

### §3-115 Noise Code Penalty Schedule

#### NOISE PENALTY SCHEDULE

All Citations are to the NYC Administrative Code.

A stipulation (Stip) penalty is imposed if there is a "Y" (Yes) In the Stip column in the Penalty Schedule rather than a "N" (No), and if a stipulation is offered and accepted at a hearing.

Definition of 2nd and/or 3rd and/or 4<sup>th</sup> offense: By the same respondent of the same provision of law, order, rule or regulation as the previous violation and, if the respondent is the owner, agent, lessee or other person in control of the premises with respect to which the violation occurred, at the same premises as the previous violation (all violations committed within two years).

Pursuant to §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per §3-32, within 30 days of the mailing date of the default order issued against respondent.

\* In connection with Section 24-231(a), a zero penalty may be imposed for admission for a first offense upon submission to DEP (within 30 days of NOV issuance) unless extended by DEP of acceptable certification of compliance as set forth in Section 24-231(b)(1).

| SECTION   | DESCRIPTION                                                              | VIOLATION       |         |         | Stip |
|-----------|--------------------------------------------------------------------------|-----------------|---------|---------|------|
|           |                                                                          | Offense         | Penalty | Default |      |
| 10-108    | Noise from sound device exceeding permit levels                          | 1 <sup>st</sup> | 250     | 250     | N    |
| BN01 AN50 |                                                                          | 2 <sup>nd</sup> | 500     | 500     | N    |
| BNA2 AN51 |                                                                          | 3 <sup>rd</sup> | 750     | 750     | N    |
| BNA3 AN52 |                                                                          | 4 <sup>th</sup> | 1000    | 1000    | N    |
| BNA4 AN53 |                                                                          |                 |         |         |      |
| 24-206(c) | Failed to Comply with Commissioner's Order to Provide Access for Testing | 1 <sup>st</sup> | 220     | 875     | N    |
| BN02      |                                                                          | 2 <sup>nd</sup> | 440     | 1750    | N    |
| BNB2      |                                                                          | 3 <sup>rd</sup> | 660     | 2625    | N    |
| BNB3      |                                                                          |                 |         |         |      |
| 24-207(c) | Refused DEP entry into public area(s) of premises                        | 1 <sup>st</sup> | 350     | 875     | Y    |
| BN03      |                                                                          | 2 <sup>nd</sup> | 700     | 1750    | N    |
| BNC2      |                                                                          | 3 <sup>rd</sup> | 1050    | 2625    | N    |
| BNC3      |                                                                          |                 |         |         |      |
| 24-207(d) | Refusal to allow authorized employee to perform sound testing            | 1 <sup>st</sup> | 350     | 875     | Y    |
| BN04      |                                                                          | 2 <sup>nd</sup> | 700     | 1750    | N    |
| BND2      |                                                                          | 3 <sup>rd</sup> | 1050    | 2625    | N    |
| BND3      |                                                                          |                 |         |         |      |
| 24-208    | Operating equipment without a valid registration                         | 1 <sup>st</sup> | 350     | 875     | Y    |
| BN05      |                                                                          | 2 <sup>nd</sup> | 700     | 1750    | N    |
| BNE2      |                                                                          | 3 <sup>rd</sup> | 1050    | 2625    | N    |
| BNE3      |                                                                          |                 |         |         |      |

