

We're All Ears: Noise Code Listening Tour To Ensure City Stays Safe and 'Sound'

When Mayor Bloomberg announced the first overhaul of New York City's Noise Code in 2004, it kick-started a landmark process that had been languishing for 30 years. Joined by then DEP Commissioner Chris Ward and Deputy Commissioner Bob Avaltroni, as well as Police Commissioner Ray Kelly and representatives from the nightlife and real estate industries, the Mayor highlighted the goal of "maintain(ing) our City's vibrancy by balancing the need for construction, development and an exciting nightlife with New Yorkers' well-deserved right to peace and quiet." By addressing the highest complaint volume received by 311—averaging nearly 1,000 calls a day in 2004—this undertaking had to account for the fact that the city's noise comes from a wide variety of sources: The stereo bass at a downtown bar, the jackhammer at the construction site, and the ubiquitous "Mister Softee" jingle on summer nights.



After conferring with community representatives, industry stakeholders and legislators, the Mayor signed the revision into law on December 29, 2005, completing a process that has since become a worldwide model for noise regulation from Tacoma to Tel-Aviv. The Noise Code has won its share of trophies as well, most notably the 2010 Safe-in-Sound Award given

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Spotlight on Safety

Get in the flow of EHS information

Pipeline, the DEP intranet site, is an easy to use resource available to all DEP employees—up to date and informative. The Office of Environmental, Health and Safety section on Pipeline is an information rich resource and archive where employees, managers and supervisors can get quick and easy access to information pertinent to EHS policies, procedures, and operations. The section provides timely, accurate, information useful for research, fact finding, and decision making. The Health & Safety section offers employees the ability to fill in forms, and documents online, such as are found on the EH&S Employee Concerns Hotline.

On the Health & Safety home page you will find information about the EHS Matters Recognition Award with a nomination form, a list of all current environmental, health and safety policies and procedures, a summary of policy revisions, citing revisions by year, as well as links to the Employee Concerns Hotline where one can register EHS concerns. The annual EHS Survey Report and EHS Matters case studies are posted to serve as vital aids and educational tools.


Just type Pipeline into your browser's search engine to find what you need on EHS policies, programs, and other information related to environmental, health and safety at DEP.

At DEP, everyone is responsible for safety. If you or anyone on your team is concerned about your working conditions, it's okay to ask your supervisor or your bureau's EHS liaison how they can help. If you've still got questions, you can call the EHS Employee Concerns Hotline. It's DEP's responsibility to acknowledge and fix unsafe situations, procedures, and practices. With your help, we'll not only get the job done, we'll make it safer for ourselves, our coworkers, our families, and our city.

CALL (800) 897-9677 OR SEND A MESSAGE THROUGH PIPELINE. HELP IS ON THE WAY. 

Commissioner's Corner

This past July, a four-alarm fire shut down the North River Wastewater Treatment Plant—a challenge met heroically by DEP staff and its contractors who worked around the clock to stabilize operations and return impacted systems to working order. That severely damaged systems were back up and running within mere days, instead of weeks, is a testament to everyone involved in the response and repair effort. Though I simply cannot name everyone who deserves thanks, the work of employees in BWT and BEDC, the leadership of senior management, and the assistance of several support bureaus were invaluable.

From the day the fire started, DEP committed to a full review. Today we released a report—performed by industrial incident expert Black & Veatch—assessing the fire's cause and aftermath. Read the report here . Though it could not determine the initial cause with absolute certainty because much of the equipment was damaged or destroyed, two likely scenarios were identified: the failure of a nut connecting a fuel injector to a fuel injector pump, and a leak from a flexible fuel line that is also near the turbo-charger. In both scenarios, what likely was a small initial fire spread when it compromised larger fuel pipes. Neither of these was the result of improper operation or maintenance.

DEP has an excellent track record of treating wastewater safely and reliably, but the fire reminded us all of the need to fully prepare for any contingency. DEP has already taken several steps to improve safety at North River, including relocating the larger fuel pipes away from hot surfaces, installing kill switches in the plant's control room to immediately cut fuel in case of fire, and installing more flexible connectors to minimize damage to pipes associated with vibrations. We have also implemented several emergency action plan enhancements at the advice of the FDNY.

Our federal partners brought big water quality news last week. On Thursday, Deputy Commissioner Angela Licata joined Mayor Bloomberg, Department of the Interior Secretary Ken Salazar and the EPA to announce new agreements to protect Jamaica Bay. A new, unified model will clarify authority and articulate shared priorities between the city



and our partners in state and federal government. Additionally, the EPA announced its "No Discharge Zone" designation of the bay, following a request by the city and State DEC, which prohibits boaters from discharging sewage and protects public health and marine life. Then on Friday, I joined Secretary Salazar at Roberto Clemente State Park in the Bronx, where the Bronx and Harlem Watersheds were designated pilot areas for the Urban Waters Federal Partnership, which connects community organizations with government resources and coordinates efforts to revitalize waterfront neighborhoods with recreational and economic opportunities.

