily and equipped with proper noise attenuation measures to minimize construction noise, including, but not limited to well-maintained and effective mufflers. Moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. 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. Minimize banging, clattering, buzzing and other annoying types of noises.
6. Equipment shall be operated at the minimum power level necessary to complete the task in a safe manner.
7. Select equipment for low noise emission design.
8. Noise mitigation barriers shall be erected around loud pieces of stationary machinery (e.g., generators, pumps, portable lights, etc.).
9. All onsite staff, including delivery truck drivers, shall be notified of noise mitigation procedures prior to work.
10. Slamming of tailgates and dropping of materials into empty trucks are prohibited.
11. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
12. 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.
13. On site communication shall be done without shouting.

14. Regular communications must be provided to nearby residential properties, so they are aware of the work schedule and expected noise related to construction activities.
15. Noise levels should be monitored at sensitive receptor locations and kept in a log on site, which shall be available for inspection and review upon request.
16. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.
17. 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. (Case 20221374)

(This certificate must be available at the work site)

Location of Work: 519 – 521 S. Frederick Ave

Town: Gaithersburg

Zip: 20877

Approved By: 
Department of Environmental Protection

Date: 4/25/2022

Cc: Chief Mark Sroka, Gaithersburg Police
Kevin Roman, Gaithersburg Neighborhood Services
Stan Edwards, MC DEP

INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM
ENERGY, CLIMATE AND COMPLIANCE DIVISION
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
2425 REEDIE DRIVE, 4TH FLOOR, WHEATON, MARYLAND 20902
(240) 777-7746

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