|           |                                                                                                             |                 |      |      |   |
|-----------|-------------------------------------------------------------------------------------------------------------|-----------------|------|------|---|
| 24-209    | Interfering w/or obstructing DEP Personnel.                                                                 |                 |      |      |   |
| BN06      |                                                                                                             | 1st             | 350  | 875  | Y |
| BNF2      |                                                                                                             | 2nd             | 700  | 1750 | Y |
| BNF3      |                                                                                                             | 3rd             | 1050 | 2625 | N |
| 24-210    | False/misleading statements: unlawful repro/alteration of documents.                                        |                 |      |      |   |
| BN07      |                                                                                                             | 1st             | 350  | 875  | N |
| BNG2      |                                                                                                             | 2nd             | 700  | 1750 | N |
| BNG3      |                                                                                                             | 3rd             | 1050 | 2625 | N |
| 24-211    | Failure to post certificate or tunneling permit.                                                            |                 |      |      |   |
| BN08      |                                                                                                             | 1st             | 350  | 875  | Y |
| BNH2      |                                                                                                             | 2nd             | 700  | 1750 | Y |
| BNH3      |                                                                                                             | 3rd             | 1050 | 2625 | N |
| 24-216(d) | Failure to comply with noise abatement contract requirements                                                |                 |      |      |   |
| BN09      |                                                                                                             | 1 <sup>st</sup> | 650  | 2625 | Y |
| BNI2      |                                                                                                             | 2 <sup>nd</sup> | 1300 | 5250 | N |
| BNI3      |                                                                                                             | 3 <sup>rd</sup> | 1950 | 7875 | N |
| 24-218(a) | Causing or permitting unreasonable noise (7AM to 10PM).                                                     |                 |      |      |   |
| BN10 AN01 |                                                                                                             | 1st             | 350  | 1000 | Y |
| BNJ2 AN02 |                                                                                                             | 2nd             | 700  | 2000 | Y |
| BNJ3 AN03 |                                                                                                             | 3rd             | 1050 | 3000 | N |
| 24-218(a) | Causing or permitting unreasonable noise (10PM to 7AM).                                                     |                 |      |      |   |
| BN11 AN04 |                                                                                                             | 1 <sup>st</sup> | 450  | 1000 | Y |
| BNK2 AN05 |                                                                                                             | 2 <sup>nd</sup> | 900  | 2000 | Y |
| BNK3 AN06 |                                                                                                             | 3 <sup>rd</sup> | 1350 | 3000 | N |
| 24-218(e) | Failure to comply with Commissioner's Order or mitigation measures re noise from refuse collection facility |                 |      |      |   |
| BN12      |                                                                                                             | 1 <sup>st</sup> | 350  | 1000 | Y |
| BNL2      |                                                                                                             | 2 <sup>nd</sup> | 700  | 2000 | Y |
| BNL3      |                                                                                                             | 3 <sup>rd</sup> | 1050 | 3000 | N |
| 24-218.1  | Use of mobile telephones in a place of public performance                                                   |                 |      |      |   |
| BN13 AN07 |                                                                                                             | 1 <sup>st</sup> | 50   | 50   | Y |
| BNM2 AN08 |                                                                                                             | 2 <sup>nd</sup> | 50   | 50   | Y |
| BNM3 AN09 |                                                                                                             | 3 <sup>rd</sup> | 50   | 50   | Y |
| 24-220(a) | Failure to adopt/implement Noise Mitigation Plan for construction site                                      |                 |      |      |   |
| BN14      |                                                                                                             | 1st             | 875  | 1400 | Y |
| BNN2      |                                                                                                             | 2nd             | 1750 | 2800 | N |
| BNN3      |                                                                                                             | 3rd             | 2625 | 4200 | N |
| 24-220(b) | Inadequate/insufficiently detailed noise mitigation plan                                                    |                 |      |      |   |
| BN15      |                                                                                                             | 1st             | 440  | 1400 | Y |

|           |                                                                                         |                 |      |       |   |
|-----------|-----------------------------------------------------------------------------------------|-----------------|------|-------|---|
| BNO2      |                                                                                         |                 |      |       |   |
|           |                                                                                         | 2nd             | 880  | 2800  | N |
| BNO3      |                                                                                         |                 |      |       |   |
|           |                                                                                         | 3rd             | 1320 | 4200  | N |
| 24-220(b) | Failure to ensure that all construction workers are familiar with noise mitigation plan |                 |      |       |   |
| BN16      |                                                                                         | 1 <sup>st</sup> | 440  | 1400  | Y |
| BNP2      |                                                                                         | 2 <sup>nd</sup> | 880  | 2800  | N |
| BNP3      |                                                                                         | 3 <sup>rd</sup> | 1320 | 4200  | N |
| 24-220(c) | Failure to keep/have available for inspection copy of noise mitigation plan             |                 |      |       |   |
| BN17      |                                                                                         | 1st             | 440  | 1400  | Y |
| BNQ2      |                                                                                         | 2nd             | 880  | 2800  | N |
| BNQ3      |                                                                                         | 3rd             | 1320 | 4200  | N |
| 24-220(d) | Failure to amend noise mitigation plan                                                  |                 |      |       |   |
| BN18      |                                                                                         | 1 <sup>st</sup> | 440  | 1400  | Y |
| BNR2      |                                                                                         | 2 <sup>nd</sup> | 880  | 2800  | N |
| BNR3      |                                                                                         | 3 <sup>rd</sup> | 1320 | 4200  | N |
| 24-220(e) | Failure to file noise mitigation plan when required                                     |                 |      |       |   |
| BN19      |                                                                                         | 1 <sup>st</sup> | 400  | 1400  | Y |
| BNS2      |                                                                                         | 2 <sup>nd</sup> | 880  | 2800  | N |
| BNS3      |                                                                                         | 3 <sup>rd</sup> | 1320 | 4200  | N |
| 24-222    | Construction activities at impermissible times/days                                     |                 |      |       |   |
| BN20 AN10 |                                                                                         | 1st             | 1400 | 3500  | Y |
| BNT2 AN11 |                                                                                         | 2nd             | 2800 | 7000  | N |
| BNT3 AN12 |                                                                                         | 3rd             | 4200 | 10500 | N |
| 24-223(b) | Failure to submit certification for emergency work within 3 days of starting work       |                 |      |       |   |
| BN21      |                                                                                         | 1st             | 875  | 3500  | Y |
| BNU2      |                                                                                         | 2nd             | 1750 | 7000  | N |
| BNU3      |                                                                                         | 3rd             | 2625 | 10500 | N |
| 24-223(d) | Failure to respond to request for conference or to amend noise mitigation plan          |                 |      |       |   |
| BN22      |                                                                                         | 1 <sup>st</sup> | 875  | 3500  | Y |
| BNV2      |                                                                                         | 2 <sup>nd</sup> | 1750 | 7000  | N |
| BNV3      |                                                                                         | 3 <sup>rd</sup> | 2625 | 10500 | N |
| 24-224    | Construction work not in compliance with noise mitigation plan                          |                 |      |       |   |
| BN23      |                                                                                         | 1st             | 1400 | 3500  | Y |
| BNW2      |                                                                                         | 2nd             | 2800 | 7000  | N |
| BNW3      |                                                                                         | 3rd             | 4200 | 10500 | N |

