



New  
Jersey  
Department of  
Environmental  
Protection

## COMPLIANCE ADVISORY

# Enforcement Alert

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

Issued: November 2009

#2009-13

## DEP to Step Up Enforcement Against Idling of Non-Road Construction Vehicles

### Who is affected by this initiative?

Department of Environmental Protection regulations at N.J.A.C. 7:27-14 and 7:27-15 prohibit diesel- and gasoline-powered vehicles from idling for more than three consecutive minutes if the vehicle is not in motion. As part of a statewide effort by the DEP to implement measures to reduce vehicle emissions in New Jersey, the DEP will be targeting non-road (also known as off-road) construction vehicles that operate in the State.

### Why is DEP targeting idling non-road vehicles?

The idling of diesel-powered vehicles produces a wide variety of air pollutants, including particulates, nitrogen oxides, volatile organic compounds, formaldehyde and other toxic air pollutants. Some of these air pollutants are known carcinogens. Particulate matter can cause health problems ranging from difficulty in breathing to heart attacks. The construction sector contributes nearly half of all diesel mobile source emissions of PM<sub>2.5</sub> in New Jersey, approximately 1,600 tons per year. The number of premature deaths in New Jersey each year caused by exposure to particulates exceeds the number of deaths from homicides and motor vehicle accidents combined.

In addition to the environmental risks, idling vehicles unnecessarily consume fuel and increase long-term engine maintenance costs. An average construction vehicle may use as much as one gallon for each hour it idles. Reducing idling also reduces exposure for vehicle operators.

### What is DEP doing?

DEP officials have been conducting an outreach and education campaign aimed at the construction sector to make them aware of these idling limits and the benefits to construction companies from compliance with the idling rules. DEP has been contacting construction trade organizations, construction equipment rental companies and individual construction businesses. **DEP will respond aggressively to citizen complaints, as will local environmental health agencies throughout the state.** Residents can call the DEP 24-hour hotline (1-877-WARN-DEP) to register suspected violations of the idling standards. Local police also have authority to issue penalties for idling violations pursuant to Chapter 39:3-70.2. Failure to comply with the idling standards will result in enforcement actions and civil administrative penalty assessments for the property owner and the vehicle operator, starting at \$250 per day.

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## What should I do?

Carefully review the following general guidelines to ensure compliance but please refer to the regulations for **Subchapter 14**: Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles at [http://www.state.nj.us/dep/aqm/Sub14\\_Rule.pdf](http://www.state.nj.us/dep/aqm/Sub14_Rule.pdf), and for **Subchapter 15**: Control and Prohibition of Air Pollution from Gasoline-Fueled Motor Vehicles at <http://www.state.nj.us/dep/aqm/Sub15v2002-12-26.pdf>.

- Ensure that diesel-powered vehicles do not idle for more than three consecutive minutes if the vehicle is not in motion.
- Adopt a no-idling policy for your vehicle operators and encourage them to do their part. It will save you money and protect their health.
- Explore alternatives to idling, such as automatic shut-down devices and tailpipe retrofit devices to reduce particulate matter emissions.

## Whom should I contact with questions or complaints?

**DEP 24-hour Hotline – for reporting suspected violations**      **1-877-WARN-DEP**

**DEP Diesel Risk Reduction Program -- for general questions**      **609-292-7953**

**Northern Field Office for complaints in:**      **973-656-4444**

Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex and Warren counties

**Central Field Office for complaints in:**      **609-292-3187**

Burlington, Mercer, Middlesex, Monmouth, Ocean and Union counties

**Southern Field Office for complaints in:**      **856-614-3601**

Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem counties

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

**Idling Information:**      [www.StopTheSoot.org](http://www.StopTheSoot.org)

**Air Enforcement:**      <http://www.nj.gov/dep/enforcement/air.html>

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

**To comment on this advisory:**      <http://www.nj.gov/dep/enforcement/survey.html>

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