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Attorney Robbie T. Gerrick
McGivney and Kluger, P.C.
20 Church Street, Suite 780
Hartford, CT 06103

RE: Approval of Rocky Hill Noise Ordinance Amendments

Dear Attorney Gerrick:

I am responding to your letter of October 24, 2016 requesting the Department of Energy and Environmental Protection's (DEEP) final approval of the Town of Rocky Hill's (Town) proposed amendments to its noise ordinance. DEEP issued preapproval for the proposed amendments on October 24, 2015 and is issuing final approval at this time.

Regarding those sections of the ordinance relating to mobile sources, section 22a-73 of the Connecticut General Statutes (C.G.S.) does not authorize DEEP to approve provisions relating to mobile sources. Based on our review of the Town's ordinance, DEEP cannot approve subsections 180-4(C), (D), (E), (F), and (H) of the Town's proposed revision as they apply to noise created by mobile sources. While DEEP appreciates the City's efforts to protect its residents from motor vehicle related noise as demonstrated in the provisions of the City's proposed amendments to its noise ordinance, the Connecticut Department of Motor Vehicles, under C.G.S. section 14-80a, has exclusive authority to regulate noise emanating from motor vehicles.

The Department is issuing final approval of the Town's noise ordinance. If you have additional questions, please contact Paul Kritzler at (860) 424-3889 or Paul.Kritzler@ct.gov.

A handwritten signature in cursive script that reads "Anne Gobin".

Anne Gobin
Bureau Chief
Bureau of Air Management

A handwritten date in cursive script that reads "December 8, 2016".

Date