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**Enforcement Actions Issued at Site ID: 14211 Between 1/1/2004 and 2/5/2009**

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NOTE: The information contained in this report will be limited to the date each program began using the Department's integrated database, NJEMS. The programs began using the system for this information as follows: Air - 10/1998; Hazardous Waste - 1/2000; Water - 7/2000; Right To Know - 11/2000; TCPA - 12/2001; Land Use 12/2001; DPCC - 1/2002; Solid Waste - 1/2002 and Pesticides - 4/2002; Site Remediation - 3/2003 and Radiation (limited information) - 7/2006. For complete information prior to these dates, please submit an official OPRA request form to the Department. If printing this report, select landscape orientation. For a list of terms and definitions, click on the following link: <http://www.state.nj.us/dep/infoview/enforcement.html>

Disclaimer: All listed enforcement actions address alleged violations based on facts and information known to the Department at the time the violation information was determined. Errors or omissions in the factual basis for any violation may result in a future change in classification as a violation when such information becomes known. Persons cited for violations may contest the Department's enforcement action or penalty assessment. The resultant final decision may uphold, negate or modify the original violation findings or penalty.

**Program Interest Name:** AMERICAN REF-FUEL CO OF ESSEX CNTY  
**Program Description:** Air **Program Interest ID:** 05943  
**Activity Number:** PEA 050001 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/30/2005	Closed 7/26/2005	\$3,600.00	\$3,600.00

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2004, you permitted the temperature from Boiler/Incinerator Unit # 2, Permit/Certificate # PCP960005, to drop below the minimum permitted allowable temperature of 1136 degree F. on April 5, 2004. Company did not claim AD (AONOCAPA)	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the second quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # 960005, exceeded the maximum allowable opacity of 10% on May 30, 2004. AONOCAPA needed! 8.3(e). AD not asked for!	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the first quarter of 2004, the concentration of emissions of CO from Boiler/Incinerator Unit # 2, Permit/Certificate # PCP960005, exceeded the maximum permitted 4-hour CO allowable concentration of 100 ppm between 20:00 to 24:00 hrs. on January 26, 2004.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the first quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 2, Permit/Certificate # PCP960005, exceeded the maximum allowable opacity of 10 % on a 6 minute average for the time period between 05:06 to 05:12 AM on January 31, 2004.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the first quarter of 2004, the concentration of emissions of SO2 from Boiler/Incinerator Unit # 1, Permit/Certificate # PCP960005, exceeded the permitted maximum 1-hour allowable concentration of 94 ppmvd between 16:00 to 17:00 hrs. on February 12, 2004.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the first quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # PCP960005, exceeded the permitted maximum allowable opacity of 10 % on January 1, 2004.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

**Activity Number:** PEA 050002 **Document Type:** AONOCAPA

**Effective Start Date**                      **Current Document Status and Date**                      **Penalty Assessed**                      **Received Amount**  
 6/30/2005                      Closed 7/26/2005                      \$17,700.00                      \$17,700.00

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2003, the opacity of emissions from Boiler/Incinerator # 2, PCP960005, exceeded the maximum 6-minute opacity allowable of 10 % on May 6, 12, & 13, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
AONOCAPA - No AD requested!		
Condition 9 (2) i of PCP960005 states that: "American Ref-Fuel shall operate each MSW incinerator at, or above, the optimized reagent feed rate approved by the Department." On April 10, 2003, you failed to operate the the carbon injection feed rate at the optimized reagent feed rate of 36 lbs./hr. that was approved by the Department through your optimization tests.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
Condition E 1 of PCP960005 (Monitoring, Recording and Record Keeping) states that " for each unit continuous monitors and continuous recorders shall be installed, calibrated, tested, and operated to measure and record the opacity of the stack gas.....Monitors must comply with EPA performance and siting specifications, pursuant to 40 CFR part 60, Appendix B and F.  The Company failed to meet the conditions under condition E 1 of PCP960005 (Monitoring, Recording and Record Keeping) by removing the primary opacity monitor on May 3, 2003 and replacing the opacity monitor with a temporary opacity monitor from the time period of May 3, 2003 to May 14, 2003. A Performance Specification Test (per 40 CFR Part 60 Appendix B and F) was not conducted on the temporary opacity monitor to verify the validity of the data. The opacity data from the temporary opacity monitor during the period of May 3, 2003 to May 14, 2003 is not considered valid by the Department.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter of 2003, the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # PCP960005, exceeded the maximum allowable opacity of 10 % (on a 6-minute average) on August 25, 27 and September 19, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter of 2003, the concentration of emissions of SO2 from Boiler/Incinerator # 3, Permit/Certificate #PCP960005, exceeded the maximum allowable concentration of 29 ppm (24 hr. geometric mean) on August 1, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter of 2003, you permitted the temperature from Boiler/Incinerator Unit # 2, Permit/Certificate # PCP960005, to drop below the minimum permitted allowable temperature of 1136 degree F. on September 10, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the second quarter of 2003, emissions of SO2 from Boiler/Incinerator # 3, Permit/Certificate # PCP960005, exceeded the 1-hour maximum allowable emission rate of 94.0 ppm on April 26, 2003. Company reported 97.6 ppm for the hourly average at 09:00 hrs. on April 26, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the fourth quarter of 2003, the opacity of emissions from Boiler/Incinerator Unit # 2, Permit/Certificate # PCP960005, exceeded the maximum allowable 6-minute opacity allowable of 10 % on October 1, 2003, and on December 5 & 28, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

