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1. Documentation from all applicable manufacturers of similar equipment that a tier 4F powered version is not available;
2. Description of the BACT equipment selected including NOx and PM reductions expected when installed on the specific engine of the subject equipment;
3. A copy of the CARB certification for the selected BACT showing applicability to the subject equipment and engine.

Submit this form and all supporting documentation to StopTheSoot@dep.nj.gov with the subject line "CHE Alternate Compliance". Once all required documentation has been submitted, the Department will review the application, requesting additional or clarifying information as needed, and providing an approval decision within 30 days of receipt of a complete application. Once approved, the subject cargo handling equipment cannot be used without the approved BACT solution installed and operating in accordance with the manufacturer's specifications.

2 – Fleet Averaging Plan NJAC 7:27-34.10B – *The following requirements apply to an application for approval of a fleet averaging plan:*

1. *An applicant for a fleet averaging plan shall include, in the plan, two or more pieces of cargo handling equipment, but shall include in the plan only cargo handling equipment it owns or operates under its direct control at the same port or intermodal rail yard.*
2. *A piece of cargo handling equipment shall be included in no more than one plan.*
3. *The application for a fleet averaging plan shall include:*
 - i. *Documentation, calculations, emissions test data, or other information that establishes that reductions of PM, expressed in pounds, from the entire fleet of cargo handling equipment included in the fleet averaging plan will be equivalent to, or greater than, the emission reductions of PM that would have been achieved upon compliance with N.J.A.C. 7:2734.5, 34.6, or 34.7, as applicable;*
 - ii. *Documentation, calculations, emissions test data, or other information that establishes that reductions of NOx emissions as expressed in pounds, from the entire fleet of cargo handling equipment included in the fleet averaging plan will be equivalent to, or greater than, the reductions of NOx emissions that would have been achieved upon compliance with N.J.A.C. 7:27-34.5, 34.6, or 34.7, as applicable; and*
 - iii. *The proposed recordkeeping, reporting, monitoring, and testing procedures that the applicant will use to demonstrate continued compliance with the plan.*
4. *Emission control strategies in the plan may include only:*
 - i. *Exhaust treatment control;*
 - ii. *Engine repower;*
 - iii. *Equipment replacement;*
 - iv. *Hybrid technology; or*
 - v. *Zero-emission equipment.*



Additional requirements for a fleet averaging plan may be found here: [N.J.A.C. 7:27-34](#) and should be reviewed prior to submitting an application. Incomplete applications or those that do not adhere to all applicable requirements will not be considered.

- Facility where all equipment in the fleet averaging plan are used:
- A written statement summarizing the fleet averaging plan, number of cargo handling equipment included, overall strategy and emissions benefits,
- Method of emissions calculations: AFLEET EPA DEQ
 - Argonne National Laboratory AFLEET may be found here:
<https://greet.anl.gov/afleet>
 - EPA Diesel Emissions Quantifier (DEQ) may be found here:
<https://cfpub.epa.gov/quantifier/>

In addition, each fleet averaging plan must be accompanied by the following documentation:

1. A complete list of all CHE to be included in the plan including:
 - a. VIN/Serial number
 - b. Make
 - c. Model
 - d. Year
 - e. Engine Make
 - f. Engine Model
 - g. Engine Year
 - h. Engine Size
 - i. EPA or CARB engine family
 - j. Emissions Tier
 - k. Annual hours of use/annual mileage
 - l. Annual fuel use
 - m. The action to be taken for each i.e. replacement, repowering, retrofit, ZEV replacement, etc.
 - i. Replacement/repower engine data as above
 - ii. Retrofit or BACT make, model, CARB certification as applicable
2. Emissions calculations output from AFLEET and/or EPA DEQ documenting both PM and NOx reductions as required above. Information must include:
 - a. All information that was input to perform the calculations
 - b. The PM and NOx emissions of the subject cargo handling equipment in the proposed fleet averaging plan and where it would otherwise meet the performance standards set forth at N.J.A.C. 7:27-34.

Submit this form and all supporting documentation to StopTheSoot@dep.nj.gov with the subject line "CHE Alternate Compliance". Once all required documentation has been submitted, the Department will review the application, requesting additional or clarifying information as needed. All fleet averaging plans are subject to public comment before Department approval [NJAC 7:27-34.10B(c)] and may include a public hearing at the



Department's discretion or if requested by the public prior to the close of comments. After the close of the comment period, the Department will issue an approval decision within 30 days.

