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reports by category

reports search

help

Enforcement Actions Issued at Site ID: 14556 Between 1/1/2005 and 2/5/2009

Run At: 02/05/2009 5:16 PM

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/infview/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: COVANTA WARREN ENERGY RESOURCE CO LP
Program Description: Air **Program Interest ID:** 85012
Activity Number: NEA 050001 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
2/28/2005	Closed 3/8/2005	\$0.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
During the Third Quarter of 2001, the concentration of emissions from Unit # 1 Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, exceeded the allowable concentration of SO2 on August 26, 2001.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the Third Quarter of 2000, the temperature of the Unit # 2 Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, was below the minimum required temperature on September 22, 2000.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the Third Quarter of 2000, the concentration of emissions from the Unit # 1 Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, exceeded the maximum allowable concentration of CO on August 6, 2000. Additionally, the temperature of the Unit # 1 Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, was below the minimum required temperature on August 6, 2000.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: NEA 060001 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
11/3/2006	Closed 2/23/2007	\$15,000.00	\$30,000.00

Description of Non-compliance	Violated Citation	Violation Status
During the Second Quarter of 2002, the concentration of hourly Carbon Monoxide and the 4-Day rolling average of Carbon Monoxide on Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, exceeded the allowable emission limit on April 28 and 29, 2003. Additionally, during the Second Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, failed to meet the minimum required temperature on April 28 & 29, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the Second Quarter of 2002, the concentration of hourly Carbon Monoxide and the 4-Day rolling average of Carbon Monoxide on Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, exceeded the allowable emission limit on April 28 and 29, 2003. Additionally, during the Second	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, failed to meet the minimum required temperature on April 28 & 29, 2003.

Activity Number: NEA 080001 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
2/5/2009	Effective 2/5/2009	\$900.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2003, the temperature at the superheater inlet of Unit #1, Permit/Certificate PCP960004, dropped below 765 degrees F on April 28 from 8:14 am to 8:25 am and from 8:26 am through 9:46 am.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: NEA 080002 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
2/5/2009	Effective 2/5/2009	\$300.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #2 while the opacity exceeded 10% on August 6, 2003. Permit condition B.3. requires that opacity be 10% or less.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the fourth quarter of 2003, the failed to meet the minimum temperature requirement of 865 degrees F on unit #2, Permit/Certificate #PCP960004 on December 11, 2003. No AD requested.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the fourth quarter of 2003, the % Opacity, from unit #2, Permit/Certificate PCP960004, exceeded the maximum allowable Opacity of 10% December 8, 2003. AD Denied	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: NEA 090001 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
2/5/2009	Effective 2/5/2009	\$1,100.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of your operating permit BOP060001 and BOP070001 by exceeding the maximum steam production limit on April 12, May 16, and May 21, 2007.	[N.J.A.C. 7:27-22.16(a)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario Summary Reference #30 by operating the municipal solid waste combustors at a maximum steam production of greater than 225,896 pounds of steam in a four hour block period on August 20, 2006 and 2400 hours.	[N.J.A.C. 7:27-22.16(a)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 by operating the municipal solid waste combustor #1 while exceeding your maximum 4 hour steam production limit. On January 11, 2006 you produced 226,078 pounds of steam in a discrete four hour block period.	[N.J.A.C. 7:27-22.16(a)]	Satisfied
During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the concentration of emissions of CO exceeded your permitted maximum 1-hr. CO allowable of 400 ppmc on January 16, 2004 between the hours of 1:00 to 2:00 AM. Permit condition A.5.b. states that for any block 1-hour period the average concentration of CO in the stack gas shall not exceed 400 ppmc.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the temperature of the unit was below 865 Degrees F with no Auxiliary Burners on January 22, 2004. Permit condition B.1.d. required that the Auxiliary Burners be operated when the temperature is below 865 degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: NEA 090002 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
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Description of Non-compliance	Violated Citation	Violation Status
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the temperature was below the minimum temperature requirements on August 15 and September 8. Permit condition B.1. requires that the temperature be maintained above 765 Degrees F with burners or 865 Degrees F without burners.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the one hour CO concentration exceeded 400 ppmvd @ 7% O2 on August 15. Permit condition A.5.b. requires that the one hour CO concentrations be less than 400 ppmvd @ 7% O2.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the temperature was below the minimum temperature requirements on August 15 and September 8. Permit condition B.1. requires that the temperature be maintained above 765 Degrees F with burners or 865 Degrees F without burners.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the one hour CO concentration exceeded 400 ppmvd @ 7% O2 on August 15. Permit condition A.5.b. requires that the one hour CO concentrations be less than 400 ppmvd @ 7% O2.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the fourth quarter of 2004, the temperature of emission unit U1 combustor #2, operating permit BOP990001, failed to meet the minimum temperature without burners of 865 degrees F on October 22 from 1:34 pm to 1:35 pm and on November 24 from 1:10 pm to 1:13 pm..	[N.J.A.C. 7:27-22.16(e)]	Satisfied

