



# Compliance Advisory

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Air Enforcement #2022-01 Issued 01/14/2022

## Stack Test Requirement After Title V Operating Permit Expiration Date

### WHO IS AFFECTED BY THIS ADVISORY?

All holders of expired Title V Operating Permits (permittees) subject to the requirements of N.J.A.C. 7:27-22 et seq.

### WHAT IS DEP DOING?

The Department is notifying permittees that, consistent with N.J.A.C. 7:27-22.30(j), if a Title V Operating Permit has expired, the conditions of the permit, including the requirements for stack testing during the expired permit term, remain enforceable until the permit is reissued.

### WHY IS DEP ISSUING THIS ADVISORY?

The Department acknowledges that, due to certain operational constraints and permit review prioritization, permit renewals may be delayed. However, Department staff are available to assist permittees virtually. Facilities must take the steps necessary to perform stack testing in a timely manner to assist the Department with the technical review of renewals, and to maintain compliance as stated in this advisory.

### WHAT SHOULD I DO?

If your Title V Operating Permit has expired and your facility is operating under an Application Shield, issued pursuant to N.J.A.C. 7:27-22.7, you must conduct the stack test whenever your permit requires a stack test. The stack test must be conducted no later than 42 months after the date of expiration of the permit using an approved protocol to demonstrate compliance with emission limits. You must submit the stack test protocol to the Department's Emission Measurement Section (EMS) at Mail Code: 09-01, PO Box 420, Trenton, NJ 08625, no later than 30 months after the date of expiration of the operating permit.

If you have questions that relate to compliance with your permit conditions and/or the regulations, contact the appropriate Air Compliance & Enforcement office listed below. Ask to speak to a duty officer or contact your NJDEP Air inspector.

## WHO SHOULD I CONTACT WITH QUESTIONS?

<b>NJDEP Emission Measurement Section (EMS)</b>	<b>609-984-3443</b> <a href="mailto:BTS@dep.nj.gov">BTS@dep.nj.gov</a>
<b>Air Compliance and Enforcement - Northern Field Office</b> Covering Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren, and Union Counties	<b>973-656-4444</b> <a href="mailto:AirCE-Northern@dep.nj.gov">AirCE-Northern@dep.nj.gov</a>
<b>Air Compliance and Enforcement – Central Field Office</b> Covering Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties	<b>609-292-3187</b> <a href="mailto:AirCE-Central@dep.nj.gov">AirCE-Central@dep.nj.gov</a>
<b>Air Compliance and Enforcement – Southern Field Office</b> Covering Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties	<b>856-614-3601</b> <a href="mailto:AirCE-Southern@dep.nj.gov">AirCE-Southern@dep.nj.gov</a>

## WHERE CAN I GET MORE INFORMATION?

The following web sites can be accessed for additional information:

- N.J.A.C. 7:27-22:  
<https://www.state.nj.us/dep/aqm/currentrules/Sub22.pdf>
- For general NJDEP information (Contact NJDEP):  
<http://www.nj.gov/cgi-bin/dep/contactdep.pl>
- To provide feedback:  
<http://www.nj.gov/dep/enforcement/survey.html>