|           |                                                                                              |                 |      |      |   |
|-----------|----------------------------------------------------------------------------------------------|-----------------|------|------|---|
| 24-225(a) | Sell/offer/operate/permit operation of refuse compacting vehicle producing excessive noise   | 1st             | 560  | 1400 | Y |
| BN24 AN13 |                                                                                              | 2nd             | 1120 | 2800 | N |
| BNX2 AN14 |                                                                                              | 3rd             | 1680 | 4200 | N |
| 24-225(b) | Operate/cause operation of refuse compacting vehicle producing excessive noise (11PM to 7AM) | 1 <sup>st</sup> | 700  | 1400 | Y |
| BN25 AN16 |                                                                                              | 2 <sup>nd</sup> | 1400 | 2800 | N |
| BNY2 AN17 |                                                                                              | 3 <sup>rd</sup> | 2100 | 4200 | N |
| 24-226(a) | Operating air compressor without appropriate muffler w/no exhaust leaks                      | 1st             | 560  | 1400 | Y |
| BN26      |                                                                                              | 2nd             | 1120 | 2800 | N |
| BNZ2      |                                                                                              | 3rd             | 1680 | 4200 | N |
| 24-226(b) | Excessive noise from air compressor (measured @ 1 meter)                                     | 1 <sup>st</sup> | 560  | 1400 | Y |
| BN27      |                                                                                              | 2 <sup>nd</sup> | 1120 | 2800 | N |
| BNA5      |                                                                                              | 3 <sup>rd</sup> | 1680 | 4200 | N |
| 24-226(c) | Excessive noise from air compressor (measured @ receiving property)                          | 1 <sup>st</sup> | 560  | 1400 | Y |
| BN28      |                                                                                              | 2 <sup>nd</sup> | 1120 | 2800 | N |
| BNB4      |                                                                                              | 3 <sup>rd</sup> | 1680 | 4200 | N |
| 24-227(a) | Noise from circulation device in excess of 42 dB(A)                                          | 1st             | 560  | 875  | Y |
| BN29      |                                                                                              | 2nd             | 1120 | 1750 | N |
| BNC4      |                                                                                              | 3rd             | 1680 | 2625 | N |
| 24-227(b) | Cumulative impact from circulation device exceeded 45 dB(A)                                  | 1 <sup>st</sup> | 560  | 875  | Y |
| BN30      |                                                                                              | 2 <sup>nd</sup> | 1120 | 1750 | N |
| BND4      |                                                                                              | 3 <sup>rd</sup> | 1680 | 2625 | N |
| 24-227(c) | Failure to reduce cumulative impact from multiple circulation devices exceeding 50 dB(A)     | 1 <sup>st</sup> | 560  | 875  | Y |
| BN31      |                                                                                              | 2 <sup>nd</sup> | 1120 | 1750 | N |
| BNE4      |                                                                                              | 3 <sup>rd</sup> | 1680 | 2625 | N |
| 24-228    | Unreasonable noise from construction devices                                                 | 1st             | 560  | 1400 | Y |
| BN32 AN19 |                                                                                              |                 |      |      |   |