Activity Number: NEA 090006 **Document Type:** Settlement Agreement

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
2/5/2009	Effective 2/5/2009	\$100.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of your operating permit BOP040001 by allowing the temperature to operate under the permit allowable on July 8 & 31, 2005 August 15 & 31, 2005 and September 2, 3, 4 & 19 for Unit # 1 and July 5 & 27, 2005 and August 3, 2005 for Unit # 2.	[N.J.A.C. 7:27-22.16(a)]	Affirmative Defense Approved

Activity Number: PEA 040001 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
8/28/2006	Superseded 11/3/2006	\$20,000.00	\$0.00

Description of Non-compliance	Violated Citation	Violation Status
During the Second Quarter of 2002, the concentration of hourly Carbon Monoxide and the 4-Day rolling average of Carbon Monoxide on Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, exceeded the allowable emission limit on April 28 and 29, 2003. Additionally, during the Second Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, failed to meet the minimum required temperature on April 28 & 29, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the Second Quarter of 2002, the concentration of hourly Carbon Monoxide and the 4-Day rolling average of Carbon Monoxide on Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, exceeded the allowable emission limit on April 28 and 29, 2003. Additionally, during the Second Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, failed to meet the minimum required temperature on April 28 & 29, 2003.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: PEA 040002 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
8/28/2006	Closed 8/28/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the Second Quarter of 2002, temperature of Unit # 2, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004, failed to meet the minimum required temperature on June 21, 2002.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: PEA 040003 **Document Type:** AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount

9/1/2006 Closed 2/23/2007 \$4,000.00 \$4,000.00

Description of Non-compliance	Violated Citation	Violation Status
During the Fourth Quarter of 2002, the concentration of hourly Carbon Monoxide on Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004 exceeded the allowable emission limit on December 19, 2002. Additionally, during the Fourth Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004 failed to meet the minimum required temperature on December 19, 2002 (from 6:48 PM to 7:43 PM).	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

Activity Number: PEA 040004 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
9/1/2006	Closed 9/2/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the Fourth Quarter of 2002, the concentration of hourly Carbon Monoxide on Unit #2, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP960004 exceeded the allowable emission limit on October 26, 2002. Additionally, during the Fourth Quarter of 2002, the temperature of Unit # 2, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP 960004 failed to meet the minimum required temperature on October 26, 2002. Both of these excursions are recommended to be granted Affirmative Defense.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied

During the Fourth Quarter of 2002, the temperature of Unit # 1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP 960004 failed to meet the minimum required temperature on October 26, 2002, November 19, 2002, and December 19, 2002 (from 5:31 PM to 6:47 PM). These temperature events are recommended to be granted Affirmative Defense.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
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Activity Number: PEA 050001 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
9/15/2006	Closed 9/21/2006	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
On August 21, 2004, you caused the release of air contaminants, smoke and odors, in a quantity or concentration which posed a potential threat to the public health, welfare or the environment or may have reasonably resulted in citizen complaints and failed to notify the Department immediately.	[N.J.S.A. 26:2C.19.e]	Satisfied

