



New Jersey Department of Environmental
Protection

Air Compliance & Enforcement Academy

May 10, 2012

Common Enforcement Findings **& How to Be Prepared**

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Common Enforcement Findings & How to Be Prepared

Where have we come from?

Then.....&.....Now.



Common Enforcement Findings & How to Be Prepared

Where we are working to go.



Common Enforcement Findings & How to Be Prepared

In preparing for regulatory compliance and an Air Pollution inspection it is helpful to keep the following in mind:

Air Pollution Regulations are Extensive.

Most types of Air Pollution Sources, both stationary and mobile, are now regulated and at various governmental levels: Federal, State, County & sometimes even
Locally.



Common Enforcement Findings & How to Be Prepared

Example of a Local Current Problem Source



Common Enforcement Findings & How to Be Prepared

Air Pollution Regulations are Extensive

- Federal Regulations are derived from the Clean Air Act of 1970 and the Amendments of 1990.
- State of New Jersey has delegated enforcement authority for most but not all Federal Air Regulations.



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Air Pollution Regulations are Extensive

- Currently there are **107** New Source Performance Standards (NSPS) Regulations and 9 Appendixes.
- Air Toxics are regulated under National Emission Standards for Hazardous Air Pollutants (NESHAPS) Regulations. This covers **187** toxic chemicals, **174** regulated source types and currently **136** issued standards. Additionally, there are **29 residual risk** evaluations/revisions underway.



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Federal NESHAPS Tip:

- Most federal regulations are circular in their logic and are good for putting you to sleep.
- NESHAPS Regulations can usually be simplified to four areas:
 1. Controls & their operation.
 2. Monitoring of some type.
 3. Recordkeeping.
 4. Reporting.



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Air Pollution Regulations are Extensive

- The State of New Jersey's Air pollution regulations were originally contained in the Department of Health & The Public Health Council, under the Air Pollution Control Act of 1954 Ch 212. (NJSA Chapter 26:2C-1-25).
- These responsibilities were taken over by the New Jersey Department of Environmental Protection in 1970.



Common Enforcement Findings & How to Be Prepared

- New Jersey's Air Pollution Regulations are currently comprised of :
- The Air Pollution Statute (NJSA **26:2C**),
- **4 Chapters** (Title 7, NJAC **7-27**, 27A, 27B & 27C), and.....
- **34 Subchapters** (NJAC 7:27-1, et. seq.)



Common Enforcement Findings & How to Be Prepared

- Air Regulations are constantly evolving.
- The best ways to remain informed are the following sources:
 - Federal Register & USEPA Web-Site
 - NJ State Register & NJDEP Air & NJDEP C&E Websites (Compliance Advisories)



Common Enforcement Findings & How to Be Prepared

- How many of these regulations are You familiar with?
- This doesn't count additional air regulations under Federal law.
- **Mercifully, most facilities or operations only have to be concerned with a few of these rules.**



Common Enforcement Findings & How to Be Prepared

How Do I prepare?

- When was the last time the facility or operation was inspected or visited by the Department or a regulatory representative?
- When was the last time you physically walked through your facility or your client's facility?



Common Enforcement Findings & How to Be Prepared

How Do I prepare? (Con't.)

- When was the last time a comprehensive environmental audit was performed at your facility or your client's facility?
- This should be done at least every 5 years or sooner.
- **REGULATIONS CHANGE.**



Common Enforcement Findings & How to Be Prepared

How Do I prepare? (Con't.)

- Review Department's Web-Site C&E Inspection assistance documents.
- Perform a survey of your operations & equipment. Your operations and technical staff are **YOUR BEST FRIENDS, EVER**.
- Determine what regulations apply to your facility.



Common Enforcement Findings & How to Be Prepared

How Do I prepare? (Con't.)

- If Applicable, READ the facility air permits in DETAIL. What is the facility responsible for to comply?
- If Applicable, review your company's or facility's inspection records on the Department's public web-site via DataMiner. What problems or issues occurred here in the past?



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How Do I prepare? (Con't.)

- Is the permit up to date for the equipment or operations it covers?
- All permits contain Facility Specific Requirements. Have you reviewed these requirements and determined if they are appropriate for the facility or operation?
- If the requirements are not correct or do not apply to the facility or operation, have you removed them from the permit?



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How Do I prepare? (Con't.)

- Register on the State of New Jersey & NJ Department of Environmental Protection's Web-Sites.
- NJDEP, as with many other state departments, is moving towards operations that are mainly Web based and away from paper. It is to the regulated community's benefit to learn how to access these sites and use them.



