



**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
MONTGOMERY COUNTY, MARYLAND**



**NOISE WAIVER CERTIFICATE**

**ISSUED TO:** Brothers Pro-Pave c/o John Lawton  
*Owner/Operator*

**Valid From:** June 28, 2024

**Valid To:** July 27, 2024

**Type of Waiver:** Temporary

**Authorizing:**

Nighttime milling and paving of Connecticut Ave. (MD Route 185) between Chevy Chase Lake Dr. to Manor Rd., Chevy Chase. The work is being performed at night to alleviate daytime traffic congestion, pedestrian safety concerns, and impacts to local businesses as required by the State Highway Administration, and shall be conducted under the following conditions:

1. Night work is scheduled for Sunday, June 30, 2024, and Monday, July 1, 2024. The designated work hours are 7:00 p.m. to 5:00 a.m. DEP must be notified of schedule changes due to weather or other delays.
2. All reasonable efforts should be made to perform the noisiest activities as early in the evening as possible.
3. All on-site machinery used for nighttime construction activities must be outfitted with white noise backup alarms or utilize OSHA-approved spotters.
4. Machinery shall be inspected daily and equipped with proper noise attenuation measures to minimize construction noise, including, but not limited to well-maintained and effective mufflers. Moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Slamming of tailgates and concrete chutes, banging of loader buckets, and dropping of materials into empty trucks are prohibited.
6. All onsite staff, including delivery and dump truck drivers, shall be notified of noise mitigation procedures prior to work.
7. On site communication shall be done without shouting or audible signaling.
8. Hauling trucks and machinery shall be operated at the minimum power level necessary to complete the task in a safe manner.
9. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
10. Regular communications must be provided to nearby residences, so they are aware of the work schedule and expected noise related to construction activities.
11. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.
12. DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities. (Case 20241702)

**Location of Work:** Connecticut Ave. between Chevy Chase Lake Dr. and Manor Road

**Town:** Chevy Chase

**Zip:** 20815

**Approved By:**   
Department of Environmental Protection

**Date:** June 27, 2024

**This certificate must be available at the work site.**

Cc: MC Police, 2<sup>nd</sup> District, Bethesda Station  
Peter Fosselman, Bethesda Regional Services Center  
Thomas Dant, Bethesda Regional Services Center

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INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM  
THE DIVISION OF ENVIRONMENTAL POLICY AND COMPLIANCE  
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
255 ROCKVILLE PIKE, SUITE 120, ROCKVILLE, MARYLAND 20850  
(240) 777-7746

<https://www.montgomerycountymd.gov/DEP/contact/noise-documents.html#waiivers>