

Appendix J

Cumulative Statistics on Complaints, Notification of Summons and Successful Prosecutions

	Date received	Subject	Status	Total no. received in this month	Total no. received since project commencement
Environmental complaints	4 May 2020 (Referred by the Contractor on 30 July 2020)	<p>Environmental Complaint No: EC-030-CKRKTW20200730_01_C050</p> <p><u>Details of Complaint</u></p> <p>Complaint (EPD ref.: EP3/K10/RE/00009554-20) was received by Environmental Protection Department on 4 May 2020 and referred to Gammon Construction Limited on 30 July 2020. The complaint related to the noise concern was detailed as follows:</p> <ul style="list-style-type: none"> - Complaint of construction Noise arising from the construction site which caused noise nuisance affecting the nearby residents during the day time in particular general holidays. - Please ensure the work fulfil the relevant environmental legislation and conditions stipulated in the valid construction noise permit. - Please implement practicable environmental measures to minimize the construction noise affecting the nearby residents. <p><u>Details of Investigation and findings</u></p> <p>As the complaint was received on 4 May 2020 and claimed that the noise nuisance happened on general holidays, that is considered the closest general holiday to 4 May 2020 should be dated on 1 or 3 May 2020.</p> <p>As reported by the Contractor, some of the construction activities were conducted during the restricted hours on 1 and 3 May 2020, which were:</p> <p>1 and 3 May 2020</p> <p><u>From 07:00 to 23:00</u></p> <ul style="list-style-type: none"> • Rock breaking and drilling below S6 layer (28m below ground) • Water Pumping <p><u>From 23:00 to 07:00 on next day</u></p> <ul style="list-style-type: none"> • Water Pumping <p>Valid Construction Noise Permit (CNP no.: GW-RE0201-20) had been granted from EPD to cover the operation time of powered mechanical equipment (hereinafter PME) from 00:00 to 24:00 on general holidays (including Sundays) by different group and conditions.</p> <p>As reported by the Contractor, except for ventilation fan (1), electric submersible water pump (CNP 283), wastewater treatment plant, electric air blower and electric welding machine, all other PMEs were only operated inside the shaft with all openings covered by acoustic enclosure.</p> <p>As reported by the Contractor, proper noise mitigation measure had conducted to comply with the listed condition in the granted CNP, such as all opening of access shaft had covered by acoustic enclosure for noise screening, the door of a tally room at the Access Shaft had closed during the nighttime works and specific</p>	Closed on 14 August 2020	-	31

Date received	Subject	Status	Total no. received in this month	Total no. received since project commencement
	<p>ventilation fan had connected to silencers which not less than 8.9m in length.</p> <p>From the results of the compliance check, no non-compliance was found under the conditions in the granted CNP.</p> <p>It is considered that the noise mitigation measure had been implemented properly by the Contractor to comply with the terms and condition under the valid CNP during the works conducted on general holidays. Besides, no non-compliance was found on the compliance check with PME list based on the Contractor's information. However, the mitigation measures of noise should be reviewed each day before the commencement of and during construction.</p>			
<p>8 August 2020 (Referred by the Contractor on 10 August 2020. an additional information was received on 13 August 2020)</p>	<p>Environmental Complaint No: EC-031-CKRKTW20200808_01_C051</p> <p style="text-align: center;"><u>Details of Complaint</u></p> <p>Complaint (ref.: CKRKTW20200808_01_C051) was received by Gammon Construction Limited on 8 August 2020 and referred by Gammon Construction Limited on 10 August 2020. Furthermore, an additional information from the complainant was received and updated by Gammon Construction Limited on 13 August 2020. The complaints related to the noise concern were detailed as follows:</p> <p><u>8 Aug 2020:</u></p> <ul style="list-style-type: none"> - 她表示數天前開始，馬頭角工地又再於深夜時分產生噪音，質疑通宵施工的需要。由於她長期受噪音滋擾，導致無法入睡，因而出現頭痛徵狀，她揚言會向環保署作出投訴。 <p><u>13 Aug 2020:</u></p> <ul style="list-style-type: none"> - 昨晚又係咁嘈，其實呢幾個月不停 24 小時噪音滋擾，我真係冇辦法可以瞓，我用盡自己辦法 24 小時關門開冷氣，帶耳塞，食安眠藥，都無法入睡，情緒亦大受影響，現在疫情關係需要 24 小時在家，但你們就 24 小時喺度嘈，每次投訴只是靜一晚兩晚，完全無法正常生活，難以容忍。 <p style="text-align: center;"><u>Details of Investigation and findings</u></p> <p>As the complaint and updated information from the complainant were received on 8 and 13 August 2020 and claimed that the noise nuisance came from the nighttime works in different dates, In the view of this, the investigation was considered to include the nighttime works at Ma Tau Kok on 5, 6, 7 and 12 August 2020.</p> <p>As reported by the Contractor, the construction activities were conducted during the restricted hours on 5, 6, 7 and 12 August 2020, which were:</p> <p>5, 6, 7 and 12 August 2020</p> <p><u>From 19:00 to 23:00</u></p> <ul style="list-style-type: none"> • Rock breaking and drilling below S6 layer (36m below ground) • Water Pumping <p><u>From 23:00 to 07:00 on next day</u></p> <ul style="list-style-type: none"> • Rock breaking below S6 layer (36m below ground) • Water Pumping 	<p>Closed</p>	<p>1</p>	

	Date received	Subject	Status	Total no. received in this month	Total no. received since project commencement
		<p>Valid Construction Noise Permit (CNP no.: GW-RE0603-20) had been granted from EPD to cover the operation time of powered mechanical equipment (hereinafter PME) from 19:00 to 23:00 and 23:00 to 07:00 on next day by different group and conditions.</p> <p>As reported by the Contractor, except for ventilation fan with enclosure, Sound Power Level ≤ 85dB(A), electric submersible water pump (CNP 283), wastewater treatment plant, Sound Power Level ≤ 80dB(A), electric air blower and electric welding machine, all other PMEs were only operated inside the shaft with all openings covered by acoustic enclosure.</p> <p>As reported by the Contractor, proper noise mitigation measures had conducted to comply with the listed condition in the granted CNP, such as all opening of access shaft had covered by acoustic enclosure for noise screening, the door of a tally room at the Access Shaft had closed during the nighttime works and specific ventilation fan had connected to silencers which not less than 8.9m in length.</p> <p>From the results of the compliance check, no non-compliance was found under the conditions in the granted CNP.</p> <p>It is considered that the noise mitigation measures had been implemented properly by the Contractor to comply with the terms and condition under the valid CNP during the works conducted during the restricted hours. Besides, no non-compliance was found on the compliance check with PME list based on the Contractor's information.</p>			
Notification of summons	--	--	--	0	0
Successful prosecutions	--	--	--	0	0