Common Enforcement Findings & How to Be Prepared

How Do I prepare? (Con't.)

- Expect & Plan for inspections: Mandatory, once the facility or operation is entered into the Department's computer system. Both Announced & Unannounced.
- Who is responsible, within your organization or client's organization, for what portion of a facility's compliance? Who is responsible for inspections?
- When all else fails, what is plan B? Communication and training are key.



Common Enforcement Findings & How to Be Prepared

Copies of this guide may be
downloaded from:

www.state.nj.us/dep/enforcement



New Jersey Department of Environmental Protection
Compliance and Enforcement
Bureau of Enforcement and Compliance Services
Outreach and Innovation Group

EZ Inspect

How to have a successful
New Jersey Department
of Environmental Protection
Compliance Inspection





Chris Christie, *Governor*
Kim Guadagno, *Lt. Governor*
Bob Martin, *Commissioner*
Wolfgang Skacel, *Assistant Commissioner*

May, 2010



Common Enforcement Findings & How to Be Prepared

The screenshot shows a web browser window titled "NJDEP-Compliance&Enforcement - EZ Inspect Guide - Windows Internet Explorer". The address bar shows the URL "http://www.state.nj.us/dep/enforcement/ezinspect.html". The browser interface includes a menu bar (File, Edit, View, Favorites, Tools, Help) and a toolbar with various icons. The webpage content features a blue header with the NJDEP logo and navigation links: "njhome | citizen | business | government | services A to Z | departments". Below the header is a search bar and the text "new jersey department of environmental protection". The main heading is "Compliance & Enforcement". A sidebar on the left contains a vertical menu of buttons: Home, Programs/Contacts, Enforcement in Action, Compliance Advisories, Compliance Assistance, Stewardship, Supplemental Envir. Proj. (SEPs), Self Disclosure, Reports & Requests, Contact Info, and Partner Links. The main content area displays "Compliance Assistance - EZ Inspect Guide" and "EZ Inspect Guide" in large blue text. Below this, it states "Available in 2 pdf formats:" and lists two categories: "EZ Inspect" and "Solid Waste". The "EZ Inspect" category includes links for "Hazardous Waste Regulations Made Easy", "Inspection Checklists", "On-site Assistance", "Training", "Compliance Assistance Links", and "School Facilities". The "Solid Waste" category includes links for "Air", "Hazardous Waste Generators and Transporters", "Marina Cross Program Inspection Summary", "Dept. of Public Works Inspection Form", and "School Laboratory Chemical Storage Checklist". A link to "Download the free pdf reader" is also present. The browser's status bar at the bottom shows "Internet" and "100%".



Common Enforcement Findings & How to Be Prepared

- **A regurgitation of Air Pollution NJAC 7:27-8 & NJAC 7:27-22.**
- **Generic Air Checklist (From the Inspection Checklists on the Department C&E Web-Site).**
- Below is a generic checklist which can be used to help identify if there are any equipment which may be regulated by the NJDEP air pollution rules and regulations.
- Does the facility have any air pollution permits? Does the facility have any commercial fuel burning equipment (boilers, emergency generators, internal combustion engines, ovens, heaters, dryers) over one million BTUs/hr, or incinerator of any kind? (List them, including size, type and amount of fuel.) Does the facility burn any waste oil, or any other non-commercial fuel? (List them, including amount of waste oil burned.) Does the facility have any storage tanks storing any liquid material? (List them, including size and contents, above or below ground or inside a building.) Does the facility have any silos, bins or containers for storage of solid particles? (List them, including size and contents.) Does the facility transfer any liquids or solids into or from any containers or delivery vessels, including filling lines, or using pneumatic, bucket or belt conveying systems. (Describe the process, amount any type of material transferred.) Does the facility perform any printing, graphic arts operations, spray painting or any other surface coating operation? (List them and the maximum amount of coating used per hour and per day and the VOC content of the coating material.) Does the facility perform any plating, etching, or surface cleaning operations, either with or without solvents? (List them) Does the facility process more than 50 lbs/hr of any raw material, excluding air and water, in any of their operations? Are there any air contaminants? (Describe any such processes.) Does the facility have any Dry Cleaning equipment? (List them) Does the facility process any solid waste, ground water, waste water, waste soils, sludges, yard wastes, recyclable materials, or perform the venting of any landfill or ground contamination? (Describe the processes.) Does the facility perform any welding using welding rods or welding wire? (Describe, including amount of welding material used.) Does the facility use any HAPS or TXS materials? (Describe use.) Did you observe any odors or visible emissions at this facility? (Explain.) Do you have any other comments or observations about this facility? Does the facility have any diesel-powered trucks or buses greater than 18,000 pounds gross vehicle weight that do not have an annual emissions inspection sticker?