|              |                                                |                 |      |       |   |
|--------------|------------------------------------------------|-----------------|------|-------|---|
| BNF4 AN20    |                                                |                 |      |       |   |
|              |                                                | 2nd             | 1120 | 2800  | N |
| BNF5 AN21    |                                                |                 |      |       |   |
|              |                                                | 3rd             | 1680 | 4200  | N |
| 24-228.1     |                                                |                 |      |       |   |
| BN33 AN22    | Unreasonable noise from engine exhaust         | 1 <sup>st</sup> | 560  | 875   | Y |
| BNG4 AN23    |                                                | 2 <sup>nd</sup> | 1120 | 1750  | N |
| BNG5 AN24    |                                                | 3 <sup>rd</sup> | 1680 | 2625  | N |
| 24-229       | Unreasonable noise from                        |                 |      |       |   |
| BN34 AN25    | handling/transporting of container or          | 1st             | 560  | 1400  | Y |
| BNH4 AN26    | construction material                          | 2nd             | 1120 | 2800  | N |
| BNH5 AN27    |                                                | 3rd             | 1680 | 4200  | N |
| 24-230(a)    | Operation/caused operation of paving           |                 |      |       |   |
| BN35         | breaker w/o pneumatic discharge muffler        | 1 <sup>st</sup> | 560  | 1400  | Y |
| BNI4         |                                                | 2 <sup>nd</sup> | 1120 | 2800  | N |
| BNI5         |                                                | 3 <sup>rd</sup> | 1680 | 4200  | N |
| 24-230(b)    | Sold/offer for sale/operate/permit operation   |                 |      |       |   |
| BN36         | of paving breaker producing over 95 dB(A)      | 1 <sup>st</sup> | 560  | 1400  | Y |
| BNJ4         |                                                | 2 <sup>nd</sup> | 1120 | 2800  | N |
| BNJ5         |                                                | 3 <sup>rd</sup> | 1680 | 4200  | N |
| 24-231(a)*   | Made/caused/permitted music from               |                 |      |       |   |
| BN37         | commercial establishment in excess of          | 1 <sup>st</sup> | 3200 | 8000  | N |
| BNK4         | permitted levels                               | 2 <sup>nd</sup> | 6400 | 16000 | N |
| BNK5         |                                                | 3 <sup>rd</sup> | 9600 | 24000 | N |
| 24-231(d)    | Violation of variance from limits set forth in |                 |      |       |   |
| BN38         | 24-231(a)                                      | 1st             | 560  | 875   | N |
| BNL4         |                                                | 2 <sup>nd</sup> | 1120 | 1750  | N |
| BNL5         |                                                | 3 <sup>rd</sup> | 1680 | 2625  | N |
| 24-232(a)    | Excessive noise from sound source @            |                 |      |       |   |
| BN39 AN28    | commercial or business establishment           | 1st             | 560  | 1400  | N |
| BNM4 AN29    |                                                | 2nd             | 1120 | 2800  | N |
| BNM5 AN30    |                                                | 3rd             | 1680 | 4200  | N |
| 24-233(a)    |                                                |                 |      |       |   |
| BN40 AN31    | Unreasonable noise: personal audio device      | 1 <sup>st</sup> | 70   | 175   | Y |
| BNN4 AN32    |                                                | 2 <sup>nd</sup> | 140  | 350   | Y |
| BNN5 AN33    |                                                | 3 <sup>rd</sup> | 210  | 525   | N |
| 24-233(b)(1) | Unreasonable noise – personal audio            | 1 <sup>st</sup> | 140  | 175   | Y |

|              |                                                                                   |                 |      |      |   |
|--------------|-----------------------------------------------------------------------------------|-----------------|------|------|---|
| BN41 AN34    | device (public right-of-way)                                                      |                 |      |      |   |
| BNO4 AN35    |                                                                                   | 2 <sup>nd</sup> | 280  | 350  | Y |
| BNO5 AN36    |                                                                                   | 3 <sup>rd</sup> | 420  | 525  | N |
| 24-233(b)(2) | Unreasonable noise – personal audio device (motor vehicle)                        |                 |      |      |   |
| BN42 AN37    |                                                                                   | 1 <sup>st</sup> | 140  | 350  | Y |
| BNP4 AN38    |                                                                                   | 2 <sup>nd</sup> | 280  | 700  | N |
| BNP5 AN39    |                                                                                   | 3 <sup>rd</sup> | 420  | 1050 | N |
| 24-234       | Excess noise from sound reproduction device on rapid transit (subway, bus, ferry) |                 |      |      |   |
| BN43 AN40    |                                                                                   | 1 <sup>st</sup> | 70   | 175  | Y |
| BNQ4 AN41    |                                                                                   | 2 <sup>nd</sup> | 140  | 350  | Y |
| BNQ5 AN42    |                                                                                   | 3 <sup>rd</sup> | 210  | 525  | N |
| 24-235       | Permitting animal to cause unreasonable noise                                     |                 |      |      |   |
| BN44 AN43    |                                                                                   | 1 <sup>st</sup> | 70   | 175  | Y |
| BNR4 AN44    |                                                                                   | 2 <sup>nd</sup> | 140  | 350  | Y |
| BNR5 AN45    |                                                                                   | 3 <sup>rd</sup> | 210  | 525  | Y |
| 24-236(a)    | Excess noise from motor vehicles (10,000 lbs or less)                             |                 |      |      |   |
| BN45 AN46    |                                                                                   | 1 <sup>st</sup> | 210  | 525  | Y |
| BNS4 AN47    |                                                                                   | 2 <sup>nd</sup> | 420  | 1050 | N |
| BNS5 AN48    |                                                                                   | 3 <sup>rd</sup> | 840  | 1575 | N |
| 24-236(b)    | Excess noise from motorcycles                                                     |                 |      |      |   |
| BN46 AN49    |                                                                                   | 1 <sup>st</sup> | 880  | 1440 | Y |
| BNT4 AN54    |                                                                                   | 2 <sup>nd</sup> | 1720 | 2800 | N |
| BNT5 AN55    |                                                                                   | 3 <sup>rd</sup> | 2600 | 4200 | N |
| 24-236(c)    | Excess noise from motor vehicles (10,000 lbs or greater)                          |                 |      |      |   |
| BN47 AN56    |                                                                                   | 1 <sup>st</sup> | 880  | 1440 | Y |
| BNU4 AN57    |                                                                                   | 2 <sup>nd</sup> | 1720 | 2800 | N |
| BNU5 AN58    |                                                                                   | 3 <sup>rd</sup> | 2600 | 4200 | N |
| 24-236(d)    | Non-emergency use of compression brake system                                     |                 |      |      |   |
| BN48         |                                                                                   | 1 <sup>st</sup> | 880  | 1440 | Y |
| BNV4         |                                                                                   | 2 <sup>nd</sup> | 1720 | 2800 | N |
| BNV5         |                                                                                   | 3 <sup>rd</sup> | 2600 | 4200 | N |
| 24-237(a)    | Unauthorized use of motor vehicle claxon                                          |                 |      |      |   |
| BN49 AN59    |                                                                                   | 1 <sup>st</sup> | 350  | 1000 | Y |
| BNW4 AN60    |                                                                                   | 2 <sup>nd</sup> | 700  | 2000 | Y |
| BNW5 AN61    |                                                                                   | 3 <sup>rd</sup> | 1050 | 3000 | N |