**Program Interest Name:**      **COVANTA ESSEX CO**  
**Program Description:**      Air                      **Program Interest ID:**      07736  
**Activity Number:**      NEA 080001                      **Document Type:**      Settlement Agreement

**Effective Start Date**                      **Current Document Status and Date**                      **Penalty Assessed**                      **Received Amount**  
 8/7/2008                      Closed 8/18/2008                      \$14,025.00                      \$14,025.00

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator Unit # 2 under Permit/Certificate # BOP040002/BOP060001, to rise above the maximum permitted 6-minute opacity allowable of 10% on April 1 and April 29, 2006.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the second quarter of 2006 you permitted the steam flow rate from Boiler/Incinerator Unit # 2 under Permit/Certificate # BOP040002/BOP060001, to rise above the maximum permitted 4-hour steam flow allowable of 247, 500 lbs./hr. on April 29, 2006.	[N.J.A.C. 7:27-22.16(e)]	Satisfied

During the 2nd Quarter of 2007, you permitted the temperature from Boiler/Incinerator # 2, Permit Certificate # BOP060003, U1, OS Summary, Reference # 61, to drop below its permitted minimum temperature allowable of 1136 degree F on May 10 & 18, 2007.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the First Quarter of 2007, you permitted the opacity of emissions to exceed your maximum permitted opacity allowable of 10% opacity over a 6-minute block period on January 18, February 7, March 21, and March 24, 2007, for Boiler/Incinerator Unit # 3, thus failing to comply with Permit/Condition # BOP060001, OS1, Reference # 19. Recommend not granting any opacity AD's. AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
You permitted the opacity of emissions from Boiler/Incinerator Unit #1 under Permit/Certificate # BOP060001 to exceed the maximum allowable permitted opacity allowable of <=10% opacity on August 19, and September 12, 2007. 22.3(e) violation	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 3rd quarter of 2007, you permitted the emissions of CO to be emitted from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001 to be emitted above the permitted 4-hour CO average of 100 ppm. 22.3 (e) violation	[40 CFR 62.14104(a)]	Satisfied
On July 25, 2007, you permitted the temperature from Boiler/Incinerator Unit # 1 to drop below the permitted temperature allowable of >=1136 degree F that is listed under Permit/Certificate # BOP060001, U1, Reference # 61. You allowed the temperature in the combustion chamber of the Boiler/Incinerator Unit to drop to 1128 degree F. for 1 minute. 22.3(e) violation	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the Third Quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator # 3, Permit/Certificate # BOP040001 (now superceded by BOP060001) to exceed the maximum permitted opacity allowable of 10% on September 29, 2006. Recommend that AD be denied. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 1st Quarter of 2008, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of < or = 10% opacity on January 9, 17, 26, & 29, and February 1 and 28, 2008.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 1st Quarter of 2008, you permitted the CO emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001, to exceed the permitted 4-hour permitted CO allowable of 100 ppm on January 26, 2008.	[40 CFR 62.14104(a)]	Satisfied
During the 4th quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of > or = 10% opacity on October 29, and 30, 2007. AD not requested.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 4th quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of > or = 10% opacity on October 6, and December 21, 2007. AD denied or not requested.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