Activity Number: PEA 060001 Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
9/1/2006	Closed 2/23/2007	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of Operating Permit BOP990001. U1 OS Summary Ref #26 requires that the maximum fuel oil usage be less than 8,400 gallons per year total for both boilers. The boilers exceeded this limit by burning 35,790 gallons of oil between September 15, 2004 and December 14, 2004.	[N.J.A.C. 7:27-22.16(a)]	Satisfied

You failed to fulfill all conditions and provisions of Operating Permit BOP990001. U1 OS Summary Ref #27 requires that the total production rate be less than 1,356 Mlbs. per day. Unit #1 exceeded this limit on October 3, 2004, October 4, 2004 and October 29, 2004.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
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You failed to fulfill all conditions and provisions of Operating Permit BOP990001. U1 OS Summary Ref #27 requires that the total production rate be less than 1,356 Mlbs. per day. Unit #2 exceeded this limit on November 11, 2004.		
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During the third quarter of 2002, the temperature of Unit #2, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0489, PCP 960004 failed to meet the minimum required temperature from 7:41 PM on August 2, 2002 through 5:33 AM on August 3, 2002. These temperature events are recommended to be granted Affirmative Defense.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
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During the third quarter of 2002, the temperature of Unit #1, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0498, PCP 960004 failed to meet the minimum required temperature from 7:37 PM on August 2, 2002 through 12:07 AM on August 3, 2002. These temperature events are recommended to be granted Affirmative Defense.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
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Activity Number: PEA 060002 Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
11/17/2006	Closed 2/23/2007	N/A	N/A

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Description of Non-compliance	Violated Citation	Violation Status
During the third quarter 2002, You failed to fulfill all conditions and provisions of Permit/Certificate Log # 01-95-0489, PCP 960004, by operating Unit #1, Resource Recovery Boiler without the use of continuous emission monitor(s) and recorder(s) for SO2 at the inlet as required by Condition E.1.a..	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
During the third quarter of 2002, the concentration of hourly Carbon Monoxide on Unit #2, Resource Recovery Boiler, Permit/Certificate Log # 01-95-0498, PCP 960004 exceeded the allowable emission limit from 11:00 PM on August 2, 2002 through 6:00 AM on August 3, 2002.	[N.J.A.C. 7:27- 8.3(e)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 by operating municipal solid waste combustor #2 while the carbon mass feed rate was less than required on February 21 and 22, and June 30, 2006.	[40 CFR 62.15145(c)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 by operating municipal solid waste combustor #1 while the carbon mass feed rate was less than required on January 6, and 19, and February 5, 6, and 15, 2006.	[40 CFR 62.15145(c)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 by operating the municipal solid waste combustor #1 while exceeding your maximum 4 hour steam production limit. On January 11, 2006 you produced 226,078 pounds of steam in a discrete four hour block period.	[N.J.A.C. 7:27-22.16(a)]	Satisfied

Activity Number: PEA 060003 Document Type: AONOCAPA

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/5/2007	Closed 2/23/2007	\$4,000.00	\$4,000.00

Description of Non-compliance	Violated Citation	Violation Status
The Department has determined that as a result of stack emission tests conducted on February 21, 2006, you operated Solid Waste Combustor #2 while emissions to the outdoor atmosphere exceeded the standards stated on Operating Permit BOP050002 as follows: Emission Rates (lbs/hr) Contaminant Run #1 Run #2 Run #3 Allowable Emission Rate Sulfuric Acid Mist 1.76 1.72 0.141 0.23 lbs/hr.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
The Department has determined that as a result of stack emission tests conducted on February 14, 2006, you operated Solid Waste Combustor #1 while emissions to the outdoor atmosphere exceeded the standards stated on Operating Permit BOP050002 as follows: Emission Rates (lbs/hr) Contaminant Run #1 Run #2 Run #3 Allowable Emission Rate Sulfuric Acid Mist 0.717 1.95 2.25 0.23 lbs/hr.	[N.J.A.C. 7:27-22.16(e)]	Satisfied