|           |                                                |                 |      |      |   |
|-----------|------------------------------------------------|-----------------|------|------|---|
| 24-237(b) | Unauthorized use of motor vehicle air          |                 |      |      |   |
| BN50 AN62 | horn/gong                                      | 1 <sup>st</sup> | 350  | 875  | Y |
| BNX4 AN63 |                                                | 2 <sup>nd</sup> | 700  | 1750 | Y |
| BNX5 AN64 |                                                | 3 <sup>rd</sup> | 1050 | 2625 | N |
| 24-237(c) | Unauthorized use of steam whistle              |                 |      |      |   |
| BN51      |                                                | 1 <sup>st</sup> | 350  | 875  | Y |
| BNY4      |                                                | 2 <sup>nd</sup> | 700  | 1750 | Y |
| BNY5      |                                                | 3 <sup>rd</sup> | 1050 | 2625 | N |
| 24-237(d) | Improper use of sound signal device (food      |                 |      |      |   |
| BN52 AN65 | vendor)                                        | 1 <sup>st</sup> | 350  | 1000 | Y |
| BNZ4 AN66 |                                                | 2 <sup>nd</sup> | 700  | 2000 | Y |
| BNZ5 AN67 |                                                | 3 <sup>rd</sup> | 1050 | 3000 | Y |
| 24-238(a) | Improper audible burglar alarm/no              |                 |      |      |   |
| BN53 AN68 | automatic termination                          | 1 <sup>st</sup> | 280  | 700  | Y |
| BNA7 AN69 |                                                | 2 <sup>nd</sup> | 560  | 1400 | Y |
| BNA8 AN70 |                                                | 3 <sup>rd</sup> | 840  | 2100 | N |
| 24-238(b) | Audible status indicator on motor vehicle in   |                 |      |      |   |
| BN54 AN71 | operation                                      | 1 <sup>st</sup> | 280  | 700  | Y |
| BNB6 AN72 |                                                | 2 <sup>nd</sup> | 560  | 1400 | Y |
| BNB7 AN73 |                                                | 3 <sup>rd</sup> | 840  | 2100 | N |
| 24-239(b) | Vehicle owner failure to display owner's       |                 |      |      |   |
| BN55 AN74 | local precinct number                          | 1 <sup>st</sup> | 100  | 350  | Y |
| BNC6 AN75 |                                                | 2 <sup>nd</sup> | 200  | 700  | Y |
| BNC7 AN76 |                                                | 3 <sup>rd</sup> | 300  | 1050 | N |
| 24-241(a) | Unauthorized use of emergency signal           |                 |      |      |   |
| BN56 AN77 | device                                         | 1 <sup>st</sup> | 440  | 1400 | Y |
| BND6 AN78 |                                                | 2 <sup>nd</sup> | 880  | 2800 | N |
| BND7 AN79 |                                                | 3 <sup>rd</sup> | 1320 | 4200 | N |
| 24-241(b) | Failed to file certification regarding test of |                 |      |      |   |
| BN57      | emergency signal device                        | 1 <sup>st</sup> | 440  | 1400 | Y |
| BNE6      |                                                | 2 <sup>nd</sup> | 880  | 2800 | N |
| BNE7      |                                                | 3 <sup>rd</sup> | 1320 | 4200 | N |
| 24-242(a) | Operating lawn care devices at                 |                 |      |      |   |
| BN58 AN80 | unauthorized times or so as to create          | 1 <sup>st</sup> | 220  | 875  | Y |