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NJDEP - Compliance and Enforcement - Windows Internet Explorer

http://www.nj.gov/dep/enforcement/

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NJDEP - Compliance and Enforcement

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new jersey department of environmental protection

Compliance & Enforcement

compliance & enforcement home | njdep home

- Home
- Programs/Contacts
- Enforcement in Action
- Compliance Advisories
- Compliance Assistance
- Stewardship
- Supplemental Envir. Proj. (SEPs)
- Self Disclosure
- Reports & Requests
- Contact Info
- Partner Links

List of All Advisories By Issue Date

- Air
- Community Right To Know
- Discharge Prevention
- Hazardous Waste
- Land Use
- Pesticides
- Site Remediation
- Solid Waste
- Toxic Catastrophe Prevention
- Underground Storage Tanks
- Water
- Other
- Subscribe to NJDEP Compliance Advisories

Updates

- March 2012
[Upcoming Air Compliance & Enforcement \(ACE\) Outreach: "A Free Seminar on Common Enforcement Findings, Supplemental Environmental Projects, Electronic Reporting & Other Topics"](#)
- March 2012
[DEP Adopts Waiver Rule](#)
- November 2011
[DEP Reminds Solid Waste Facilities of Their Obligation to Plan for Transportation Emergencies](#)
- November 2011
[Air Permit Applicability for Equipment and Source Operations Operated During Construction, Repair and Maintenance Events](#)
- November 2011
[DEP Addresses Debris Disposal Necessitated by 10/29/11 Winter-like Storm Event](#)

within the DEP by deterring violations that would otherwise threaten. We pursue the goal of violation deterrence in a manner that is fair and state and local levels, ensuring that all NJ citizens and groups are playing field.

- To encourage compliance and environmental stewardship, we continue to seek innovative ways to provide incentives, information and assistance to those we regulate and to the interested public.
- To ascertain compliance, we employ site inspections and detailed reviews of reported information.

http://www.nj.gov/dep/enforcement/advisories.html

Internet 100%



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NJDEP-Compliance&Enforcement - Compliance Advisories - Air - Windows Internet Explorer

http://www.state.nj.us/dep/enforcement/advisories-air.htm

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NJDEP-Compliance&Enforcement - Compliance Adviso...

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new jersey department of environmental protection

Compliance & Enforcement

compliance & enforcement home | njdep home

Home Programs/Contacts Enforcement in Action Compliance Advisories Compliance Assistance Stewardship Supplemental Envir. Proj. (SEPs) Self Disclosure Reports & Requests Contact Info Partner Links

Compliance Advisories - Air

Compliance Advisories - Air

Update	Upcoming Air Compliance & Enforcement (ACE) Outreach: "A Free Seminar on Common Enforcement Findings, Supplemental Environmental Projects, Electronic Reporting & Other Topics"
Issued: March 2012 Enforcement Update: #2012-03 Environmental Focus: Air	
Update	Air Permit Applicability for Equipment and Source Operations Operated During Construction, Repair and Maintenance Events
Issued: November 2011 Enforcement Update: #2011-17 Environmental Focus: Air	
Update	Upcoming Air Compliance & Enforcement (ACE) Outreach: "A Seminar on Stewardship, Preconstruction Permits, Federal Regulations & ACE Issues"
Issued: October 2011 Enforcement Update: #2011-15 Environmental Focus: Air	
Update	National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ or 6J)
Issued: September 2011 Enforcement Update: #2011-14 Environmental Focus: Air	

Done Internet 100%



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http://www.state.nj.us/dep/enforcement/advisories/2012-03.pdf - Windows Internet Explorer

http://www.state.nj.us/dep/enforcement/advisories/2012-03.pdf

File Edit Go To Favorites Help

http://www.state.nj.us/dep/enforcement/advisories/...

1 / 1 103% Find

 New Jersey Department of Environmental Protection

COMPLIANCE ADVISORY
UPDATE

Making You Aware of Incentives and Compliance Assistance Opportunities

Compliance & Enforcement Issued: March 2012 #2012-03

**Upcoming Air Compliance & Enforcement (ACE) Outreach:
“A Free Seminar on Common Enforcement Findings, Supplemental Environmental Projects, Electronic Reporting & Other Topics”**

Who is affected by this Compliance Assistance?