You failed to check the fuel oil sulfur content on the invoices/bills of lading that you receive from your fuel oil supplier " K.W. Rastall", for the fuel oil used in the Fire Pump in accordance to Permit/Certificate # BOP060001, Condition U14, OS Summary, Reference # 3.	[N.J.A.C. 7:27- 9.2(b)]	Satisfied
You failed to check the fuel oil sulfur content on the invoices/bills of lading that you receive from your fuel oil supplier "K.W. Rastall", for the fuel oil used in the Emergency Generator in accordance to Permit/Certificate # BOP060001, Condition U13, OS Summary, Reference # 3.	[N.J.A.C. 7:27- 9.2(b)]	Satisfied
For calendar year 2006, you failed to record the duration of SO2, CO and NOx excursions caused by emergency malfunctions per occurrence and percent of operating time of the boiler(s) in accordance to Permit/Certificate # BOP060001, U1, OS6, Reference #5. The SO2 & NOx excursions that occur during Emergency Malfunctions should not exceed 180 minutes in duration and 2% of the total operating hours of the boiler(s) for the year. The CO excursions that occur during Emergency Malfunctions should not exceed 60 minutes in duration and 0.2% of the total operating hours of the boiler(s) for the year.	[N.J.A.C. 7:27-22.16(o)]	Satisfied
For calendar year 2006, you failed to record the duration of temperature excursions caused by emergency malfunctions per occurrence and percent of operating time of the boiler(s) in accordance to Permit/Certificate BOP060001, U1, OS6, Reference # 6. The temperature excursions that occur during Emergency Malfunctions should not exceed 60 minutes in duration and 0.1% of the total operating hours of the boiler(s) for the year.	[N.J.A.C. 7:27-22.16(o)]	Satisfied
The facility failed to keep records of the results of the September 14, 2000 optimization tests on site in accordance to Permit/Certificate # BOP060001, U1, OS Summary, Reference 82.	[N.J.A.C. 7:27-22.16(o)]	Satisfied

You failed to have readily available upon Department request a statement certified in accordance with NJAC Chapter 7:27, Subpart 1.39, signed by the Responsible Official, as defined at 7:27-1.4, that (1) specifies the content of the tank (2) affirms that the tank or vessel meets the applicable requirement and (3) attests that the tank or vessel is in compliance with all other applicable State or Federal Air Pollution Requirements in accordance to Permit/Certificate # BOP060001, IS2, Reference # 9.	[N.J.A.C. 7:27-22.1]	Satisfied
You failed to retain records of the initial 3-hour visual observation test on file permanently and have these records readily available for review by Department Representatives on May 31, 2007 in accordance to Permit/Certificate # BOP060001, FC, Reference # 28.	[40 CFR 60.13(h)]	Satisfied
During the First Quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1 to exceed the permitted 6-minute opacity allowable of < 10% on March 1, 2007, thus failing to meet the condition of Permit/Certificate # BOP060001, U1, OS1, Reference # 19.  Recommend not granting AD. AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the First Quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 2 to exceed the permitted 6-minute opacity allowable of < 10% on February 3 & 11, 2007, thus failing to meet the condition of Permit/Certificate # BOP060001, U1, OS1, Reference # 19.  Recommend not granting AD. AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the Third Quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator # 1, Permit/Certificate # BOP040001 (now superceded by BOP060001) to exceed the maximum permitted opacity allowable of 10% on September 30, 2006.  Recommend that AD be denied. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the second quarter of 2006 the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP040002 exceeded the maximum allowable opacity of <=10% on May 24, 2006.  (Recommend that AD be denied) AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied

Activity Number: PEA 050001

Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/30/2005	Closed 8/1/2005	\$12,200.00	\$12,200.00

