

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

A Bill

SENATE BILL 870

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

8 Filed with: Interim Senate Committee on Agriculture, Forestry and Economic Development
9 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

10 AN ACT TO REGULATE NOISE LEVELS FOR CONTINUOUSLY
11 OPERATED NON-WELLHEAD COMPRESSOR FACILITIES; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14 TO REGULATE NOISE LEVELS FOR CONTINUOUSLY
15 OPERATED NON-WELLHEAD COMPRESSOR
16 FACILITIES.
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended
21 to add an new section to read as follows:

22 15-72-220. Noise standards.

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

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

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

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

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

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

12 (d) The compliance measurement methodology shall include the
13 following:

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

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

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

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

28 (i) Wind;
29 (ii) Local and distant vehicular traffic;
30 (iii) Residential heating, ventilating, and air
31 conditioning;

32 (iv) Aircraft over-flights;

33 (v) Bird sounds;

34 (vi) Insect sounds; and

35 (vii) Other noise generating equipment unrelated to
36 the compressor facility or station.

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

3 (B) If the compressor facility or station is not audible
4 at the noise sensitive area location, sound level measurements may be taken
5 closer to the compressor facility or station in the direction of the noise
6 sensitive area and adjusted to the actual noise sensitive area distance using
7 standard acoustical practice.

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

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

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

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

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

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22 Referred by the Arkansas Senate

23 Prepared by: MMC/VJF
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