1. Terms in brackets ([]) are placeholders for content that is variable from State to State.

2. Please note that States opting to promulgate rules based on this model rule that this guidance document addresses must comply with State specific administrative requirements and procedures as well as state specific statutes/laws that may govern the scope of the rules, as well as State specific compliance and enforcement regulations.

Guidance for Implementation of Nonroad Idling Rule

Frequently Asked Questions about Idling

What is Idling?
Idling means, "for purposes of a nonroad diesel engine, that the engine is running while the nonroad equipment is not moving and is not utilized in whole or in part for the necessary and work-related mechanical or electrical operation for which it was designed." Accordingly, whenever equipment is either moving or performing a function for which it is designed, it is not idling.

Examples that are idling include:

- Asphalt trucks that have a separate power source that provides the heat necessary to treat the asphalt (i.e., these trucks should not be using exhaust gas to "warm" the asphalt in the bed of the truck if they have an alternate power source that can be used).
- The time an operator may wait motionless in line in anticipation of the start of a workday or opening of a location where work or a service will be performed.

Examples that are not idling include:

- Operating a crane, cherry picker, fuel pump operation, hydraulic systems, or boom lift.
- Operating a cement mixer when necessary to provide concrete agitation.
- Transporting property while the property is being loaded and unloaded.
- For oil and gas exploration and production facilities, maintaining nonroad engines in a ready-reserve state. A ready-reserve state means an engine may not be performing work at all times, but must be ready to take over powering all or part of an operation at any time to ensure safe operation of a process.

Why is it important to reduce idling?
Unnecessary idling results in the emission of many air pollutants that are harmful to human health, wastes fuel, and increased maintenance requirements for all types of vehicles. Modern diesel equipment does not need to idle for more than [3-5] minutes to warm up, unless specifically instructed otherwise by the equipment manufacturer.

Wouldn't the continual shutting off and turning on of diesel engines actually damage the engine and emit more soot than idling?
Shutting off and turning on the engine will not result in engine damage or increased wear as long as the engine manufacturer's recommendations regarding warm-up and cool-down time are followed.[1] Additionally, emissions of all pollutants generally will be reduced by eliminating unnecessary idling.

Isn't it bad to operate a cold engine if it hasn't been warmed up?
Generally engines do not require an extensive amount of time to warm-up, though you should consult vehicle/equipment operating manual to determine necessary warm-up times. Running equipment cuts warm-up times in half.

Summary of Nonroad Idling Regulation

[STATE AQ DEPT] places a limit on unnecessary idling of nonroad diesel equipment as the result of the adoption of [REG #]. The regulation states: "No person, entity, owner, or operator shall cause or allow the idling of Nonroad diesel equipment under its control or on its property for more than [3-5] consecutive minutes." This limit applies to all nonroad diesel equipment subject to the regulation, unless the piece of equipment is exempt or idling for specific circumstances defined in the regulation. The idling limits are effective and enforceable as of [EFFECTIVE DATE], when the regulation became effective under [STATE] law. This document provides additional information on the idling limits.

Who may be held responsible for idling violations?
- Person, entity, owner, or operator of a property or location where the equipment is operated.
- Owners and operators of the equipment.
- If the equipment is leased, the lessee of the equipment.
- The permit holder for the activity for which the equipment is being operated.

Can multiple parties be held responsible for an idling violation?
Parties are jointly and severally liable for violations, meaning multiple parties can be held liable for the same violation.

What types of equipment are exempt from the regulation?
- Locomotives with genset or conventional engines
- Marine engines

[1] Taylor, G. W. (2003). *Review of the Incidence, Energy Use and Costs of Passenger Vehicle Idling.* Office of Energy Efficiency, Natural Resources Canada.

- Recreational vehicles
- Farming equipment
- Military equipment when it is being used during training exercises, emergency or public safety situations
- Equipment that is not being operated for compensation (e.g. a homeowner using his own backhoe to dig out a pool on his/her property).

<u>When is idling for more than [3-5] minutes allowed?</u>
The purpose of the idling limitations is to prevent idling when it is not necessary, and is not intended to limit the functions of a vehicle or business. A large percentage of idling is unnecessary. This unnecessary idling can be eliminated and result in significant fuel savings and reduced wear and tear on equipment.

The regulation explicitly grants exemptions to the idling limit for the following cases, and will consider other circumstances on a case-by-case basis:

- Idling is allowed when necessary to meet specifications of the manufacturer's operating manual or other applicable technical document.

  Note: liable parties are responsible for providing the manufacturer's operating manual to demonstrate the need for longer idling times.

- Idling is allowed to ensure the safe operation of the equipment.

  Includes idling for defogging/deicing, operating safety lights, and/or to verifying that the equipment is in good working order.

- Idling is allowed to ensure the safety of the equipment operators

  Enforcement personnel will have the discretion to make exceptions to the idling limitations when idling is necessary to provide heating or air conditioning to ensure the safety of the operators. When temperatures are within 25^{o}F & 85^{o}F no exemptions will be allowed. Additionally, equipment with APUs installed for temperature control purposes will not be exempted at any temperature.

- Idling is allowed for testing, servicing, repairing, or diagnostic purposes, including regeneration of a diesel particulate filter.

  *Note: The exemption for diesel particulate filters does not apply to equipment that uses a filter that does **not** require regeneration in order to function properly.*

- Idling is allowed when waiting for a state or federal inspection to verify that all equipment is in good working order, if idling is required as part of the inspection.

- Idling is allowed when a vehicles is being used for emergencies or the public safety, such as utility service restoration that requires emergency warning lights or other mechanical functions.

Is idling allowed for generators or Tier 4 engines?
The idling limitations were put into effect to limit the levels of pollution produced by preventing idling when it is not necessary. The regulation does not grant exemptions for the following cases:

- Tier 4 engines are subject to the [3-5] minute idling limit. Although Tier 4 engines are cleaner, there is no reason to idle **any** engine unnecessarily.
- Stationary generators may need air permits pursuant to [other state regulation] and their operation is not covered by this regulation.

Is idling allowed for onroad vehicles?
Idling of onroad vehicles is regulated by [STATE] as well. The related regulations can be found in:

- [Other state regulation] for onroad engines powered by fuels other than diesel.
- [Other state regulation] for onroad diesel engines traveling to a site.
- [This regulation | Other state regulation] for onroad diesel engines working on a site.

Is a company idling policy necessary?
While the regulation does not require a written idling policy, [STATE AQ DEPT] does recommend that owners and operators of nonroad diesel equipment have a written idling policy in order to keep employees informed about the rule. By having a written company idling policy it will be easier for a company to ensure that employees do not violate anti-idling regulations.

How Can Individual Pieces Of Nonroad Equipment Be Identified?
Information on how to identify types of nonroad diesel equipment or locate serial numbers on nonroad diesel equipment can be found on EPA's website: http://epa.gov/cleandiesel/documents/420b10025.pdf.