Last week I also visited Washington, DC to participate in the Mayors Water Summit, where I addressed a group of mayors from small, medium and large cities on the need for prioritization to maximize the public health benefits from every dollar we spend. For example, the EPA's Long-Term Enhanced Surface Water Treatment Rule would require that DEP spend \$1.6 billion to cover the Hillview Reservoir—unnecessary because intensive monitoring has shown we already provide exceptionally high quality water. In fact, DEP is making other significant investments to maintain that quality, including the construction of a UV disinfection facility and a comprehensive Risk Mitigation Plan. While in Washington, I met with representatives from the offices of Senator Kirsten Gillibrand and Representative Eliot Engel (both valuable partners in our effort to stop the Hillview cover), as well as with key staffers from the Water Resources and Environment Subcommittee of the House Energy and Commerce Committee. The federal government needs to be a partner in keeping our rates manageable, and that Congress can help make sure the EPA delivers on its promising review of regulatory requirements.

Focus on the Field



In the nearly seven years that **Richard Valdez** has been an Air Pollution Inspector at DEP, some would say he has heard it all. Armed with noise meters, he follows up on complaints ranging from jack-hammering and dog barking to loud music blaring from a bar. But Richard's work goes beyond using his ears, and he also handles air complaints including food odors from street vendors, emissions from idling cars, and dust from construction activity. Richard is in the Division of Air & Noise Policy, Permitting and Enforcement in the Bureau of Environmental Compliance, and reports to Senior Inspector Ronald Novello.

There are not many neighborhoods that Richard has not been

to while pursuing a noise or odor complaint, and like other DEP inspectors, Richard has encountered and responded to many unique complaints including foul-smelling poultry markets, noisy equipment at a post office, and jingle-playing ice cream trucks. Richard enjoys the opportunity to visit a variety of locations and meet New Yorkers. "I like the interaction with the public and that I get to assist the residents of New York City."

Most New Yorkers are not aware of DEP's interagency participation in conducting joint inspections with the police, fire, building, and health departments, as well as the Corporation Counsel and the State Liquor Authority. They are held during weekends as part of an operation known as MARCH, the acronym for Multiple Agencies Responding to Community Hotspots. Richard participates in these inspections of nightclubs where each agency plays a different role. DEP performs noise inspections at each location.

Richard spends much of his spare time with his three children and enjoys traveling with the family on vacations.

Milestones

Congratulations to the following employees who mark their 30th year with the city in the month of November: **Christopher Creamer, Paul Goldberg, Fay Jacques, Lisa Nicholls, Kieran Quigley and Raoul Yacinthe.**

Word of the Week

Diffuser—A device used to distribute air stream from aeration tank's blower system into fine bubbles. Also used to distribute, mix and add chemicals, such as chlorine used for disinfection.

The Fall 2011 Health Insurance Transfer Period will be held from November 1– November 30. During this transfer period employees may change health insurance plans, add or drop a rider, etc. with an effective date of the first day of the first full pay period in January, 2012. In addition, employees who did not re-enroll their dependent children under age 26 during the special May enrollment period may do so during the transfer period.

THANKSGIVING FOOD DRIVE: Please donate to DEP's annual Thanksgiving Food Drive, which will benefit families affected by recent storms. For more information, please see the flyer [📄](#).

Kodak Moment



R-EEL-Y GOOD NEWS: DEP and Cornell Cooperative Extension planted 8,000 eelgrass plants in Jamaica Bay near Breezy Point. Eelgrass is a type of submerged aquatic vegetation that grows in estuaries and shallow bays. It is important for fish and shellfish as shelter and habitat on the bay bottom, where aquatic creatures such as shellfish take shelter among the grass-like leaves. They also stabilize sediments, reduce erosion and naturally remove nitrogen from the water.

(We're All Ears... continued)

by the National Institute for Occupational Safety and Health in partnership with the National Hearing Conservation Association.

But the city is continually evolving, and with that its Noise Code must evolve along with it. This spring, DEP began holding meetings with various groups throughout the city as it looks to make the global standard for noise regulation even better. Meeting with Community Boards, Business Improvement Districts, and local businesses throughout the city, this listening tour will continue throughout the fall and culminate with updates of the Noise Code in spring, 2012. As described by Director of Air Policy and Enforcement **Gerry Kelpin**, the feedback DEP has heard reflects the broad needs varying across neighborhoods and seasons. "People think that the Noise Code has been a help to them and their communities," Kelpin said. "They really appreciated us getting their input first. It's a win-win situation for everybody."

These changes must not only accommodate the needs of a neighborhood, but also construction and maintenance workers themselves. The code has been commended by the national Centers for Disease Control for its protection of construction workers, mitigating high decibel sound levels for those who make their living surrounded

by noisy equipment. Assistant Counsel for Air and Noise **Charles Shamoan**, who has worked on noise regulation at DEP for more than two decades, has been on the front lines of DEP's partnership with other city agencies as they have adopted the Noise Code into their standard practices. "Very often, a 30-year-old construction worker can have the hearing of a 50-year-old, so it's very important that our noise regulations protect workers as well as the surrounding communities," Shamoan said. "In fact, the code has produced such exceptional results that the National Parks Service has emulated New York's construction and maintenance standards across the country."

By protecting residents and workers alike from unreasonable noise levels throughout the city, the Noise Code is helping to prevent more than inconvenience—it diminishes the impact of what is increasingly recognized as a substantial threat to public health. Given that 311 noise complaints received annually have steadily decreased since its adoption, past experience shows that the Noise Code will be instrumental in shaping the city's sustainable future. To learn more about the Noise Code and read the 2005 law, visit the Noise Code and Complaints section of DEP's website by clicking here [📄](#).

We welcome your feedback! To submit an announcement or suggestion, please email us at: newsletter@dep.nyc.gov [📧](#)