Facilities subject to Air Pollution regulations and electronic reporting are encouraged to attend this training:

- Navigating through the DEP Portal
- Supplemental Environmental Projects (SEPs)
- Electronic Periodic Compliance Certification
- Common Enforcement Findings
- CEMS/COMS & Stack Testing
- Update on New & Proposed Regs.
- Electronic EEMPR Refresher

Why would I need help?

This seminar will provide information on how to get ready for an inspection, common enforcement findings, Supplemental Environmental Projects (SEPs) policy and SEP examples that directly benefit communities and the environment. Facilities that have Continuous Emission Monitoring Systems (CEMS), Continuous Opacity Monitoring Systems (COMS) and/or Stack Testing requirements will benefit from an overview provided by the

Done Unknown Zone



Common Enforcement Findings & How to Be Prepared

- What If I need Additional Help?
- Several options are available to you.
 - NJDEP Small Business Assistance Program

The screenshot shows a web browser window titled "NJDEP-EGGE-Small Business Assistance Program - Windows Internet Explorer". The address bar shows the URL "http://www.nj.gov/dep/sage/sbac/". The page content includes the NJDEP logo and the text "STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SUSTAINABILITY AND GREEN ENERGY". A navigation menu on the left lists "Home", "About SAGE", "Mission and Objectives", "Email Lists", "Climate and Energy", "Small Business Assistance", "Sustainability", "Redevelopment, Tools", and "Outreach Events". The main content area is titled "Small Business Assistance Program" and features four highlighted links: "Compliance Advisory Panel (CAP)", "Small Business Ombudsman", "Small Business Directory of Information", and "Forms, Instructions Guidance documents". To the right of these links is a list of services provided by the SBAP, including consultations, referrals, guidance documents, education and outreach, and fostering innovation. Contact information for Ky Asral, Manager of the Small Business Assistance Program, is provided at the bottom, including phone, fax, and email addresses. A footer note states that the SBAP was created by the Clean Air Act Amendments of 1990.



Common Enforcement Findings & How to Be Prepared

The screenshot displays the NJDEP Air Quality Permitting Program (AQPP) website. The page header includes the State of New Jersey Department of Environmental Protection logo and the AQPP title. A navigation menu on the left lists various services such as Air Permit Information, Applications & Forms, and RADIUS Information. The main content area is titled 'Contact Information' and is divided into two columns: 'Minor Facilities and Preconstruction Permits' and 'Major Facilities and Operating Permits'. Each column provides contact details for the respective permit sections, including addresses, telephone numbers, and fax numbers. A 'Help Desk' is also listed for both minor and major sources.

Minor Facilities and Preconstruction Permits	Major Facilities and Operating Permits
<p>NJDEP - Air Quality Permitting Program Bureau of Air Permits Preconstruction Permits Section 401 E. State Street, 2nd floor, P.O. Box 420, Mail Code 401-02 Trenton, NJ 08625-0420</p> <p>Telephone: (609) 292-0834 Fax: (609) 633-8236</p>	<p>NJDEP - Air Quality Permitting Program Bureau of Air Permits Operating Permits Section 401 E. State Street, 2nd floor, P.O. Box 420, Mail Code 401-02 Trenton, NJ 08625-0420</p> <p>Telephone: (609) 292-0834 Fax: (609) 633-8236</p>
<p>Help Desk for Minor Sources: (609) 292-6716</p> <p>Air Quality Modeling and Risk Assessment</p>	<p>Help Desk for Major Sources: (609) 633-8248</p> <p>Stack Testing, CEMS, etc.</p>
<p>NJDEP - Air Quality Permitting Program Bureau of Technical Services Air Quality Evaluation Section 401 E. State Street, 2nd floor, P.O. Box 420, Mail Code 401-02 Trenton, NJ 08625-0420</p> <p>Telephone: (609) 633-1110 Fax: (609) 292-7793</p>	<p>NJDEP - Air Quality Permitting Program Bureau of Technical Services Emission Measurement Section</p> <p>U.S. Postal Mailing Address : Mail Code: 380-01A Recipient's Name NJDEP - BTS PO Box 420 Trenton, NJ 08625-0420</p>

Air Permitting Offers Help with Air Permits.



Common Enforcement Findings & How to Be Prepared

What If I need Additional Help?

This is another response, but is generally not helpful or good to resolve problems. It may, however, temporarily relieve stress.