Activity Number: PEA 070001 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
4/30/2007	Closed 5/1/2007	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario #2 Reference #47 by operating the municipal solid waste combustor on July 4, July 10 and October 26, 2006 while the 8 hour carbon feed was less than the level established during performance tests for mercury and dioxin/furan emissions.	[40 CFR 62.15145(c)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario #3 Reference #46 by operating the municipal solid waste combustor while the temperature at the particulate control device exceeded the maximum demonstrated particulate matter control device temperature as defined in 40 CFR 60.51b by more than 17 degrees Celsius on July 13, 2006 at 5:00 am.	[40 CFR 62.15145(b)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario #1 Reference #47 by operating the municipal solid waste combustor on July 4, July 10 and October 26, 2006 while the 8 hour carbon feed was less than the level established during performance tests for mercury and dioxin/furan emissions.	[40 CFR 62.15145(c)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario #1 Reference #46 by operating the municipal solid waste combustor while the temperature at the particulate control device exceeded the maximum demonstrated particulate matter control device temperature as defined in 40 CFR 60.51b by more than 17 degrees Celsius on July 13, 2006 at 5:00 am.	[40 CFR 62.15145(b)]	Satisfied
You failed to fulfill all conditions and provisions of your operating permit BOP050002 Emission Unit U1 Operating Scenario Summary Reference #30 by operating the municipal solid waste combustors at a maximum		

steam production of greater than 225,896 pounds of steam in a four hour block period on August 20, 2006 and 2400 hours.	[N.J.A.C. 7:27-22.16(a)]	Satisfied
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Activity Number: PEA 080001 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
12/23/2008	Closed 12/30/2008	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of your operating permit BOP070001 by not meeting the minimum carbon mass feed rate for Unit #2 on May 22, 2008 as required by U46 OS1 Ref# 46.	[40 CFR 62.14103(c)]	Affirmative Defense Approved
During the second quarter of 2003, the concentration of emissions of carbon monoxide from the Unit #1, Permit/Certificate PCP960004, exceeded the maximum allowable concentration of 400 ppm @ 7% oxygen on April 9. During the second quarter of 2003, the concentration of emissions of carbon monoxide from the Unit #1, Permit/Certificate PCP960004, exceeded the maximum allowable concentration of 100 ppm @ 7% oxygen on April 9 through April 13 and June 21 through June 23. During the second quarter of 2003, the temperature at the superheater inlet of Unit #1, Permit/Certificate PCP960004, dropped below 765 degrees F on April 12, April 26, June 14, and June 19. During the second quarter of 2003, the temperature at the superheater inlet of Unit #2, Permit/Certificate PCP960004, dropped below 765 degrees F on June 8, June 14, June 19, and June 22. During the second quarter of 2003, the Opacity from Unit #2, Permit/Certificate PCP960004, exceeded 10% on June 21.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved

Activity Number: PEA 080002 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2003, you operated unit #1 PCP960004 while the temperature of the unit was below the permit requirements on December 8, 2003. Permit condition B.1. sets temperature limits. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2003, you operated unit #1 PCP960004 while the one hour CO concentration exceeded 400 ppm at 7% oxygen December 8, 2003. Permit condition A.5.b. requires that CO concentrations be less than 400 ppm at 7% oxygen. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2003, the failed to meet the minimum temperature requirement of 865 degrees F on unit #2, Permit/Certificate #PCP960004 on December 8, 2003. AD Granted.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2003, the 4 day concentration of emissions of Carbon Monoxide, from unit #2, Permit/Certificate PCP960004, exceeded the maximum allowable concentration of 100 ppm at 7% oxygen on December 8, 2003 and December 12, 2003. AD Granted During the fourth quarter of 2003, the 1 hour concentration of emissions of Carbon Monoxide, from unit #2, Permit/Certificate PCP960004, exceeded the maximum allowable concentration of 400 ppm at 7% oxygen on October 29, 2003. AD Granted	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
You failed to fulfill all conditions and provisions of your operating permit BOP060001 by operating emission unit U1 unit #2 while the exceeding the maximum inlet temperature to the baghouse on March 14, 2007.	[40 CFR 60.59b(d)]	Affirmative Defense Approved

