

**Federal Register**

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Part IX

**Environmental  
Protection Agency**

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Noise Emission Standards for  
Transportation Equipment for Interstate  
Rail Carriers

**ENVIRONMENTAL PROTECTION  
AGENCY**

40 CFR Part 201

(FRL 1619-6)

**Noise Emission Standards for  
Transportation Equipment Interstate  
Rail Carriers****AGENCY:** U.S. Environmental Protection  
Agency.**ACTION:** Notice of availability of new  
data and advance notice of intent.**SUMMARY:** This notice announces the  
availability of additional data and  
information upon which the Agency will  
base its final rulemaking for a facility  
noise emission standard and additional  
noise source standards for interstate rail  
carriers.**DATES:** The closing date of the comment  
period is 4:30 p.m. November 14, 1980.  
Comments postmarked on that date, but  
not later than, will be accepted.**ADDRESS:** Written comments should be  
submitted to: Director, Standards and  
Regulations Division (ANR-490)  
Attention: ONAC Docket No. 04-80  
Interstate Rail Carriers, U.S.  
Environmental Protection Agency,  
Washington, D.C. 20460.Persons wishing to review further  
information and the new data upon  
which the final rulemaking will be based  
may do so at the EPA's Public  
Information Center, Lobby West Tower  
Gallery Number 1, Waterside Mall, 401  
M Street, S.W., Washington, D.C. 20460,  
between the hours of 8:00 a.m. and 4:00  
p.m. until November 14, 1980.Information and data located at the  
Center includes: noise measurement  
results, statistical analysis, railyard  
sampling information, typical maps and  
overlays, population data, railyard  
activity information and other relevant  
materials. Summary information on  
various aspects of the regulatory work  
are also available.**FOR FURTHER INFORMATION CONTACT:**  
Mr. Robert C. Rose, Standards and  
Regulations Division (ANR-490), U.S.  
Environmental Protection Agency,  
Washington, D.C. 20460, Phone (202)  
557-7866.**SUPPLEMENTARY INFORMATION:** Pursuant  
to Section 17 of the Noise Control Act of  
1972, (42 U.S.C. 4916), the Environmental  
Protection Agency published a Notice of  
Proposed Rulemaking (NPRM) in the  
Federal Register on Tuesday, April 17,  
1979, 44 FR pages 22900-72, titled  
"Environmental Protection Agency [40  
CFR Part 201] Noise Emission Standards  
for Transportation Equipment; InterstateRail Carriers" and corrections to that  
notice on Monday, April 30, 1979; 44 FR  
25362-63. The NPRM established  
proposed standards for overall railroad  
facility and equipment noise, as well as  
specific proposed standards for  
retarders, refrigerator cars and car  
coupling operations. The subsequent  
notice of correction pertained primarily  
to an alternative microphone location  
schematic which was inadvertently left  
out of the proposed regulation.As a result of previously submitted  
extensive and diverse public comments  
to the proposed regulation dealing with:  
(1) the stringency of regulatory levels for  
the proposed facility emission standard  
and specific equipment and operational  
sources of noise; (2) the technologies  
available for abatement and their cost;  
(3) the use of the descriptor  $L_{eq}$ ; (4) the  
complexity and cost of the proposed  
measurement methodology and  
measurement equipment; and (5) the  
development of a typical railyard  
modeling approach to noise  
configurations and its validity, the  
Agency has undertaken further  
investigations and activities in an effort  
to be responsive to these comments,  
taking into account the time reasonably  
available for such consideration.Specifically, the Agency has  
undertaken the development of  
additional facility and source specific  
noise measurement information and  
data. EPA has increased the railyard  
sample size in an effort to analyze  
railyards on a "real yard" basis as  
opposed to a "typical" yard, and has  
instituted modeling modifications to  
analyze better the noise sources and  
levels generated. Further, the Agency  
has explored other optional technologies  
for abatement and control, particularly  
barrier technology, the use of other  
descriptors particularly  $L_{eq}$ , and the  
use of Type 1 and Type 2 sound level  
meters as an optional alternative to the  
integrating sound level meter.EPA is considering the following  
changes from the proposal and invites  
comments on these changes and the new  
data and information which is being  
made available by this notice.1. Use of the noise measurement  
descriptor  $L_{eq(t),max}$  in lieu of  $L_{eq}$  for  
measuring railyard facility emission  
noise levels. Measurements the Agency  
has made in railyards indicate a high  
correlation between  $L_{eq(t),max}$  and  $L_{eq}$   
when  $L_{eq}$  is measured for a 24-hour  
period. The analysis indicates that  
 $L_{eq(t),max}$  is therefore a good estimate for  
 $L_{eq}$  for the purpose of computing the  
health and welfare benefits. Correction  
factors are determined where the yard is  
not active for the full 24 hour period. See  
paragraph 4 below.2. Noise measurement methodology  
provisions to allow the use of the  
Precision Type 1 or (S1A) and General  
Purpose Type 2 (S2A) sound level meter  
as an optional alternative to the  
integrating sound level meter.In view of the difficulties expressed  
by public comments associated with  
measuring railyard noise using an  
integrating sound level meter the  
Agency has devised a measurement  
procedure for this regulation using either  
the Type 1 or Type 2 sound level meter,  
or integrating sound level meter,  
whichever is selected by the user.3. Regulatory stringency levels of 60  
and/or 65 dB for a facility emission  
standard. The agency upon review of all  
available railyard noise data, including  
data made available by this notice, the  
technology available to abate and its  
cost (see paragraph 5, below), has  
determined that a more stringent facility  
emission standard may likely reflect the  
degree of noise reduction achievable  
through the application of the best  
available technology, taking into  
account the cost of compliance.4. Allowance for the daytime (7:00  
a.m. to 10:00 p.m.  $L_{eq(t),max}$  facility  
standard for railyards which are not  
fully active. A review of railyard noise  
measurement data indicates that in  
cases where the duration of railyard  
activity is low, a relaxation in the  
stringency of the facility emission  
standard is warranted during the  
daytime hours. The less stringent  
standard would apply only to the facility  
standard and would apply only during  
daytime hours. The allowances under  
consideration are as follows: 4 hours or  
less activity, +10dB; 4-12 hours activity,  
+ 5 dB; above 12 hours activity - no  
relaxation of facility standard.5. Use of barrier technology as an  
effective railyard noise abatement and  
control technique.The Agency has explored extensively  
the use of noise barriers between a  
railyard facility and receiving property  
as a technology to abate many of the  
highly random sounds. EPA has found  
that meaningful noise reduction can  
result from this type of technology  
application and at the same time  
provide flexibility to the railyard in  
determining cost and technology  
tradeoffs with the reduction of noise  
levels in order to meet individual source  
or facility emission levels. Barriers used  
to abate noise from one source are likely  
to reduce noise from other railyard  
sources as well.6. Issuance of additional source  
specific emission standards for such  
sources as working and parked  
locomotives within railyards, parked  
cars with mechanical refrigeration units,

