

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 870

5 By: Senator Rapert
6 By: Representative S. Meeks
7

For An Act To Be Entitled

9 AN ACT TO REGULATE NOISE LEVELS FOR CONTINUOUSLY
10 OPERATED NON-WELLHEAD COMPRESSOR FACILITIES; AND FOR
11 OTHER PURPOSES.
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Subtitle

15 TO REGULATE NOISE LEVELS FOR CONTINUOUSLY
16 OPERATED NON-WELLHEAD COMPRESSOR
17 FACILITIES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended
23 to add an new section to read as follows:

24 15-72-220. Noise standards.

25 (a) As used in this section, "noise sensitive area" means a building
26 with an established mailing address that is being utilized as a private
27 residence or for some other nonindustrial purpose that involves the regular
28 or continuous presence of one (1) or more persons, including without
29 limitation a school or hospital.

30 (b) The noise levels for a continuously operated non-wellhead
31 compressor facility or station during normal full-load operating conditions
32 shall not exceed 55 dB(A) Leq, as measured from the nearest pre-existing
33 noise sensitive area.

34 (c) If the noise attributable to a compressor facility or station
35 operating under normal full-load conditions is found to exceed the limit
36 stated in subsection (b) of this section:



1 (1) The owner of the compressor facility or station shall be
2 notified of the noncompliance by the Arkansas Oil and Gas Commission;

3 (2) Upon receipt of the notice, the owner of the compressor
4 facility or station shall pursue with reasonable diligence a remedy to
5 correct the noncompliance; and

6 (3) The noncompliance must be remedied by the owner of the
7 compressor facility or station within one (1) year of the owner's receipt of
8 the notice of the noncompliance from the commission.

9 (d) The compliance measurement methodology shall include the
10 following:

11 (1) Use of a Type 1 sound level meter as defined in American
12 National Standards Institute S1.4, as in effect on January 1, 2011, set for
13 A-weighting per American National Standards Institute S1.11 and slow meter
14 response for measuring equipment;

15 (2) Sound level measurements that are in substantial compliance
16 with standard environmental acoustical measurement practices as outlined in
17 American National Standards Institute S12.9, as in effect on January 1, 2011;

18 (3)(A) The Leq contribution due to a continuous noise source
19 such as a compressor facility or station is preferably determined using
20 short-term sound level averages taken during periods with minimal audible
21 intrusion from sources other than the compressor facility or station under
22 test.

23 (B) The following extraneous nonstation noise at the noise
24 sensitive area are to be excluded from the measurements, if possible:

25 (i) Wind;

26 (ii) Local and distant vehicular traffic;

27 (iii) Residential heating, ventilating, and air
28 conditioning;

29 (iv) Aircraft over-flights;

30 (v) Bird sounds;

31 (vi) Insect sounds; and

32 (vii) Other noise generating equipment unrelated to
33 the compressor facility or station.

34 (4)(A) Measurements are to be taken as close as possible to the
35 noise sensitive area building.

36 (B) If the compressor facility or station is not audible

1 at the noise sensitive area location, sound level measurements may be taken
2 closer to the compressor facility or station in the direction of the noise
3 sensitive area and adjusted to the actual noise sensitive area distance using
4 standard acoustical practice.

5 (e) As used in this section, normal full-load operating conditions
6 shall not include:

7 (1) Accidents, emergency situations, and other unforeseen
8 conditions arising in connection with a compressor facility or station; and

9 (2) Temporary deviations in operational conditions, including
10 without limitation the performance of maintenance or construction, and noise
11 emitted in connection with unforeseen or temporary conditions shall not be
12 subject to the noise limitations set forth in this section.

13 (3) For the duration of any unforeseen or temporary condition or
14 event, the compressor facility or station owner shall take customary and
15 reasonable measures to minimize any resulting noise during nighttime hours.

16 (f) The commission shall promulgate rules to administer this section
17 by April 1, 2012.

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