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2004, the opacity of emission from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP040002, exceeded the maximum allowable opacity of 10% (on a six minute average) on September 7 & 8, 2004.  Company did not claim AD (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the Third Quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 2 (BOP040002) exceeded the maximum allowable opacity of 10% (based on a 6-minute average) on September 8, 2004.  AONOCAPA - No AD asked.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the third Quarter of 2004, you operated Boiler/Incinerator Unit # 2, Permit/Certificate # BOP040002 while the temperature in the exit gas stream within one hour after waste was introduced to the boiler read below 1136 degree F one second downstream of the secondary air injection on August 15, 2004.  (AONOCAPA) no AD requested	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 3rd quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP040001, exceeded the maximum allowable opacity of 10% (based on a 6-minute block average) on September 8 and September 22, 2004.  Company did not claim AD AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP040002, exceeded the maximum allowable opacity of 10% (6 minute block average) on 11-15-04 and 11-28-04.	[40 CFR 62.14103(a)(1)]	Satisfied
During the fourth quarter of 2004, you operated Boiler/Incinerator Unit # 3, Permit/Certificate # BOP040002 while the SO2 Removal Efficiency was not able to reduce the SO2 concentrations below 94 ppmvd or reduce the SO2 concentration to the inlet of the scrubber below 30% (thus maintaining a 70% SO2 Reduction Efficiency) on 10-27-04.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2004, the concentration of emissions of CO from Boiler/Incinerator Unit # 2, Permit/Certificate # BOP040002, exceeded the maximum allowable concentration of 100 ppmvd (based on a 4-hour block average) on November 8, 2004.	[40 CFR 62.14104(a)]	Satisfied
During the fourth quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 2, Permit/Certificate		

# BOP040002, exceeded the maximum allowable opacity of 10% (6 minute block average) on 11-18-04.	[40 CFR 62.14103(a)(1)]	Satisfied
During the fourth quarter of 2004, you operated Boiler/Incinerator Unit # 2, Permit/Certificate # BOP040002 while the SO2 Removal Efficiency was not able to reduce the SO2 concentrations below 94 ppmvd or reduce the SO2 concentration to the inlet of the scrubber below 30% (thus maintaining a 70% SO2 Reduction Efficiency) on 10-27-04.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth Quarter of 2004, you operated Boiler/Incinerator Unit # 2, Permit/Certificate # BOP040002 while the temperature in the exit gas stream within one hour after waste was introduced to the boiler read below 1136 degree F one second downstream of the secondary air injection on 10-24-04.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP040002, exceeded the maximum allowable opacity of 10% (on a 6-minute block average) on November 18 and 21, 2004.	[40 CFR 62.14103(a)(1)]	Satisfied
During the fourth quarter of 2004, you operated Boiler/Incinerator Unit # 1, Permit/Certificate # BOP040002 while the SO2 Removal Efficiency was not able to reduce the SO2 concentrations below 94 ppmvd or reduce the SO2 concentration to the inlet of the scrubber below 30% (thus maintaining a 70% SO2 Reduction Efficiency) on October 27, 2004 and October 29, 2004.	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 050002 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/30/2005	Closed 7/18/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
You failed to ensure that all requirements of the operating permit are met. Specifically BOP040002 states that the opacity emissions from Boiler/Incinerator Unit # 3 must be < or = to 10% except during periods of startup, shutdown and malfunctions.	[N.J.A.C. 7:27-22.3(e)]	Satisfied
During the fourth quarter of 2004, the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP040002, exceeded the maximum allowable opacity of 10% (6 minute block average) on 11-7-04.		
During the fourth quarter of 2004, the concentration of emissions of CO from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP040002, exceeded the maximum allowable concentration of 100 ppmvd (based on a 4-hour block average) on December 3, 2004.	[40 CFR 62.14104(a)]	Satisfied

NOV (recommend AD be granted).

**Activity Number:** PEA 050003 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/30/2005	Closed 8/1/2005	\$10,400.00	\$10,400.00

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2005, the opacity of emissions from Boiler/Incinerator Unit # 2 (BOP040002), exceeded the maximum allowable concentration of 10% on January 14, 2005.	[40 CFR 62.14103(a)(1)]	Satisfied
During the first quarter of 2005, you operated Boiler/Incinerator Unit # 2, Permit/Certificate # BOP040002 while the temperature in the exit gas stream within one hour after waste was introduced to the boiler read below 1136 degree F one second downstream of the secondary air injection on March 18 & 22, 2005.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2005, the opacity of emissions from Boiler/Incinerator Unit # 3 (BOP040002), exceeded the maximum allowable opacity of 10% on March 25, 2005.	[40 CFR 62.14103(a)(1)]	Satisfied
You failed to fulfill all conditions and provisions of Permit/Certificate BOP040002, by allowing the % SO2 removal efficiency to fall below the minimum requirement of 75% removal efficiency while the concentration of SO2 ppmvd emissions rose above the permitted 94 ppmvd permit allowable on March 24, 2005.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2005, the opacity of emissions from Boiler/Incinerator Unit # 1 (BOP040002), exceeded the maximum allowable concentration of 10% on March 5, 6, 13, 14, & 15, 2005.	[40 CFR 62.14103(a)(1)]	Satisfied