Common Enforcement Findings & How to Be Prepared

- Hire a consultant.
- Use business and industry association contacts for help.
- Can NJDEP recommend a consultant?



Environmental Guidance for All Child Care Facilities & Educational Institutions

[Home](#) > [How to Choose an Environmental Consultant](#)

How to Choose an Environmental Consultant

The State of New Jersey does not have a consultant certification program for residential cleanup work. Environmental contractors are listed in the telephone book's Yellow Pages under Environmental Services. You may wish to consult with your attorney, or local health department for recommendations. Although the DEP cannot recommend a specific consultant, we do recommend several questions you should ask prospective consultants. The answers to these questions should enable you to make an informed selection.

Questions for Prospective Consultants:

Is the consultant familiar with the regulations that govern the remediation of contaminated sites in New Jersey?

The answer to this question is critical. At a minimum a consultant performing site remediation work must be familiar with:

1. The [Technical Requirements for Site Remediation](#) (N.J.A.C. 7:26E)
2. The [Procedures for the Department Oversight of Contaminated Site Remediation](#) (N.J.A.C. 7:26C)
3. The most recent version of the [DEP Field Sampling & Procedures Manual](#)

If a consultant does not have a thorough knowledge and understanding of these regulations, project delays and additional costs may result. Call the references given by the consultant. Ask former clients whether the consultant submitted documents, which met DEP approval or whether repeated efforts were needed to meet regulations. Ask whether or not the consultant worked effectively with both him/her and the DEP case manager.

What projects has the consultant completed that are similar to your needs?

Disclaimer:

Please note that the information given to you should not be considered a comprehensive status of environmental conditions in and around the subject daycare facility.

Therefore, information provided should not be relied upon by you as a final determination on what you may need to do in order to fully understand the condition of your property.

The information provided does not guarantee in any way that your property, either inside or outside, is free of contamination or presents a potential exposure to contamination.



Common Enforcement Findings & How to Be Prepared

EZ Inspect Guide (p.19) lists some of the common problems found during an air inspection.

	Page 19	New Jersey Department of Environmental Protection
	<ul style="list-style-type: none"> ✓ Annual/biennial reports ✓ Emergency response plan ✓ Spill control plan ✓ Site security plan ✓ DEP issued permits ✓ DEP approved site plans ✓ Local construction permits ✓ Certified soil erosion and sediment control plan ✓ Quality assurance plan 	
<p><i>What are the most common violations that an inspector finds?</i></p>	<p>These are the most common problems discovered as a result of inspections over the past 12 months listed in order of the most commonly cited:</p> <p>Air</p> <ul style="list-style-type: none"> • Failure to obtain a preconstruction permit • Failure to fulfill all conditions and provisions of the preconstruction permit and operating certificate • Failure to obtain an operating certificate • Failure to keep required records • Failure to fulfill all conditions of a compliance plan • Failure to fulfill all conditions and provisions of the Operating Permit 	



Common Enforcement Findings & How to Be Prepared

EZ Inspect Guide (p.20) lists additional problems found during an air inspection.

	Page 20	New Jersey Department of Environmental Protection
<p><i>What are the most common violations that an inspector finds? (cont.)</i></p>	<ul style="list-style-type: none"> • Releasing odors and/or particulates into the atmosphere in quantities which result in air pollution • Failure to submit an emission statement • Idling the engine of a diesel-powered motor vehicle for more than three consecutive minutes while not in motion • Failure to maintain records for surface coating and graphic arts operations <p>Hazardous Waste</p> <ul style="list-style-type: none"> • Failure to comply with emergency response requirements • Failure of generator to clearly mark container with the words "Hazardous Waste" and the date when accumulation period begins • Failure of used oil generator to comply with used oil-labeling requirements • Failure to determine if waste is hazardous • Failure to perform inspection of each area where containers are stored • Failure to pay a fee within specified timeframe • Failure to comply with requirements for the management of containers 	



Common Enforcement Findings & How to Be Prepared

What if I find non-compliance? How Can I Minimize my facility's liability? NJDEP Self Disclosure Submittal.

http://www.state.nj.us/dep/enforcement/self-disclosure.htm



Common Enforcement Findings & How to Be Prepared

Environmental Air Pollution Inspections are carried out by Federal (USEPA), State of NJ (NJDEP), County Health / Environmental(CEHA) & Local (Code Enforcement) Personnel, but mainly by NJDEP and County Inspectors.

Who is your inspector?

Common Perceptions of NJDEP Inspectors

Your views.
One extreme to.....

