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INDEPENDENT REGULATORY
REVIEW COMMISSION

Subject: Proposed Rulemaking - Diesel Vehicle Idling; and Auxiliary Power Systems (#7-422)

Re: Proposed Rulemaking - Diesel Vehicle Idling; and Auxiliary Power Systems (#7-422)

The Environmental Quality Board (EQB) has received the following comments regarding the above-referenced proposed rulemaking.

Commentor Information:

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SUMMARY OF THE PENNSYLVANIA WASTE INDUSTRIES ASSOCIATION'S COMMENTS TO THE PROSPOSAL TO AMEND 5 PA. CODE CHAPTER 126 BY ADDING A NEW SUBCHAPTER F AND A NEW SUBCHAPTER G I. In order to Remove Impediments to the Performance of the PWIA's Essential Waste Removal and Disposal Function and Alleviate the Undue Hardships that Members of the PWIA will face under the Current Form of the Proposed Anti-Idling Regulations, the Proposed Anti-Idling Regulations Should Incorporate a Minor Expansion to Existing Exemption #8 and Include an Additional Exemption that is Specific to, the Solid Waste Collection, Transportation, and Disposal Industry. A. Expansion of Existing Exemption #8: 1. Section 126.612(a)(8) of the Proposed Anti-Idling Regulations should be expanded to permit idling that is "necessary to comply with manufacturers' operating requirements, specifications and warranties." Specifically, Section 126.612(a)(8) of the Proposed Anti-Idling Regulations should be expanded to read as follows: (8) When idling is necessary to operate defrosters, heaters, air conditioners or cargo refrigeration equipment, or to install equipment to prevent a safety or health emergency and not for the purpose of a rest period, or as otherwise [necessary to comply with manufacturers' operating requirements, specifications and warranties,] Federal or State motor carrier safety regulations, or local requirements. B. Additional Exemption: 1. Section 126.612(a) of the Proposed Anti-Idling Regulations should be amended to include the following exemption that is specific to the solid waste collection, transportation, and disposal industry: (12) When a commercial motor vehicle is engaged in solid waste collection, transportation, or disposal, or the collection and lawful management of source-separated recyclable materials. This exemption does not apply when a vehicle is not engaged in solid waste collection, transportation, or disposal, or the collection and lawful management of source-separated recyclable materials.

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Please contact me if you have any questions.
Sincerely,
Michele L. Tate

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