



New
Jersey
Department of
Environmental
Protection

COMPLIANCE ADVISORY

Enforcement **Alert**

Making You Aware of Potential Regulatory Obligations

Compliance and Enforcement

Issued: June 8, 2015

#2015-08

High Levels of Air Pollution Recorded as a Result of Idling Construction Vehicles and Equipment

Who is affected by this advisory?

Owners and/or operators of diesel or gas powered construction vehicles/equipment are affected by this advisory. DEP regulations (N.J.A.C. 7:27-14,15) prohibit idling of such vehicles/equipment for more than three consecutive minutes if the vehicle is not in motion or the equipment is not in use.

Why is DEP issuing this advisory?

Combustion of diesel and gasoline fuel produces several air pollutants that are regulated by the United States Environmental Protection Agency, including nitrogen dioxide. DEP measures nitrogen dioxide at ten air quality monitors throughout the state. New Jersey has attained the federal standard for nitrogen dioxide on a statewide basis. However, high levels of nitrogen dioxide have been recorded at DEP air monitors on several occasions in the last ten months. DEP's investigations determined that the elevated levels were caused by emissions from idling construction vehicles/equipment located near the air monitors. Therefore, DEP will be taking action to ensure that construction vehicle/equipment operators and owners are complying with the idling limits to protect the air quality across the state.

Nitrogen dioxide comes from the emissions of cars, trucks, buses and off-road equipment. It contributes to the formation of ground-level ozone and particulates -- pollutants that cause adverse health effects, including respiratory ones. Idling construction vehicles/equipment consume fuel, increase long-term engine maintenance costs, and expose workers and others to harmful air pollutants.

What is DEP doing?

DEP will continue to respond to citizen complaints and to conduct periodic idling enforcement sweeps. Call the DEP 24-hour hotline (1-877-WARN-DEP) to report suspected violations of the idling standards. Local police also have the authority to issue penalties for idling violations pursuant to N.J.S.A. 39:3-70.2. Failure to comply with the idling standards may result in enforcement actions and civil administrative penalty assessments, starting at \$250 per day, for the property owner and the vehicle/equipment operator.

What should I do?

- Ensure that construction vehicles/equipment do not idle for more than three consecutive minutes if the vehicle/equipment is not in motion or not in use.
- Adopt a no-idling policy for your vehicle/equipment operators and encourage them to follow this policy. It will save you money and protect their health.
- Explore the use of automatic shut-down devices for vehicles/equipment.
- Refer to the regulations for more detail:
 - Subchapter 14: Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles at http://www.state.nj.us/dep/agm/Sub14_Rule.pdf
 - Subchapter 15: Control and Prohibition of Air Pollution from Gasoline-Fueled Motor Vehicles at <http://www.state.nj.us/dep/agm/Sub15v2002-12-26.pdf>

Who should I contact with questions or complaints?

DEP 24-hour Hotline – for reporting suspected violations	1-877-WARN-DEP (1-877-927-6337)
DEP Bureau of Mobile Sources -- for general questions	609-292-7953
Northern Field Office for complaints in Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Union and Warren counties	973-656-4444
Central Field Office for complaints in Burlington, Mercer, Middlesex, Monmouth and Ocean counties	609-292-3187
Southern Field Office for complaints in Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem counties	856-614-3601

For more information about our Compliance Advisory program or to comment on this advisory:

NJDEP Compliance Advisories are an electronic notification service of the NJDEP Compliance & Enforcement Program providing information to subscribers notifying them of upcoming important developments involving NJDEP's Compliance & Enforcement Program and their customers including changes in regulations, training opportunities, compliance assistance information and more. We generally issue 15-20 compliance advisories annually.

In addition, the NJDEP's Compliance and Enforcement Program (C&E) is pleased to announce that we are now on [Facebook](#). Our goal is to provide our stakeholders and the regulated community a new way to connect and share relevant and useful compliance assistance topics, upcoming training, regulatory updates and recent advisories on a regular basis. Click on this link: <https://www.facebook.com/NJDEPComplianceandEnforcement> and "Like" our page to receive up-to-date information as soon as it is available.



Compliance Advisory Homepage: <http://www.nj.gov/dep/enforcement/advisories.html>

Advisory Comments may be directed to: <http://www.nj.gov/dep/enforcement/survey.html>

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 number listed above.