|                    |                                                                                        |                 |      |      |   |
|--------------------|----------------------------------------------------------------------------------------|-----------------|------|------|---|
| unreasonable noise |                                                                                        |                 |      |      |   |
| BNF6 AN81          |                                                                                        | 2 <sup>nd</sup> | 440  | 1750 | Y |
| BNF7 AN82          |                                                                                        | 3 <sup>rd</sup> | 660  | 2625 | Y |
| 24-242(b)          |                                                                                        |                 |      |      |   |
| BN59 AN83          | Operation of leaf blower without muffler                                               | 1 <sup>st</sup> | 220  | 875  | Y |
| BNG6 AN84          |                                                                                        | 2 <sup>nd</sup> | 440  | 1750 | Y |
| BNG7 AN85          |                                                                                        | 3 <sup>rd</sup> | 660  | 2625 | Y |
| 24-244(a)          |                                                                                        |                 |      |      |   |
| BN60 AN86          | Unreasonable noise from sound reproduction device                                      | 1st             | 440  | 1750 | Y |
| BNH6 AN87          |                                                                                        | 2nd             | 880  | 3500 | N |
| BNH7 AN88          |                                                                                        | 3rd             | 1320 | 5250 | N |
| 24-244(b)          |                                                                                        |                 |      |      |   |
| BN61 AN89          | Unreasonable noise from sound reproduction device for commercial/bus. advert. purposes | 1 <sup>st</sup> | 700  | 1750 | N |
| BNI6 AN90          |                                                                                        | 2 <sup>nd</sup> | 1400 | 3500 | N |
| BNI7 AN91          |                                                                                        | 3 <sup>rd</sup> | 2100 | 5250 | N |
| 24-245             |                                                                                        |                 |      |      |   |
| BN62               | Failure to have operating certificate or tunneling permit.                             | 1st             | 1050 | 2625 | N |
| BNJ6               |                                                                                        | 2nd             | 2100 | 5250 | N |
| BNJ7               |                                                                                        | 3rd             | 3150 | 7875 | N |
| 24-257(b)(7)       |                                                                                        |                 |      |      |   |
| BN63               | Breaking of Board ordered seal.                                                        | 1st             | 1600 | 4000 | N |
| BNK6               |                                                                                        | 2nd             | 1600 | 4000 | N |
| BNK7               |                                                                                        | 3rd             | 2480 | 4000 | N |

## SECTION DESCRIPTION

## VIOLATION

|                   |                                                                                                                 | Offense         | Penalty | Default | Stip |
|-------------------|-----------------------------------------------------------------------------------------------------------------|-----------------|---------|---------|------|
| 15 RCNY 28-100    | Failed To Conspicuously Post an Accurate and Complete Construction Noise Mitigation Plan (CNMP)                 | 1 <sup>st</sup> | 220     | 875     | Y    |
| BN1A              |                                                                                                                 | 2 <sup>nd</sup> | 440     | 1750    | N    |
| BN2A              |                                                                                                                 | 3 <sup>rd</sup> | 660     | 2625    | N    |
| BN3A              |                                                                                                                 |                 |         |         |      |
| 15 RCNY 28-101(a) | Failed To Self-Certify Equipment Maintenance in CNMP                                                            | 1 <sup>st</sup> | 220     | 875     | Y    |
| BN1B              |                                                                                                                 | 2 <sup>nd</sup> | 440     | 1750    | N    |
| BN2B              |                                                                                                                 | 3 <sup>rd</sup> | 660     | 2625    | N    |
| BN3B              |                                                                                                                 |                 |         |         |      |
| 15 RCNY 28-101(a) | Failed to Exercise Noise Mitigation Option Within 5 Business Days of Construction Tool Exceeding Noise Standard | 1 <sup>st</sup> | 440     | 875     | Y    |
| BN1C              |                                                                                                                 | 2 <sup>nd</sup> | 880     | 1750    | N    |
| BN2C              |                                                                                                                 | 3 <sup>rd</sup> | 1320    | 2625    | N    |
|                   |                                                                                                                 |                 |         |         |      |

|                                               |                                                                                |                                                       |                    |                     |             |
|-----------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| BN3C                                          |                                                                                |                                                       |                    |                     |             |
| 15 RCNY 28-101(b)<br>BN1D<br>BN2D<br>BN3D     | Failed to Equip Construction Equipment with Noise Reduction Device             | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(c)<br>BN1E<br>BN2E<br>BN3E     | Failed to Mitigate Noise From Internal Combustion Engine                       | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(d)<br>BN1F<br>BN2F<br>BN3F     | Failed to Cover Compressors/Generators/Pumps with Noise-Insulating Fabric      | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(g)<br><br>BN1G<br>BN2G<br>BN3G | Failed to Use Perimeter Noise Barriers                                         | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(h)<br><br>BN1H<br>BN2H<br>BN3H | Failed to Create and Utilize Noise Mitigation Training Program                 | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(i)<br><br>BN1I<br>BN2I<br>BN3I | Failed to Coordinate Work Schedule with Sensitive Facility Receptor            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-101(j)<br><br>BN1J<br>BN2J<br>BN3J | Failure to Comply with CNMP or File Alternative Plan w/in 3 Days of Inspection | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-                                   | Failed to Utilize Temporary Barrier                                            | 1 <sup>st</sup><br>2 <sup>nd</sup>                    | 440<br>880         | 875<br>1750         | Y<br>N      |

