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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

March 17, 2009

TO: THE HONORABLE REPRESENTATIVE HERMINA M. MORITA,
AND MEMBERS OF THE COMMITTEE ON ENERGY &
ENVIRONMENTAL PROTECTION

SUBJECT: S.B. 605, SD1, RELATING TO NOISE

NOTICE OF HEARING

DATE: Thursday, March 19, 2009
TIME: 10:00 a.m.
PLACE: Conference Room 325

Bill No. 605

Support Y N

Date 3/18/09

Time 1523

Cat AF AS AX B/C

Type 1 2 WI

Dear Chair Morita and Members of the Committee:

The General Contractors Association (GCA), an organization comprised of over five hundred and sixty (560) general contractors, subcontractors, and construction related firms, is **opposed** to the passage of S.B. 605, SD1, Relating To Noise.

The dBA sound level measurement system because of its simplicity and accuracy has become the method recommended for measuring noise exposure by the American Conference of Governmental Industrial Hygienists (ACGIH) and the U.S. Department of Labor as part of the Occupational Safety and Health Regulations.

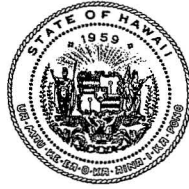
Measurements taken in the "C" range frequencies may show significant decibel measurements in the lower frequencies. A requirement to remediate these low frequency readings would involve significant increases in costs with a doubtful benefit in reducing annoyance levels caused by noise.

The GCA believes that the current standard for measuring construction related noise is adequate and protects the public from unwarranted noise.

The GCA is **opposed** to the passage of S.B. 605, SD1, and recommends that the bill not be passed.

Thank you for the opportunity to provide our views on this issue.

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:

File:
Bill No. 605

Support Y N

Date 3/19/09

Time 900

Cat AF AS AX B C

Type 1 2 WI

Committee on Energy and Environmental Protection

SB 605, SD1, RELATING TO NOISE

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

March 19, 2009

10:00 a.m.

1 **Department's Position:** The Department of Health appreciates the intent, however, opposes the
2 measure as written.

3 **Fiscal Implications:** Implementation would require additional funding to promulgate administrative
4 rules for the use of the dBC scale and vibration, and to procure sound level meters that utilize the dBC
5 scale.

6 **Purpose and Justification:** The bill proposes to amend Chapter 342F, Hawaii Revised Statutes, to
7 require the Department of Health to add the dBC weighting system with the current dBA weighting
8 system for the purpose of community noise control, and specifies a maximum nighttime maximum noise
9 level between 50 dBC and 60 dBC.

10 Implementation of this measure would require additional expenses during these difficult
11 financial times.

12 We understand that low frequency sound has disturbed residents. We are pleased that the draft
13 recognizes that the dBA scale is the standard measuring system to assess hearing conservation and
14 community noise measurements because it is most similar with sensitivities to the human ear. The dBC

1 scale is specifically used when measuring high sound levels or lower frequency noise such as music.
2 The dBC weighting system for the type of noise (e.g., steady state noise from exhaust fans, noise from
3 commercial, industrial, agricultural activities) the department correctly regulates is inappropriate, and its
4 use for other noise sources is new to us and may be new nationally.

5 The specification in the draft for a nighttime maximum noise level between 50 dBC and 60 dBC
6 is premature. We are not aware of a technical basis for these levels and think research is necessary and
7 that rulemaking is a better approach. Unfortunately, because of resource limitations, we are challenged
8 to conduct the research, especially if we must go beyond searching for codes or standards in other
9 jurisdictions.

10 Thank you for the opportunity to testify on this measure.