



# Enforcement Alert

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

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## **New Record Keeping Requirements and Rule for Emergency Generators**

### **Who is affected by this initiative?**

Any facility which operates an emergency generator with a rated capacity larger than 37 kilowatts (Kw) is affected by these changes even if no air pollution permit is required. *As an example, a 37 Kw generator is equivalent to 50 horsepower and is typically used as emergency back up power at small businesses.*

### **Why is DEP requiring the new record keeping for Emergency Generators?**

On November 7, 2005, new rules were adopted for many sources that emit nitrogen oxides to the outdoor air. These new rules included new record keeping requirements for emergency generators. New Jersey is not in compliance with national ambient air quality standards for ozone and the entire state is designated as a "severe non-attainment" area by EPA. Nitrogen oxides are precursors for ozone. This rule will help reduce ozone during hot summer days, as well as pollution in general all year long.

### **What is DEP doing?**

For all facilities that currently have a General Permit for emergency generators, a new General Permit was developed that includes all the requirements of the rule changes, including the new record keeping requirements. This new General Permit was published in the New Jersey Register on March 6, 2005, for public comment and is now available for use through the DEP's air permitting web site: <http://www.state.nj.us/dep/aqpp/gp005notice.html>. This new General Permit also incorporates recently adopted Federal requirements for NSPS Subpart IIII, 40 CFR 60.4207, for internal combustion engines.

The DEP has also mailed the new requirements and registration forms to all current holders of an emergency generator General Permit. Everyone with a current General Permit for an emergency generator must follow the instruction included in the letter found at [http://www.state.nj.us/dep/enforcement/advisories/final\\_er\\_gen\\_letter.pdf](http://www.state.nj.us/dep/enforcement/advisories/final_er_gen_letter.pdf).

Please note that emergency generators larger than 37 Kw rated capacity, but less than 1,000,000 BTU/hr heat input, must maintain the new record keeping but will NOT be required to obtain air pollution permits. All emergency generators 1,000,000 BTU/hr heat input or greater will still need an air pollution permit.

### **What should I do?**

Determine the rated capacity and heat input of any emergency generators you have. If its rated capacity is over 37 Kw you must follow the new record keeping requirements. If the heat input is above 1,000,000 BTU/hr you should already have a permit and will need to keep new records.

# COMPLIANCE ADVISORY

The new rules, including the new record keeping requirements, become effective March 7, 2007, for all emergency generators greater than 37 Kw. You must begin keeping the new records by March 7, 2007. These new record keeping requirements are as follows:

The owner or operator of an emergency generator with a maximum rated output of 37 kW, shall maintain on site and record in a logbook or computer data system, the following information:

1. Once per month, the total operating time from the generator's hour meter;
2. For each time the emergency generator is specifically operated for testing or maintenance:
  - i. The reason for its operation;
  - ii. The date(s) of operation and the start up and shut down time;
  - iii. The total operating time for testing or maintenance based on the generator's hour meter; and
  - iv. The name of the operator; and
3. If a voltage reduction is the reason for the use of the emergency generator, a copy of the voltage reduction notification from PJM or other documentation of the voltage reduction.

Also, any routine maintenance or testing of the emergency generator may not be performed if poor air quality is predicted. You must check the DEP's air quality web site to ensure good air quality is predicted prior to performing testing or maintenance that will require operation of the emergency generator. You can check the web site at: <http://www.state.nj.us/dep/aqpp/aqforecast/index.htm> .

**Operating emergency generators for peak shaving or for any non-emergency use to reduce electrical demand is not allowed by the Department.** Emergency Generators are only allowed to operate under emergency situations or for testing and maintenance as described above.

## Who should I contact with questions?

The first place to contact, especially for obtaining a new General Permit for an emergency generator is the air permitting web site at: <http://www.state.nj.us/dep/aqpp/gp.html>

For answers to any questions concerning these new requirements, please call:

<b>Bureau of Pre-Construction Permits</b> Statewide for any questions pertaining to obtaining a new permit to address the new rule requirements	(609) 633-2829 or (609) 292-6716
<b>Air Compliance and Enforcement – Northern Field Office</b> (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties)	(973) 656-4444
<b>Air Compliance and Enforcement – Central Field Office</b> (Mercer, Middlesex, Monmouth, Ocean, and Union Counties)	(609) 584-4100
<b>Air Compliance and Enforcement – Southern Field Office</b> (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)	(856) 614-3601

## Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

New Rule <http://www.state.nj.us/dep/aqm/Sub19v2005-12-28.pdf>  
Air Regulations <http://www.state.nj.us/dep/aqm/>  
Air Quality Permitting Program <http://www.nj.gov/dep/aqpp/>  
Air Compliance & Enforcement <http://www.nj.gov/dep/enforcement/air.html>

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

# COMPLIANCE ADVISORY

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement numbers listed above.