|                                                          |                                                                          |                                                       |                    |                     |             |
|----------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| 101(l)<br>BN1K<br>BN2K<br>BN3K                           |                                                                          | 3 <sup>rd</sup>                                       | 1320               | 2625                | N           |
| 15 RCNY 28-101(m)<br>BN1L<br>BN2L<br>BN3L                | Failed to Utilize Noise Barrier on Sandblasting Perimeter Barrier        | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(1)(B)<br>(ii)<br>BN1M<br>BN2M<br>BN3M  | Failed to Use Specified Pile Driver When Working w/in 100 ft of Receptor | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(1)(B)<br>(iii)<br>BN1N<br>BN2N<br>BN3N | Failed to Equip Pile Driver w/Exhaust Muffler                            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(1)(B)(v)<br>BN1O<br>BN2O<br>BN3O       | Failed to Pre-Augur/Pre-Trench Pile Holes                                | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(1)(B)(vi)<br>BN1P<br>BN2P<br>BN3P      | Failed to Properly Secure Impact Cushions to Piles                       | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-                                              | Failed to Properly Construct Portable Noise                              | 1 <sup>st</sup>                                       | 440                | 875                 | Y           |

|                                                                 |                                                              |                                                       |                    |                     |             |
|-----------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| 102(a)(1)(C)<br>(i-iv)<br>BN1Q<br>BN2Q<br>BN3Q                  | Barrier                                                      | 2 <sup>nd</sup><br>3 <sup>rd</sup>                    | 880<br>1320        | 1750<br>2625        | N<br>N      |
| 15 RCNY 28-<br>102(a)(2)(B)<br>(iii)<br>BN1R<br>BN2R<br>BN3R    | Failed to Equip Jackhammer With Effective Muffler            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-<br>102(a)(2)(C)(i)<br>)<br>BN1S<br>BN2S<br>BN3S     | Failed to Properly Construct Portable Noise Barrier          | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-<br>102(a)(2)(C)<br>(ii)<br>BN1T<br>BN2T<br>BN3T     | Exceeded Maximum Height of 15 Feet for Free-Standing Barrier | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-<br>102(a)(2)(C)<br>(iii)(b)<br>BN1U<br>BN2U<br>BN3U | Failed to Use Multiple Tents for Multiple Jackhammers        | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-<br>102(a)(2)(C)<br>(iii)(c)<br>BN1V                 | Failed to Move Noise Tents as Jackhammer Work Progresses     | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                                                     |                                                                                                             |                                                       |                    |                     |             |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| BN2V<br>BN3V                                                        |                                                                                                             |                                                       |                    |                     |             |
| 15 RCNY 28-102(a)(2)(C)<br><br>(iii)(d)<br><br>BN1W<br>BN2W<br>BN3W | Failed to Use Double Layer of Mitigation During Emergency Jackhammering w/in 500 ft of Residential Receptor | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(2)(C)<br><br>(iii)(e)<br><br>BN1X<br>BN2X<br>BN3X | Failed to Use Tents on Either Side of Jackhammer Where Surrounded by Receptors                              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(3)(B)<br><br>(iii)<br><br>BN1Y<br>BN2Y<br>BN3Y    | Failed to Wrap Noise Shroud Around Head of Hoe Ram w/in 200 ft of Receptor                                  | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(3)(C)<br><br>(i-iv)<br><br>BN1Z<br>BN2Z<br>BN3Z   | Failed to Properly Construct Portable Noise Barrier                                                         | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(a)(4)(C)(i)<br><br>BN5A<br>BN6A<br>BN7A              | Failed to Lay Heavy Rubber Blast Mats Over Blast Site                                                       | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-                                                         | Failed to Properly Construct Portable Noise Barrier                                                         | 1 <sup>st</sup><br>2 <sup>nd</sup>                    | 440<br>880         | 875<br>1750         | Y<br>N      |

