

Bulletin 2020-04

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Clarifying the use of “pristine area” in AUC Rule 012

The Alberta Utilities Commission is amending Subsection 2.6(2) of AUC Rule 012: *Noise Control* to address an inconsistency in how the phrase “pristine area” is used in Rule 012. The “pristine area” concept is important when determining ambient sound levels and permissible sound levels under Rule 012.

“Pristine area” is defined in Appendix 1 of Rule 012 as “[a] natural area that might have a dwelling but no industrial presence, including energy, agricultural, forestry, manufacturing, recreational or other industries that affect the noise environment.”

Rule 012 includes a number of possible adjustments that may be applied in measuring sound levels in certain circumstances. Table 2 of Rule 012 sets out the requirements for an A2 adjustment and states:

Ambient monitoring adjustment is applicable if the measured ambient sound level is not representative of the assumed ambient sound environment. The ambient sound levels may be measured in areas considered to be pristine **as defined in Appendix 1** or areas that have non-energy industrial activity that would impact the ambient sound levels. (Emphasis added)

However, Subsection 2.6(2), which was added to Rule 012 in April 2019, states as follows:

The average nighttime ambient sound level in rural Alberta is approximately 35dBA. Rule 012 does not require the use of a specific ambient sound level in a noise impact assessment. Applicants must assess the ambient sound level as part of a noise impact assessment, particularly where either noisy (i.e., nighttime ambient sound levels might be greater than 35dBA) or **pristine (i.e., nighttime ambient sound levels might be less than 35dBA) surroundings prevail**. (Emphasis added)

To promote consistency and certainty in the interpretation and application of the “pristine area” concept, the AUC has amended Subsection 2.6(2) so that it now reads as follows:

The average nighttime ambient sound level in rural Alberta is approximately 35dBA. Rule 012 does not require the use of a specific ambient sound level in a noise impact assessment. Applicants must assess the ambient sound level as part of a noise impact assessment, particularly **in areas where there is non-energy industrial activity that would impact the ambient sound levels or where pristine (as defined in Appendix 1) surroundings prevail**. (Emphasis added)

This amendment comes into force on March 2, 2020.

If you have any questions about this amendment to Rule 012, please contact Joan Yu at joan.yu@auc.ab.ca or by phone at 403-592-4380, or Wayne MacKenzie at wayne.mackenzie@auc.ab.ca or by phone at 403-592-4420.

Douglas A. Larder, QC
General Counsel