

Attachment D
Revised Site Law Section 5.2.2 MDEP Noise Standards

5.2.2 Maine Department of Environmental Protection Noise Standards

The MDEP noise standard limits noise at protected areas, which are defined as any area accessible on foot containing a residence, house of worship, school, library, hospital, nursing home, etc. Limits are provided for protected areas based on the existing ambient noise levels and existing land use or zone.

At protected locations where the existing zoning or the existing use is predominantly commercial, transportation or industrial, **in accordance with Chapter 375(10)(C)(2)**, Project sound levels are limited to 70 dBA during the day (7:00 AM to 7:00 PM) and 60 dBA at night (7:00 PM to 7:00 AM), measured at the property line of the receiver. For protected locations where the zoning or the existing use is not predominantly commercial, transportation or industrial, Project sound levels are limited to 60 dBA during the day and 50 dBA at night. Further, if the existing all-encompassing ambient levels (L_{eq}) are at or below 45 dBA during the day or 35 dBA at night, then the area would be considered a quiet area, and the allowable Project levels are limited to 55 dBA during the day and 45 dBA at night. The State noise standard further allows that when a physical residence is greater than 500 feet from the property line, the noise standard at that portion of the property line be relaxed to the daytime limit of 55 dBA at all hours of the day.

The MDEP requires a 5-dBA penalty be added to the measured total dBA when pure tones are observed, as defined by the standard. The substations could have nighttime property line sound level limits of 45 dBA, 50 dBA, or 55 dBA, based on zoning classification of the adjacent property, location of residence on the adjacent property, and/or existing ambient sound levels. If a tone is measured at the protected area, a 5-dBA penalty would be added to the measured overall sound level when compared to the limits. This would effectively lower the sound the substation is able to emit by 5 dBA. In order to analyze this penalty, modeled results where a tone could be present were increased by 5 dBA. The generated contours will not reflect this increase.

The MDEP provides sound level limits for construction activities. The sound from construction activities between 7:00 PM and 7:00 AM is subject to the nighttime sound level limits applicable to normal operation at the site. **Sound from construction activities between 7:00 AM and 7:00 PM or during daylight hours, whichever is longer, is exempt from regulation under Title 38, §484-3A.**

Note: Changes in red are consistent with Marybeth Richardson's comments on October 4, 2017. Table 5-3 has been omitted from the Application since it is no longer applicable.