Common Perceptions of NJDEP Inspectors

....the other.

Common Perceptions of NJDEP Inspectors

Our view of ourselves.

Common Perceptions of NJDEP Inspectors

As with so many other subjects in life, the truth is somewhere in between.



Common Enforcement Findings & How to Be Prepared

- Inspection Day Common Problems:
 - Failing to keep records.
 - Failing to keep records that were legible.
 - Failing to keep records that were specifically asked for, no substitutions unless permitted by Department permission.
 - Failing to perform testing when required.



Common Enforcement Findings & How to Be Prepared

Inspection Day Common Problems: (Con't.)

- Failing to Operate Control devices.
- Failing to operate Control devices within ranges or conditions outlined in the Air Pollution Permit.
- Failing to monitor operations when required.
- Adding unpermitted sources to permitted operations.



Common Enforcement Findings & How to Be Prepared

Inspection Day Common Problems: (Con't.)

- Failing to include changes to raw materials in permitted operations or manufacturing.
 - Failing to investigate & pay air permit renewal fees or other assessments.
- Failing to respond to written requests for information from the Department.



Common Enforcement Findings & How to Be Prepared

Unannounced Inspections

Why does the Department conduct unannounced inspections?

- To maintain a level playing field between all regulated entities.
 - Investigation of complaints.
 - Criminal Investigations.



Common Enforcement Findings & How to Be Prepared

What if a violation is determined? How does the Air Program evaluate and pursue violations?

NJAC Chapter 7:27A-Subchapter 3 – Civil Administrative Penalties & Requests for Adjudicatory Hearings.

NJDEP-Bureau of Air Quality Planning-New Jersey's NOX Budget Program Allocations - Windows Internet Explorer

http://www.state.nj.us/dep/aqm/rules27A.html

File Edit View Favorites Tools Help

NJDEP-Bureau of Air Quality Planning-New Jersey's N...

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new jersey njdep department of environmental protection

njdep home | about dep | index by topic | programs/units | dep online

New Jersey Administrative Code
Title 7, Chapter 27A
Air Administrative Procedures and Penalties
N.J.A.C. 7:27A-1 through 3

Please select either the Microsoft Word or Adobe Acrobat Icon to view the document in that format.

The **Last Revised Date** is the effective date or operative date of the version of the subchapter as posted on this page. The Department has made every effort to post the current version of each subchapter, but the reader should check that the subchapter has not been altered subsequent to the last revised date listed on this page.

Files on this site require Adobe Acrobat Pdf Reader to view.

[Download the free reader here.](#)

Subchapter	Description	Download	Last Revised Date
1	Reserved		
2	Reserved		
3	Civil Administrative Penalties and Requests for Adjudicatory Hearings		September 6, 2011

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Common Enforcement Findings & How to Be Prepared



NJDEP Air Pollution Subchapter 5
Prohibition of Air Pollution



Common Enforcement Findings & How to Be Prepared

Investigation of complaints.

- RULE #1 : DON'T UPSET THE NEIGHBORS.
 - Does your facility or client's facility have the potential to cause a public nuisance, based upon its operations? How close are your neighbors?
 - Do you have a plan to address these issues? Can you shut down your operation at a moment's notice? If not, how long will it take to cease operations?



Common Enforcement Findings & How to Be Prepared

- **Denial of Entry Under the Air Pollution Control Act**
- NJSA 26:2C-9.1. Interference with performance of duties; entrance to premises.

“No person shall obstruct, hinder or delay, or interfere with by force or otherwise, the performance by the department or its personnel of any duty under the provisions of this act, or of the act of which this act is amendatory and supplementary, or refuse to permit such personnel to perform their duties by refusing them, upon proper identification or presentation of a written order of the department, entrance to any premises at reasonable hours.”



Common Enforcement Findings & How to Be Prepared

- During inspections we still occasionally encounter the “magic” door or time portal.



Common Enforcement Findings & How to Be Prepared

This type of situation creates problems when inspectors are
told.....



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*Move along,
There's nothing
to see here.*

This automatically leads to a



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.....problem.



Common Enforcement Findings & How to Be Prepared

This generally leads to tension of some sort.

What Usually Happens Next...



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The final observation of the contents behind the door made life difficult for all. Wouldn't access and the truth have been easier?

What is this?



Common Enforcement
Findings & How to Be
Prepared

What is this?



Common Enforcement Findings & How to Be Prepared

Thank you for
attending!!!

And helping to make
New Jersey a better
place!!!

Philip Savoie

Air C&E Northern
Office