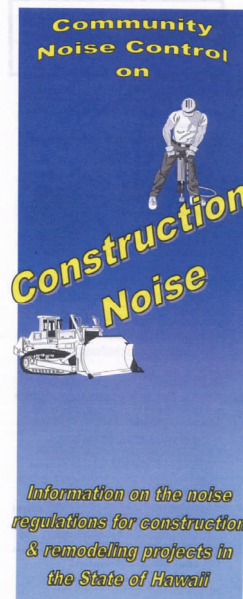


Get Your Copy Today!



To All Contractors & Homeowner/builders

Do you want to know about the construction noise regulations in the State of Hawaii? Can you receive a monetary fine for making too much construction noise?

Find out by acquiring your Construction Noise pamphlet today. Contact the *Indoor and Radiological Branch* on Oahu at (808) 586 - 4700 for your copy.



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Sound Waves

The Newsletter of the Noise Section at the Hawaii State Department of Health

SUMMER 2009

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Mufflers on Construction Equipment

As construction continues throughout our islands, we must consider our neighbor's right to peace and quiet. Contractors and property owners should be aware that any on-site vehicle, construction equipment, or device with a motor or exhaust system or both, must be equipped with a muffler. This also applies to pneumatic hand tools weighing fifteen pounds or more. If a vehicle, construction equipment, or device has a defective muffler, it should be taken out of service until the proper corrections are made. Hawaii Administrative Rules, Title 11, Chapter 46, Section 11-46-6(b)(1)(A).

Noisy Generators in Populated Rural Areas

With more and more people moving to areas in Hawaii where electrical power is not provided, energy for the household is a major concern. The easiest solution would be to use a gasoline or diesel powered generator.

If your house is located far away from any adjacent neighbors, noise from the generator may not be an issue. However, this may pose a problem to your neighbors if your property is a few acres or less, especially if the generator is operated throughout the day and night.

Pursuant to Section 11-46-4(a) of Chapter 11-46, Hawaii Administrative Rules, "Community Noise Control", the maximum permissible sound levels at or beyond the property line can be as low as 45 dBA during the nighttime hours, depending on the zoning of the property.

If you have a noisy generator, the possible solutions to lower the sound level are as follows:

- Purchase a quieter generator*
- Relocation*
- Enclosures*
- Insulation*

However, please keep in mind that the Department does not make recommendations on how to reduce noise levels from stationary sources.

With the uncertain price for fossil fuel, owners could take a green approach toward alternative energy. Photovoltaic energy uses the power of the sun and could save money for the household in the long run. If the generator operation can be minimized or even deleted, there will be less noise and air pollution to the environment.

Wind power is another source of alternative energy. In rural areas, the zoning may allow wind mills to be constructed. Of course, there will be some noise associated with the propeller blades and the machinery below the tower. However, like solar energy the effects on the environment with regards to noise and air pollution will be minimized.



Noise Statistics & Enforcement for 2008

Community Noise Permits:

Received – 505
Issued – 492
Denied – 2
Void – 6

Community Noise Variances:

Received – 50
Issued – 40
Denied – 1
Void – 0

Enforcement Actions:

A Notice and Finding of Violation and an Order, Docket No. 08-NR-01, were issued to McCarthy/Kiewit, JV for the following:

- On October 10, 2007, Respondent violated section 11-46-6(a), Hawaii Administrative Rules (HAR) and HRS, 342F-30 for conducting construction activities without a variance. The Order specified a penalty in the amount of \$2,000.



A Notice and Finding of Violation and an Order, Docket No. 08-NR-05, were issued to Aloha Petroleum, Ltd. for the following:

- On December 20, 2007, Respondent violated section 11-46-6(a), HAR, and HRS, 342F-30 for conducting construction activities without a permit. The Order specified a penalty in the amount of \$2000.

A Notice and Finding of Violation and an Order, Docket No. 08-NR-06, were issued to Albert C. Kobayashi, Inc. for the following:

- On July 26, 2008, Respondent violated section 11-46-6(a), H.A.R. and H.R.S., 342F-30 for conducting construction activities without a variance. The Order specified a penalty in the amount of \$10,000.

A Notice and Finding of Violation and an Order, Docket No. 08-NR-07, were issued to Charles Pankow Builders, Ltd. for the following:

- On July 26, 2008, Respondent violated section 11-46-6(a), HAR, and HRS, 342F-30 for conducting construction activities without a variance. The Order specified a penalty in the amount of \$10,000.

A Notice and Finding of Violation and an Order, Docket No. 08-NR-13, were issued to Dick Pacific Construction for the following:

- On September 6, 2008, Respondent violated section 11-46-6(a), H.A.R. and H.R.S., 342F-30 for conducting construction activities without a variance. The Order specified a penalty in the amount of \$2000.



Out in the Community

The Noise Section of the Department of Health's Indoor and Radiological Health Branch assists other government agencies with noise issues. The following are recent examples:

Noise and the State Department of Education

The Department of Health conducts surveys at public schools that are being exposed to excessive noise.

In 2008, the Noise Section gave a presentation to the 3rd grade classes of both Lunalilo Elementary School and Hokenani Elementary School who were concerned with the amount of noise that they were being exposed to on a daily basis. They also developed a class project to monitor the noise levels at their school on a yearly basis.



In the past year, the Noise Section has also attended the Lunalilo Elementary School, Hokenani Elementary School and Waimanolo Intermediate School for their career days. Our inspectors spoke to students and shared their knowledge and on-the-job experiences with them.

Noise and the County Liquor Commissions

The Department of Health conducts Noise Awareness Classes for other government agencies. Recently, the Department conducted a certification course for the Hawaii County Liquor Control Office. The certification course was a one day class that taught basic noise principals and how it related to their area of noise enforcement. The class also consisted of field training to demonstrate the proper way of conducting a noise survey.

This past September, a statewide meeting was held for all the county liquor commissions. The Department of Health gave a presentation on new sound level meters and software that had been recently purchased by all the counties. The second half of the presentation compared the noise rules for the various counties and how it related to the Department of Health's Chapter 11-46, Community Noise Control.

Noise and the Civil Defense

In the early part of 2009, the Noise Section assisted the State Civil Defense by measuring the sound output of various types of emergency broadcast sirens during their monthly testing.

Noise and the Honolulu Police Department

In June 2009, the Noise Section assisted the Honolulu Police Department by measuring the sound levels of various noisy musical street performers in Waikiki. The noise surveys allow the Honolulu Police Department to have quantitative data to use in their enforcement capabilities.

