



New
Jersey
Department of
Environmental
Protection

COMPLIANCE ADVISORY

Enforcement **Alert**

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: October 31, 2012

#2012-15

Emergency Diesel Generator Fueling Provisions Necessitated by Hurricane Sandy

Who is affected by this advisory?

Facilities operated in the public interest (water treatment, wastewater treatment, solid waste disposal, fuel providers, nursing homes, hospitals, etc.) with **emergency diesel generators**, who may run short of diesel fuel in the aftermath of Hurricane Sandy.

What is occurring?

NJDEP has been advised that the distribution system for fuel has been impacted by the hurricane and fuel oil suppliers may have temporary shortages of diesel fuel. Diesel fuel is used for large emergency generators being employed to recover from Hurricane Sandy.

What is DEP doing?

NJDEP is employing its enforcement discretion to **allow critical facilities and utilities in service of the public to use commercially available home heating oil for a limited time in place of diesel fuel in order to operate emergency generators**. This extends to both portable and stationary emergency generators at such facilities, regardless of installation date or type of emergency generator.

Unless otherwise extended or individually authorized, the enforcement discretion to allow for this use of home heating oil will end on November 13, 2012.

Note that enforcement discretion will **only be extended to facilities which are primarily operating in service the public interest in dealing with aftermath of hurricane Sandy**. The Department anticipates this distinction to be obvious and to allow most needed facilities to act without making contact. However, if you have any questions about the applicability of enforcement discretion, consult the appropriate regional enforcement contact listed below in this advisory.

As of November 13, 2012 (unless extended) the following regulatory limits will again be enforced for all new fuel purchases for emergency diesel engines (see table next page):

COMPLIANCE ADVISORY

Standards on home heating oil used in emergency diesel generators

(temporarily suspended by enforcement discretion October 30 - November 13, 2012)

Portable/Stationary emergency generator	Install Date	Counties	Max. Sulfur Content
Stationary	before April 1, 2006	Atlantic, Cape May, Cumberland, Ocean, Hunterdon, Sussex, Warren, Salem	0.3% (3,000 ppm)
Stationary	before April 1, 2006	Bergen, Burlington, Camden, Essex, Gloucester, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Union	0.2% (2,000 ppm)
Stationary	On or After April 1, 2006	All	0.0015% (15 ppm)
Portable	Any use	All	0.0015% (15 ppm)

What should I do?

1. Be aware of the current standards which apply to your use of emergency generators.
2. Attempt to purchase regular diesel fuel or home heating oil that meets the standards above.
3. **Only for facilities primarily operating in service of the public interest in dealing with the aftermath of hurricane Sandy, and only if necessary**, prudently purchase and use any commercially available home heating oil in place of diesel fuel.
4. Plan to cease purchases of any home heating oil that does not meet the standards above by November 13th, 2012, unless extended.

Note: Higher sulfur home heating oil can physically be burned in emergency diesel engines, but should be avoided model year 2012 and later engines (purchased in 2011 or 2012) engines between 175hp and 700hp, because it may damage parts of the engine. Year of manufacture and other engine information should be clearly denoted on the EPA emissions certification label on every engine. If there is any question on fuel sulfur limits for your late model engine, you should contact the manufacturer. Also, some home heating oil does have less than 15 ppm sulfur and that home heating oil could be used in late model engines.

Who should I contact with questions?

Air Compliance and Enforcement - Northern Field Office (973) 656-4444
(Bergen, Essex, Hudson Hunterdon, Morris, Passaic, Somerset, Sussex, Warren and Union Counties)

Air Compliance and Enforcement – Central Field Office (609) 292-3187
(Burlington, Mercer, Middlesex, Monmouth and Ocean Counties)

Air Compliance and Enforcement – Southern Field Office (856) 614-3601
(Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)

Where can I get more information?

The following web sites provide additional information:

Hurricane Sandy information page <http://www.nj.gov/dep/special/hurricane-sandy/>

Air Quality Permitting Program <http://www.nj.gov/dep/aqpp/>

COMPLIANCE ADVISORY

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

Air Regulations <http://www.state.nj.us/dep/aqm/>

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 number listed above.