**Activity Number:** PEA 050004 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
9/2/2005	Closed 9/26/2005	\$1,800.00	\$1,800.00

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter 2005, you exceeded your 6-minute opacity allowable of <10 % on April 5, 2005 on Boiler/Incinerator Unit # 3.	[40 CFR 62.14103(a)(1)]	Satisfied
During the second quarter of 2005, you exceeded your permitted 6-minute opacity allowable of < 10% on Boiler/Incinerator Unit # 1 on April 5, 2005.	[40 CFR 62.14103(a)(1)]	Satisfied

Activity Number: PEA 060001 Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/25/2006	Closed 3/24/2006	\$2,000.00	\$2,000.00

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2005, you permitted the temperature of Boiler/Incinerator Unit # 3, BOP040002, to drop below its permitted minimum temperature allowable of 1136 degree F. on August 27, 2005.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the third quarter of 2005, you permitted the opacity of emissions from Boiler # 1, BOP04002 to exceed 10% opacity on September 13 and 23, 2005.	[N.J.A.C. 7:27-22.16(e)]	Satisfied

Activity Number: PEA 060002 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/25/2006	Closed 7/18/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2005, you permitted the opacity on Boiler/Incinerator Unit # 3, BOP040002 to exceed 10% opacity on August 23, 2005.  Request that AD be approved.	[40 CFR 62.14103(a)(1)]	Affirmative Defense Approved
During the third quarter of 2005, you permitted the opacity of emissions from Boiler/Incinerator Unit #1, BOP040002 to exceed 10% opacity in a 6-minute block average on August 23 and September 20, 2005.  Recommend that AD be granted! (NOV)	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 3rd quarter of 2005, Boiler # 1 exceeded the maximum demonstrated particulate matter control device temperature as defined in 40CFR Part 60.51b by more than 17 degrees C. (or 31 degrees F), on August 13, 2005.  (The maximum demonstrated particulate matter control device temperature during the last annual dioxin/furan stack test in 2004 was 214 degree F. + 31 degree F = 245 degree F maximum particulate matter control device/ESP temperature.)  Recommend that AD be granted. (NOV)	[40 CFR 62.14104(b)]	Affirmative Defense Approved

Activity Number: PEA 060003 Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/2/2006	Closed 7/13/2006	\$23,400.00	\$23,400.00

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2006, you permitted the opacity of emissions from Boiler/Incinerator Unit # 3, BOP040002, to exceed the permitted maximum opacity emission limit of 10% on January 25, 2006.  (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied

During the first quarter of 2006, you permitted the temperature on Boiler/Incinerator Unit # 3, BOP040002, to drop below the permitted minimum 1-minute temperature allowable of 1136 degree F on January 9, 2006.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you permitted the opacity of emissions from Boiler/Incinerator Unit # 2, BOP040002 to exceed the permitted 6-minute opacity limit of <10% on January 9, and 24, and March 21, 2006. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you permitted the CO emissions from Boiler/Incinerator Unit # 2, BOP040002 to exceed the 4-hour CO permitted limit of 100 ppm on January 9, 2006.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you permitted the oxygen level in the flue gas from Boiler/Incinerator Unit # 2, Permit/Certificate BOP040002, to fall below the permitted 3% O2 limit on 1-9-06. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you permitted the temperature from Boiler/Incinerator Unit 2, Permit/Certificate # BOP040002 to fall below the permitted 1-minute temperature allowable of 1136 degree F on January 9, 2006 between 08:00 to 08:38 hours and on January 25, 2006 between the hours of 21:03 to 21:08 hours. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you exceeded your permitted 6-minute opacity allowable of 10% on Boiler/Incinerator Unit # 1, Permit/Certificate # BOP040002 on January 3, 2006. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 1st quarter of 2006, you permitted the temperature from Boiler/Incinerator # 1, Permit/Certificate # BOP040002 to drop below the permitted minimum operating temperature of 1136 degree F on 1-9-06 between the hours of 08:03 to 08:09 hours. (AONOCAPA)	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 060004 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/2/2006	Closed 7/18/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2006, you permitted the opacity of emissions from Boiler/Incinerator Unit # 3, BOP040002, to exceed the permitted maximum opacity emission limit of 10% on February 20, & 28, 2006. (NOV)	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the first quarter of 2006, you permitted the opacity of emissions from Boiler/Incinerator Unit # 2, BOP040002, to exceed the permitted 6-minute opacity allowable of < 10% on January 27, 2006. (NOV)	[40 CFR 62.14103(a)(1)]	Satisfied
During the first quarter of 2006, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, BOP040002, to exceed the permitted 6-minute opacity limit of <10 % opacity on March 13 & 19, 2006. (NOV)	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 060005 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/6/2006	Closed 7/13/2006	\$2,000.00	\$2,000.00

