



City of Mukilteo, Washington
Notice of Approval
for a
Noise Variance
Antea Group/Mukilteo 76

The City of Mukilteo has **APPROVED** a *Noise Variance*, VAR-ADMIN-2016-004 for nighttime work by Antea Group under MMC 8.18, Noise Control, and WAC 173-60-050, exemptions. The purpose of the Noise Variance is to allow nighttime construction by Antea Group to perform a soil remediation project at 8325 Mukilteo Speedway for approximately two (2) years during the time period of nine (9) p.m. to seven (7) a.m. beginning December 2016.

APPLICANT:

Julie Moulton, Project Manager
Antea Group
4006 148th Avenue NE
Redmond, WA 98052

DESCRIPTION OF PROJECT:

Antea Group has applied for a noise variance to perform a soil remediation project outside of the approved construction hours of seven (7) a.m. to nine (9) p.m. The Antea Group has requested this variance for nighttime work to allow the project to be completed in less time and with minimal community impacts. A 24 hour operation would allow for the most efficient use of equipment since the catalyst uses a lot of energy to heat up before it is ready. In addition, the continuous operation of the equipment will likely reduce the total treatment duration for the soil remediation. The work includes installation of a soil vapor extraction (SVE) system at the property to be used to remediate hydrocarbon-affected soil at the property. Underground piping will be piped to thirteen (13) SVE wells during construction. A 7.5 horsepower vacuum blower will be used to extract hydrocarbon vapors from the subsurface. Extracted soil vapors will be treated through an electric catalytic-oxidizer to destroy hydrocarbon constituents prior to discharge to the atmosphere. The SVE will need to run continuous throughout the project.

The Mukilteo Community Development Director may grant a variance to the construction noise regulations under Mukilteo Municipal Code (MMC) 9.46.080(B) Public Nuisances and finds the soil remediation project for the Mukilteo 76 to be essential to the soil remediation project with minimal disturbance to the community.

LOCATION OF PROPOSAL:

8325 Mukilteo Speedway

PROJECT DECISION

The project was reviewed for consistency with the standards and regulations of the City of Mukilteo and State of Washington Administrative Code and is hereby **APPROVED**, based on the following Findings of Fact:

FINDINGS OF FACT

1. Antea Group submitted a Noise Variance request on October 3, 2016.
2. Antea Group plans to conduct work for two years beginning December 2016. Work needs to occur during nighttime hours to allow for the most efficient use of the equipment since the catalyst uses a lot of energy to heat up prior to usage. In addition, the continuous operation of the equipment will likely reduce the total treatment duration for the soil remediation.
3. This request has been reviewed and approved under MMC 9.46.080(B), which allows the Planning Director to consider variances to the City's construction noise regulations in accordance with the requirements of WAC 173-60-080.
4. In accordance with WAC 173-60-080, the City finds that:
 - a) Antea Group has requested the construction noise variance and has submitted the information necessary to review the request.
 - b) Construction activities that exceed the maximum allowable evening (9:00 p.m.-7:00 a.m. quiet period) noise level of 60 dBA include:
 - Dump trucks, light duty trucks, the SVE blower sound enclosure will be mounted next to a moisture separator tank, which is used to remove moisture before the vapor stream passes through the blower.
 - c) Antea Group has requested this variance as night work will allow the project to be completed in less time and with minimal community impacts.
 - d) The noise variance is being granted for December 2016.
5. Antea Group has proposed and will be implementing the following mitigation measures during construction:
 - a) Increase the thickness of the sound foam within the sound enclosure to the most practical extent possible
 - b) Add sound abatement barriers to the outside of the sound enclosure
 - c) Add a solid barrier along the compound enclosure fence to redirect the sound away from the residents
 - d) The contractor shall use ambient sensitive backup warning devices. The Contractor may use back-up observers in lieu of back-up warning devices for all equipment except dump trucks in compliance with WAC Chapter 296-155-610 and 296-155-615. The Contractor shall use back-up observers and back-up warning devices for dump trucks in compliance with WAC Chapter 296-155-610.
 - e) All trucks performing export hauling shall be equipped with well maintained bed liners as inspected and approved by the Engineer, or new rubber or aluminum bed liners. All tailgate banging is prohibited.
 - f) A copy of each noise variance or exemption shall be kept on the project site at all times.
 - g) All residents adjacent to the project in which nighttime activity will occur shall be notified of nighttime construction activities in advance of the start of proposed nighttime work.

Any person aggrieved by the granting of this variance may appeal the decision to the Pollution Control Hearings Board, pursuant to RCW 43.21B under the procedures of WAC 371-08.

CONTACT PERSON: Linda Ritter
Senior Planner
City of Mukilteo
11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8043

RESPONSIBLE OFFICIAL: Patricia Love
Director of Community Development
City of Mukilteo
11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8041

DATE OF ISSUANCE: Thursday, October 27, 2016

Signature:  _____ Date: 10/27/16
Patricia Love
Director of Community Development

PC: Applicant Community Development Director Permit Services Supervisor File Copy (2)
 Parties of Record Fire Chief Permit Services Assistant Police Chief

**City of Mukilteo
Notice of Approval**

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LOCATION OF PROPOSAL:

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PROJECT DECISION

The project was reviewed for consistency with the standards and regulations of the City of Mukilteo and State of Washington Administrative Code and is hereby **APPROVED**. Copies of the Notice of Approval are available from the City of Mukilteo, Planning Dept., 11930 Cyrus Way, Mukilteo, WA 98275. Contact: Linda Ritter, Senior Planner (425) 263-8043.

APPEALS: Any person aggrieved by the granting of this variance may appeal the decision to the Pollution Control Hearings Board, pursuant to RCW 43.21B under the procedures of WAC Chapter 371-08.

DATE ISSUED: Thursday, October 27, 2016