ORDER OF THE BOARD OF PUBLIC HEALTH & ENVIRONMENT

IN THE MATTER OF:

Extraordinary Petition of Kiewit Infrastructure Company for Affirmation of Variance to the City and County of Denver’s Noise Ordinance, Denver Revised Municipal Code Chapter 36, Docket No. BPHE 20-28

On June 23, 2020, Kiewit Infrastructure Co. (“Petitioner”), filed an Extraordinary Petition for Affirmation of Variance (“Petition”) with the Board of Public Health & Environment for the City and County of Denver (“Board”) seeking affirmation and revisions to its existing variance granted by the Board on August 8, 2019.

On July 30, 2020, the Department of Public Health & Environment (“Department”) filed its Findings and Recommendations, wherein the Department recommended that the Board approve the Petition with certain conditions.

The Board finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Environmental Health, dated March 14, 2014 and, as such, hereby affirms and approves the Petition with the following conditions:

1. Petitioner shall comply with all conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020 (Attachment 1), except for the duration condition;

2. The conditions outlined in the Department’s Findings and Recommendations, dated July 30, 2020, shall replace the prior conditions imposed by this Board that were in the Department’s Findings and Recommendations, dated July 26, 2019; and

3. The duration of the variance shall extend until no later than September 6, 2021.

/s/ James Rada
Jim Rada
Chair, Board of Public Health and Environment