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2005, you permitted the opacity of emissions to exceed your permitted 10% opacity allowable on Boiler/Incinerator Unit 3 (BOP040002) on November 11, 2005. (Company did not meet 30-day notification requirement for Affirmative Defense - recommend AD be denied) AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2005 you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, BOP040002 to exceed its permitted maximum opacity allowable of 10% on November 11, 2005. No AD requested - AONOCAPA	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2005 you permitted the opacity of emissions to exceed your permitted 10%		

opacity allowable on Boiler/Incinerator Unit # 2 on November 3 & 11, 2005. (AONOCAPA) No AD requested for 11-11-05 opacity exceedance 11-3-05 opacity exceedance - AD requested but denied due to failure to meet 30-day notification requirement.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
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**Activity Number:** PEA 060006 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
6/2/2006	Closed 7/18/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2005, you permitted the opacity of emissions to exceed your permitted 10% opacity allowable on Boiler/Incinerator Unit 3 (BOP040002) on November 12 & 30, 2005. (Recommend Affirmative Defense(s) be approved!) NOV	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the fourth quarter of 2005 you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, BOP040002 to exceed its permitted maximum opacity allowable of 10% on December 7, 2005. AD granted - NOV	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 070001 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
4/16/2007	Closed 7/18/2007	\$1,400.00	\$1,400.00

Description of Non-compliance	Violated Citation	Violation Status
During the 4th Quarter of 2006, you permitted the opacity of emissions to exceed your maximum permitted opacity allowable of 10% opacity over a 6-minute block period on October 3, November 6, and December 15, & 27, 2006 for Boiler/Incinerator Unit # 3, failing to comply with Permit/Certificate # BOP060001, OS1, Reference # 19. AONOCAPA Recommend Denying Affirmative Defense	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 070002 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
4/17/2007	Closed 7/18/2007	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the 4th Quarter of 2006, you permitted the opacity of emissions to exceed your maximum permitted opacity allowable of 10% opacity over a 6-minute block period on October 6, 2006 for Boiler/Incinerator Unit # 2, failing to comply with Permit/Certificate # BOP060001, OS1, Reference # 19. NOV Recommend Granting Affirmative Defense	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 4th Quarter of 2006, you permitted the opacity of emissions to exceed your maximum permitted opacity allowable of 10% opacity over a 6-minute block period on October 14, and November 20, 2006 for Boiler/Incinerator Unit # 3, failing to comply with Permit/Certificate # BOP060001, OS1, Reference # 19. NOV Recommend Granting Affirmative Defense	[N.J.A.C. 7:27-22.16(e)]	Satisfied

**Activity Number:** PEA 080001 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
9/24/2008	Effective 9/24/2008	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator Unit # 2 under Permit/Certificate # BOP040002/BOP060001, to rise above the maximum permitted 6-minute opacity allowable of 10% on June 7, 2006. Recommend AD be granted (NOV)	[N.J.A.C. 7:27-22.16(e)]	Pending
During the second quarter of 2006 you permitted the temperature one second downstream from secondary air injection on Boiler/Incinerator Unit # 2 under Permit/Certificate # BOP040002/BOP060001, to drop below the minimum permitted temperature allowable of 1136 degree F. on June 7, 2006. Recommend AD be granted - NOV	[N.J.A.C. 7:27-22.16(e)]	Pending

