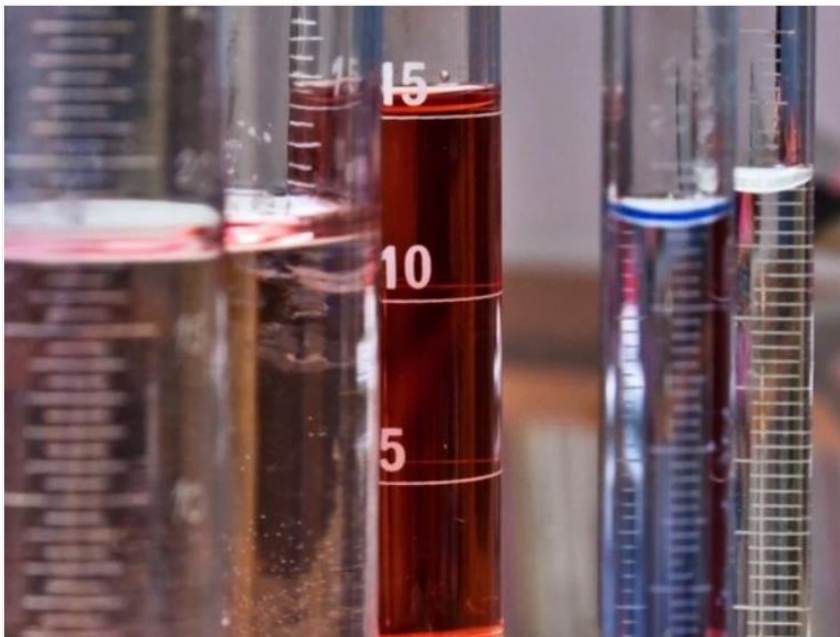


Business

N.J. Chemical Company Violated Water Pollution Act, Must Pay \$153K

“Put on the honor system, this company acted with dishonor,” authorities said.

By Eric Kiefer (Patch Staff) - Updated July 25, 2017 1:12 pm ET



NEWARK, NJ — Representatives for the Cardolite Corporation, an international chemical company that formerly operated a plant in Newark, pleaded guilty on Tuesday to violating the Water Pollution Control Act by failing to accurately monitor and report the pH levels of its discharges into the public sewer system.

The Monmouth Junction-based company must pay a \$100,000 fine and \$53,338 in restitution to the Passaic Valley Sewerage Commission (PVSC), according to the New Jersey Office of the Attorney General.

Prosecutors said that the charges stem from an investigation by the Division of Criminal Justice Specialized Crimes Bureau, which began with a referral from the New Jersey Department of Environmental Protection and was assisted by the PVSC.

According to prosecutors:

“The Water Pollution Control Act requires regulated entities to self-monitor compliance and report violations. Under its permit, Cardolite was required to monitor the pH level of its discharges using a probe and maintain a pH level between 5.0 and 10.5. Readings below 5.0 of any duration, and readings above 10.5 that lasted an hour or more, were to be reported as permit violations.”

Prosecutors said:

“In pleading guilty, Cardolite admitted that on six occasions between April 22 and July 14, 2015, it violated its permit in one or more of the following ways: (1) discharging effluent with a pH outside permitted limits, (2) failing to self-report the discharging of an effluent with a pH outside permitted limits, (3) inaccurately self-reporting discharges outside permitted limits, (4) tampering with the pH probe required to be maintained by statute, regulation or permit, and (5) rendering inaccurate any monitoring device or method required to be maintained.”

Prosecutors added:

“The investigation revealed that the company routinely had employees remove the probe for ‘calibration’ when an alarm sounded indicating a violation, thereby preventing the capture of full and accurate data. Investigators secretly installed a second pH monitor that detected the specific violations.”

No direct harm to the environment or infrastructure was attributed to the violations, prosecutors said.

Authorities said that Cardolite was licensed under a Sewer Use Permit by the PVSC to discharge effluent from the Newark plant into the public sewer system, subject to certain conditions and requirements. The \$53,338 that Cardolite is paying to the PVSC represents restitution for the cost of the agency's assistance during the investigation, prosecutors said.

“Put on the honor system, this company acted with dishonor,” said Director Elie Honig of the Division of Criminal Justice. “We will continue to work with the DEP and agencies like the Passaic Valley Sewerage Commission to enforce our laws and protect the environment.”