



# Enforcement Alert

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

Issued: November 7, 2012

# 2012-18

## **Portable Material Handling Equipment Use Provisions Necessitated by Hurricane Sandy**

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

This Alert applies to all facilities adversely impacted by Hurricane Sandy using unpermitted portable material handling equipment for processing vegetative waste including tub grinders, screeners, wood chippers, conveyors, crushers, and ancillary equipment.

### **What is occurring?**

In the aftermath of Hurricane Sandy, a facility affected by this hurricane may operate the above listed portable material handling equipment without an approved air permit for cleaning up fallen trees and vegetative waste only.

### **What is NJDEP doing?**

NJDEP is employing its enforcement discretion to allow a facility to operate the above listed portable material handling equipment without an approved air permit in a Hurricane Sandy affected area. This discretion is effective immediately and will expire February 01, 2013.

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

In order to benefit from this enforcement discretion, a facility must do the following:

1. The facility shall call the appropriate Bureau of Air Compliance & Enforcement office listed below within 24 hours of equipment arrival on-site.
2. The facility shall follow-up the telephone notification above with a letter to the appropriate Bureau of Air Compliance & Enforcement office listed below within 72 hours of equipment arrival on-site. The letter shall provide the following information for each equipment:
  - a. Make, model and year manufactured of each equipment engine
  - b. Serial number of each equipment engine
  - c. Size/capacity of each engine – in million Btu/hour and/or kilowatt
  - d. Firing rate of each engine – gal/hour or cubic feet/hour, as appropriate
  - e. Arrival date
3. If appropriate and where possible, ultra-low sulfur diesel shall be used as fuel and the equipment should be located as far as reasonably possible from homes, schools, daycare centers, healthcare facilities and other sensitive receptors.

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4. A report of the operation of each equipment, including start date/time and end date/time, total days and hours operated, the total emissions of all air pollutants that were emitted during its operation on-site, should be sent to the appropriate Bureau of Air Compliance & Enforcement listed below within thirty (30) calendar days after the equipment has left the site. If applicable, these emissions shall also be included in the annual Emission Statement submittal.
5. Equipment shall comply with the following New Jersey Administrative Codes:
  - a. N.J.A.C. 7:27-3, Control and Prohibition of Smoke from Combustion of Fuel; and
  - b. N.J.A.C. 7:27-5, Prohibition of Air Pollution (including odor issues).
6. Provide your local Office of Emergency Management and local officials (city/township officials including the mayor, police chief, fire marshal and county Health Department) with telephone and written notifications of your situation and planned actions. Notification shall include but not limited to, if any, potential impacts such as noise, odor, and smoke.
7. The facility shall send a written notification to the appropriate Bureau of Air Compliance & Enforcement office listed below within 72 hours of equipment departure from site. The letter shall provide the following information for each equipment:
  - a. Make, model and year manufactured of each equipment engine
  - b. Serial number of each equipment engine
  - c. Size/capacity of each engine – in million Btu/hour and/or kilowatt
  - d. Firing rate of each engine – gal/hour or cubic feet/hour
  - e. Equipment departure date
  - f. Amount of fuel used – in gallons and/or cubic feet, as appropriate

Note, as part of NJDEP's standard practice, follow-up site visits to insure that the equipment has been removed will be conducted by NJDEP inspectors.

## Who should I contact with questions?

### **During Business Hours:**

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

7 Ridgedale Avenue

Cedar Knolls, NJ 07927

Tel - (973) 656-4444

**Air Compliance and Enforcement – Central Field Office** (Burlington, Mercer, Middlesex, Monmouth and Ocean Counties)

Mail Code 22-03A

22 South Clinton Avenue

PO Box 420

Trenton, NJ 08625-0420

Tel - (609) 292-3187

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**Air Compliance and Enforcement – Southern Field Office** (Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)  
2 Riverside Drive  
Suite 201  
Camden, NJ 08103  
Tel - (856) 614-3601

## 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/>

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

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

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

EPA hurricane info: <http://www.epa.gov/hurricanes/>

FEMA hurricane info: <http://www.fema.gov/hazard/hurricane/index.shtm>

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 department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the contact numbers listed above.