CLEAN CONSTRUCTION CONTRACT SPECIFICATION
DIESEL EMISSION REDUCTION STANDARDS FOR CONSTRUCTION PROJECTS

1. **Applicability:** This guide applies to any person or business that owns or operates any diesel fueled compression ignition vehicle engine, 25 horsepower or greater, that is used to provide motive power at any __________ construction site or project location.

2. No vehicle or engine subject to this standard shall idle for more than five consecutive minutes, except as allowed below. The idling limit does not apply to:
   - Idling necessary to ensure the safe operation of equipment, including idling to ensure the equipment is in safe operating condition and equipped as required by provisions of law, either as part of daily equipment inspection or as needed otherwise;
   - Idling required to bring the machine system to operating temperature;
   - Idling when queuing if said queuing requires intermittent movement forward to perform work or a service, when shutting the engine off would impede the progress of the work, or would otherwise be impractical to the queuing. This does not include the time an operator may wait motionless in line before the start of the workday or prior to the opening of a location where work or service will be performed; or
   - Idling of any vehicle being used in an emergency or public safety capacity.

3. Idling of a vehicle or engine that is owned by a rental company or third party is the responsibility of the renter, lessee, or other responsible operator.

4. Equipment subject to this standard must be located away from sensitive receptors (building fresh air intakes, entrances to facilities, enclosed occupied areas, etc.).

5. Equipment subject to this standard is required to meet or be modified to meet Tier 4 Emission Requirements as set forth by the EPA.

6. **Enforcement:** It shall be incumbent upon the General Contractor to keep appropriate logs and data to validate the enforcement of this standard. For the purpose of inspecting and reporting equipment or to question compliance with these regulations, any individual has the right to observe, inquire and report any perceived violation of this standard.

7. **Penalties:** Violations of this standard are subject to the following:
   - First offense: Written warning to owner or operator of equipment.
   - Second offense: $500 fine to be deducted from payment for services due.
   - Third offense: $1,000 fine to be deducted from payment for services due.
   - Subsequent: $2,500 fine per occurrence to be deducted from payment for services due. Should the total summation of fines exceed payment due to the offending party, __________ will pursue other options to recover fines.
   - __________ reserves the right to discharge without prejudice any tier contractor that, in __________ sole judgment, willfully and knowingly violates the provisions of this standard, with no additional payment for termination being due to the offending party.

8. **Other Law:** Nothing in this standard is intended to allow idling more than any applicable law, including but not limited to any local ordinance or requirement as or more stringent than this standard.

9. The General Contractor shall be responsible to maintain a log of all equipment meeting the intent of this standard as soon as it is on the project site. Minimal documentation required shall be make, model and serial number of the equipment (and or engine) along with the rated horsepower.

END OF SECTION