During the First Quarter of 2007, you permitted the O2 level to drop below your minimum permitted O2 allowable of 3% O2 over a 5-minute block period on January 6, 2007, for Boiler/Incinerator Unit # 3, thus failing to comply with Permit/Condition # BOP060001, U1, Reference # 64.  Recommend granting AD (NOV)	[N.J.A.C. 7:27-22.16(e)]	Pending
You permitted the opacity of emissions from Boiler/Incinerator Unit #1 under Permit/Certificate # BOP060001 to exceed the maximum allowable permitted opacity allowable of <=10% opacity on July 25, and August 31, 2007.  (NOV)	[N.J.A.C. 7:27-22.16(e)]	Pending
During the Third Quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator # 3, Permit/Certificate # BOP040001 (now superceded by BOP060001) to exceed the maximum permitted opacity allowable of 10% on July 4 & August 31, 2006.  Recommend that AD be granted (NOV)	[N.J.A.C. 7:27-22.16(e)]	Pending
During the 1st Quarter of 2008, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of < or = 10% opacity on March 17, 2008.  NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the 1st Quarter of 2008, you permitted the opacity of emissions from Boiler/Incinerator Unit # 3, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of < or = 10% opacity on March 25, 2008.  NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the 1st Quarter of 2008, you permitted the opacity of emissions from Boiler/Incinerator Unit # 2, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of < or = 10% opacity on March 10, 2008.  NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the 4th quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit #3, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of > or = 10% opacity on November 22, 2007.  AD Approved.	[N.J.A.C. 7:27-22.16(e)]	Pending
During the 4th quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1, Permit/Certificate # BOP060001, to exceed the permitted 6-minute opacity allowable of > or = 10% opacity on December 28, 2007.  AD Approved.	[N.J.A.C. 7:27-22.16(e)]	Pending
During the First Quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1 to exceed the permitted 6-minute opacity allowable of < 10% on January 21, 2007, thus failing to meet the condition of Permit/Certificate # BOP060001, U1, OS3, Reference # 19.  Recommend granting AD. NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the First Quarter of 2007, you permitted the opacity of emissions from Boiler/Incinerator Unit # 1 to exceed the permitted 6-minute opacity allowable of < 10% on January 10, 2007, thus failing to meet the condition of Permit/Certificate # BOP060001, U1, OS1, Reference # 19.  Recommend granting AD. NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the First Quarter of 2007, you permitted the temperature from Boiler/Incinerator Unit # 2 to drop below the minimum 1-minute permitted temperature allowable of 1136 degree F on February 9 & 24, 2007, thus failing to meet the condition of Permit/Certificate # BOP060001, U1, OS Summary, Reference # 61.  Recommend granting AD. NOV	[N.J.A.C. 7:27-22.16(e)]	Pending
During the Third Quarter of 2006 you permitted the opacity of emissions from Boiler/Incinerator # 3, Permit/Certificate # BOP040001 (now superceded by BOP060001) to exceed the maximum permitted opacity allowable of 10% on August 18, 2006.  Recommend that AD be granted. (NOV)	[N.J.A.C. 7:27-22.16(e)]	Pending

**Program Description:** Solid Waste      **Program Interest ID:** 133546  
**Activity Number:** PEA 080001      **Document Type:** NOV  
**Effective Start Date:** 4/21/2008      **Current Document Status and Date:** Effective 4/21/2008      **Penalty Assessed:** N/A      **Received Amount:** N/A

Description of Non-compliance	Violated Citation	Violation Status
Failure to meet any provision in SWF permit. Specifically, facility failed to follow the procedures listed in the "The Approved Operations and Maintenance Manual Volume VII Section 6 Response to Radioactive Waste Detection Alarm" as required by permit item 40 which calls for the incorporation of methods for inspecting incoming loads and the refusal of unacceptable material into the O&M manual.  In particular, on 4-2-2008 a scan of a NY Dept of Sanitation vehicle with a Biron LFM-1 detector indicated radiation was present. According to the O&M Manual a second scan should have been taken with a second stage ASP-1 handheld radiation detector to get a more precise reading. This second reading was not	[N.J.A.C. 7:26-2.8(j)]	Satisfied