|                                                                   |                                                                          |                                                       |                    |                     |             |
|-------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| 102(a)(4)(C)<br><br>(ii-iii)<br><br>BN5B<br>BN6B<br>BN7B          |                                                                          | 3 <sup>rd</sup>                                       | 1320               | 2625                | N           |
| 15 RCNY 28-102(b)(1)(B)<br><br>(iv)<br><br>BN5C<br>BN6C<br>BN7C   | Failed to Cover Vac-Truck's Suction Component w/Noise-Reducing Enclosure | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(b)(1)(C)<br><br>(i-iv)<br><br>BN5D<br>BN6D<br>BN7D | Failed to Properly Construct Portable Noise Barrier                      | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(c)(1)(B)<br><br>(ii)<br><br>BN5E<br>BN6E<br>BN7E   | Failed to Install Bed Liner                                              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(c)(1)(B)(v)<br><br>BN5F<br>BN6F<br>BN7F            | Failed to Equip Truck with Effective Muffler                             | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(c)(1)(B)(vii)<br><br>BN5G<br>BN6G                  | Failed to Keep Housing Doors Closed During Engine Operation              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                                                    |                                                         |                                                       |                    |                     |             |
|--------------------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| BN7G                                                               |                                                         |                                                       |                    |                     |             |
| 15 RCNY 28-102(c)(1)(C)<br><br>(i-iii)<br><br>BN5H<br>BN6H<br>BN7H | Failed to Properly Construct Portable Noise Barrier     | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(1)(B)(v)<br><br>BN5I<br>BN6I<br>BN7I             | Failed to Equip Crane with Effective Muffler            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(2)(B)(i)<br><br>BN5J<br>BN6J<br>BN7J             | Failed to Equip Auger Drill Rig with Effective Muffler  | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(2)(B)<br><br>(ii)<br><br>BN5K<br>BN6K<br>BN7K    | Failed to Lubricate All Moving Parts of Auger Drill Rig | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(2)(B)<br><br>(iii)<br><br>BN5L<br>BN6L<br>BN7L   | Failed to Properly Clear Debris From Drill Bits         | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(2)(C)                                            | Failed to Properly Construct Portable Noise Barriers    | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                                                    |                                                                   |                                                       |                    |                     |             |
|--------------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| (i-iv)<br><br>BN5M<br>BN6M<br>BN7M                                 |                                                                   |                                                       |                    |                     |             |
| 15 RCNY 28-102(d)(3)(A)(i)<br><br>BN5N<br>BN6N<br>BN7N             | Failed to Properly Install Street Plates                          | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(4)(A)(i)(a-c)<br><br>BN5O<br>BN6O<br>BN7O        | Failed to Equip Work Vehicles with Proper Backup Alarms           | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(d)(4)(B)<br><br>(ii-iv)<br><br>BN5P<br>BN6P<br>BN7P | Failed to Properly Construct Portable Noise Barriers              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(e)(1)(C)<br><br>(i-iii)<br><br>BN5Q<br>BN6Q<br>BN7Q | Failed to Properly Construct Portable Noise Barriers              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(e)(1)(C)<br><br>(iv)<br><br>BN5R<br>BN6R<br>BN7R    | Failed to Use Multiple Tents During Use of Multiple Concrete Saws | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                                      |                                                                                                                                   |                                                       |                    |                     |             |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| 15 RCNY 28-102(e)(1)(C)(v)<br>BN5S<br>BN6S<br>BN7S   | Failed to Move Noise Tent As Concrete Saw Work Progressed                                                                         | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(e)(1)(C)(vi)<br>BN5T<br>BN6T<br>BN7T  | Failed to Use Double Layer of Mitigation for Noise Barrier During Emergency Concrete Sawing within 500 ft of Residential Receptor | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-102(e)(1)(C)(vii)<br>BN5U<br>BN6U<br>BN7U | Failed to Use Two Tents on Either Side of Saw When Surrounded by Receptors                                                        | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-104<br>BN5V<br>BN6V<br>BN7V               | Failed to File Alternative Noise Mitigation Plan (ANMP)                                                                           | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-105<br>BN5W<br>BN6W<br>BN7W               | Failed to Conspicuously Post Utility Noise Mitigation Plan (UNMP)                                                                 | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(a)<br>BN5X<br>BN6X<br>BN7X            | Failed to Self-Certify Equipment Maintenance in UNMP                                                                              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(a)<br>BN5Y                            | Failed to Exercise Noise Mitigation Option within 5 Days of Construction Tool Exceeding Noise Standard                            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                                |                                                                                     |                                                       |                    |                     |             |
|------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| BN6Y<br>BN7Y                                   |                                                                                     |                                                       |                    |                     |             |
| 15 RCNY 28-106(b)<br><br>BN5Z<br>BN6Z<br>BN7Z  | Failed to Equip Construction Tool with Noise Reduction Device                       | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106 (c)<br><br>BN8A<br>BN8B<br>BN8C | Failed to Comply with Additional Noise Mitigation Measures for Specialized Vehicles | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(d)<br><br>BN8D<br>BN8E<br>BN8F  | Failed to Cover Equipment with Noise-Insulating Fabric                              | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(h)<br><br>BN8G<br>BN8H<br>BN8I  | Failed to Properly Install and Secure Street Plates                                 | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(i)<br><br>BN8J<br>BN8K<br>BN8L  | Failed to Notify Residents within 200 Feet of Construction Activity                 | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(j)<br><br>BN8M<br>BN8N<br>BN8O  | Failed to Respond to Noise Complaints/Notice from DEP                               | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(l)<br><br>BN8P                  | Failed to Create and Utilize Noise Mitigation Training Program                      | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |

|                                               |                                                                  |                                                       |                    |                     |             |
|-----------------------------------------------|------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|-------------|
| BN8Q<br>BN8R                                  |                                                                  |                                                       |                    |                     |             |
| 15 RCNY 28-106(m)<br><br>BN8S<br>BN8T<br>BN8U | Failed to Coordinate Work Schedule with Sensitive Receptor Owner | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 220<br>440<br>660  | 875<br>1750<br>2625 | Y<br>N<br>N |
| 15 RCNY 28-106(n)<br><br>BN8V<br>BN8W<br>BN8X | Failed to Correct Excessive Noise Condition/File ANMP            | 1 <sup>st</sup><br>2 <sup>nd</sup><br>3 <sup>rd</sup> | 440<br>880<br>1320 | 875<br>1750<br>2625 | Y<br>N<br>N |