and trailer on flat car/container on flat car facilities (TOFC/COFC).

The Agency has identified, within its previously issued list of major noise sources as indicated in the proposed regulation, those sources which most readily lend themselves to effective source treatments. They include all working and parked locomotives, parked cars with mechanical refrigeration, and the TOFC/COFC facilities. Alternative technologies are available for abatement of the sources including: barriers, exhaust muffling and cooling fan treatment, engine shutdown, auxiliary electric power for refrigeration or heating of locomotive engines, relocation of parked locomotives and cars with mechanical refrigeration, as appropriate.

7. Use of the measurement descriptor  $L_{eq(t)max}$  hour for measuring specific railyard noise sources from working or parked locomotives, cars with mechanical refrigeration, and trailer on flat car/container on flat car facilities.

The  $L_{eq(t)max}$  measurement for these source standards are implicitly derived by methods which are consistent with the approach taken in the January 4, 1980 Final Source Standards rulemaking issued by the Agency. See 45 FR 1252-71.

8. Applicability of the facility emission standard to commercial residential land uses only.

The Agency is considering applying the final facility emission and additional source standards to only residential and commercial land uses. Other land uses surrounding railyards may receive protection as a result of noise abatement technology applied to reduce exposure levels on the commercial and residential land use areas.

9. Provision for a Non-Degradation Clause.

The Agency is concerned over situations in which railyards would be allowed to become noisier and still be in compliance with the final facility emission standard. Currently, there are many yards with noise levels considerably less than those the Agency has under regulatory consideration. Many public comments advocated the insertion of a non-degradation requirement in the rule.

Dated: September 24, 1980.

David G. Hawkins,  
Assistant Administrator for Air, Noise and Radiation.

[FR Doc. 80-30201 Filed 9-29-80; 8 45 am]  
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