



New  
Jersey  
Department of  
Environmental  
Protection

COMPLIANCE ADVISORY

# Enforcement **ALERT**

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

Issued: July, 2003

#2003-07

## **DEP Changes Protocol for Facilities Requesting Deadline Extensions for Operating Permit Modifications**

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

All major facilities with air emissions that are currently regulated under an approved Operating Permit issued by the New Jersey Department of Environmental Protection (DEP).

### **What is the new DEP protocol for a facility seeking deadline extensions to comply with their Operating Permit requirements?**

As of July 1, 2003, the DEP's Air Compliance & Enforcement Program will no longer grant extensions for Operating Permit compliance deadlines. All requests for extensions must be made by the permittee through the DEP's Bureau of Operating Permits in the form of a Minor Modification.

All applications for a Minor Modification should be submitted by a permittee to the DEP at least 45-days prior to the currently approved Operating Permit compliance deadline.

The DEP's Air Compliance and Enforcement Program will strictly enforce all Operating Permit compliance deadlines. Failure to obtain the necessary modification, prior to the currently approved permit deadline, will result in issuance of Administrative Orders and Notice of Civil Administrative Penalty Assessments for all violations.

### **Do I need to submit a Minor Modification form to the DEP?**

State rules for air Operating Permits (N.J.A.C. 7:27-22) require that permit modifications be made by a facility for any changes that relax federally enforceable provision(s) of an Operating Permit compliance plan. This includes extensions to schedules outlined in the Operating Permit compliance plan, including but not limited to protocol submittals, conducting stack tests, installing Continuous Emission Monitors and submittal of any required reports.

# COMPLIANCE ADVISORY

## What should I do?

1. Review all future deadlines in your approved Operating Permit and consider your ability to meet them.
2. When necessary, submit a compliance deadline extension request to the Bureau of Operating Permits, in the form of an application for a Minor Modification, at least 45-days prior to the currently approved Operating Permit compliance deadline.

## Whom should I contact with questions?

<b>Bureau of Operating Permits</b>	<b>(609) 633-8248</b>
<b>Air Compliance and Enforcement-Northern Field Office</b> (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties)	<b>(973) 299-7700</b>
<b>Air Compliance and Enforcement-Metropolitan Field Office</b> (Bergen, Essex and Hudson Counties)	<b>(973) 669-3935</b>
<b>Air Compliance and Enforcement-Central Field Office</b> (Mercer, Middlesex, Monmouth, Ocean, and Union Counties)	<b>(609) 584-4100</b>
<b>Air Compliance and Enforcement-Southern Field Office</b> (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)	<b>(856) 614-3601</b>

## Where can I get more information?

The following web sites can be accessed for additional information:

Air Quality Permitting Program     <http://www.nj.gov/dep/aqpp/>

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

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 Enforcement number listed above.