

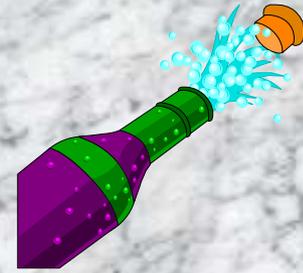
New Jersey Noise Control

- New Jersey Department of Environmental Protection
- Division of Compliance and Enforcement, Office of Local Environmental Management (OLEM)



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■ The State Noise Statute and Regulations

Noise Control Act **N.J.S.A. 13:1G** (The law) 1972

Noise Control Regulations **N.J.A.C. 7:29** readopted
with amendments and a new rule July 2007

- * Stationary commercial and industrial sources
- * 65 dBA day (7am-10pm), 50 dBA night (10 pm-7am)
measured at complainant's property line.
- * NOVs can be issued for minor violations (30 days to
comply)
- * Penalties for non-compliance of up to \$3,000 per day
per offense

Exemptions



- Aircraft noise (Federal Aviation Administration) Noise hotline (718) 995-5755



- Vehicles on public roadways (New Jersey Department of Transportation) (609) 530-2834



- Agriculture “Right to Farm Act” (County Agricultural Board)



- Watercraft (State Marine Police) (609) 882-2000



- Rail (retarders, horns/whistles, load test cells) FRA 1-800-724-5991

Other exemptions

- The unamplified human voice
- Bells, chimes, carillons in conjunction with religious services
- Emergency energy release devices (sirens)
- Emergency work when related to public health and safety
- Public celebrations
- Racetracks
- National Warning System
- Explosive devices (NJDOL 609-292-2090)
- Shooting ranges in continuous use and unchanged since 1972
- (Range Technical Team) (703) 267-1023



Regulatory Amendments



■ Approved July 3, 2007



- New Rule 7:29-1.3 **Railroad Noise** - (Pertains to Idling and coupling of railcars) Incorporation by reference
- Must cite the Federal Regulations under 40 CFR and 49 CFR
- Rutgers Noise Technical Assistance Center (RNTAC) is developing a one-day training course on railroad noise enforcement.
- NJDEP in conjunction with the RNTAC is developing a Model Noise Ordinance for railroad noise.



The Department's Role



- Answer general questions regarding noise control 2007 (160)
- Screen, coordinate and track noise complaints with the county health departments
- Review and approve noise ordinances/maintain the Department's database of municipal noise ordinances
- Update the noise regulations (2007) and the model noise ordinance (2008) and create additional guidance (ORV, railroad models)
- Attend Noise Control Council (NCC) meetings
- Maintain the Department's and NCC noise control web sites

The County's Role

- All 21 counties have the primary noise enforcement role in the state
- Must maintain at least one person certified through the Rutgers Noise Technical Assistance Center 3-day Noise Enforcement Certification Course and maintain a one-day recertification course every two years
- Possess a sound level meter which is factory or certified lab calibrated yearly
- Provide 24 hour response coverage
- Investigate noise complaints and issue violations when
- applicable





The Municipal Role



- Municipalities can enforce noise locally under a nuisance code (not reviewed by the NJDEP) using the “plainly audible” standard (unaided human hearing faculties). Usually enforced by the police.
- Can adopt the Department’s Model Noise Ordinance and enforce noise based on sound level readings if they meet the same qualifications as the county.



Rutgers Noise Technical Assistance Center

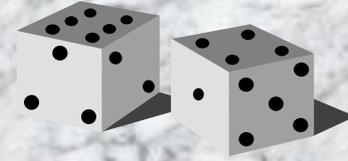


- Department provides an annual grant to train qualified CEHA agency personnel at a reduced rate.
- Provide technical advice to the Department, the NCC and CEHA agencies.
- Participate in Noise Control Council Meetings.
- Provide assistance in regulatory amendments and model noise ordinance updates.
- Eric Zwerling, Director





Questions & Web links



- **NJDEP:** <http://www.nj.gov/dep/enforcement/noise-intro.html>
- **Rutgers Noise Technical Assistance Center:**
<http://www.envsci.rutgers.edu/org/rntac/FAA>
- **FRA:** www.fra.dot.gov
- **FAA:**
http://www.faa.gov/airports_airtraffic/airports/environmental/airport_noise/
- **NJDOT:** <http://www.state.nj.us/transportation/>
- **Noise Pollution Clearing House:** www.nonoise.org