Activity Number: PEA 090001 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2008, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, operating permit BOP070001, exceeded the maximum allowable concentration of 100 ppm on February 10 from 12:00 pm to 4:00 pm and on March 24 from 8:00 am to 12:00 pm. AD GRANTED	[40 CFR 62.14104(a)]	Affirmative Defense Approved

During the second quarter of 2004, the minimum temperature of the equipment E401 Combuster #1, Permit/Certificate PCP960004, failed to meet the minimum temperature without burners of 865 degrees F on June 6, June 20, and June 21. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
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Activity Number: PEA 090002 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, operating permit BOP070001, exceeded the maximum allowable concentration of 100 ppm on October 29 from 4:00 am to 8:00 am. AD GRANTED	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #1 while the temperature of the unit was below 765 degrees F on July 27, and August 14, 2003. Permit condition B.1.a. requires the temperature to be above 765 degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #1 while the temperature of the unit was below 865 degrees F with no auxiliary burners in operation on July 15, July 27, and August 15, 2003. Permit condition B.1.d. requires that auxiliary burners be operated when the temperature is below 865 degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #2 while the four day CO average concentration exceeded 100 ppm at 7% oxygen from July 15 through 19, 2003, from August 15 through August 18, 2003, and from September 10 through 13, 2003. Permit condition A.5.c. requires that the four day rolling CO concentration be less than 100 ppm at 7% oxygen. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #2 while the one hour CO concentration exceeded 400 ppm at 7% oxygen July 15, July 27, August 14, September 4, September 9, and September 10, 2003. Permit condition A.5.b. requires that the one hour CO concentrations be less than 400 ppm at 7% oxygen. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter of 2003, you failed to fulfill all conditions and provisions of Permit/Certificate PCP960004 by operating unit #2 while the temperature of the unit was below 765 Degrees F on July 15, July 23, July 27, August 14, September 4, September 9 and September 10, 2003. Permit condition B.1.a. requires that the temperature be maintained above 765 degrees F. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved

Activity Number: PEA 090003 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP070001, exceeded the maximum allowable concentration of 100 ppm on July 1 from 4:00 pm to 11:59 pm; and on July 3 from 3:00 am to 5:00 am. AD GRANTED	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the third quarter of 2007, the one hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP070001, exceeded the maximum allowable concentration of 400 ppm on July 1 from 10:00 pm to 11:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2007, the concentration of emissions of oxygen from the emission unit U1 Combuster #1, Operating Permit BOP070001, the minimum allowable oxygen concentration of 3.0% on July 1 from 10:05 pm to 10:10 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2007, the temperature of the emission unit U1 Combuster #1, Operating Permit BOP070001, failed to meet the minimum operating temperature without burners of 865 degrees F on July 1 from 6:41 pm to 6:48 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the concentration of emissions of CO exceeded your permitted maximum 4-Day CO allowable of 100 ppmc beginning on January 16, 2004 at 2:00 AM and ending on January 20, 2004 at 2:00 AM. Permit condition A.5.c. states that the 4-Day moving concentration of CO in the stack gas as calculated by rolling 1-hour black average CO concentrations beginning and ending on the hour shall not exceed 100 ppmc.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved

NOV AD Granted During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the concentration of emissions of CO exceeded your permitted maximum 1-hr. CO allowable of 400 ppmc on January 16, 2004 between the hours of 12:00 AM to 1:00 AM and January 26, 2004 between the hours of 2:00 AM to 3:00 AM and 3:00 AM to 4:00 AM. Permit condition A.5.b. states that for any block 1-hour period the average concentration of CO in the stack gas shall not exceed 400 ppmc.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
NOV AD Granted During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the temperature of the unit was below 765 Degrees F on January 16 & 26, 2004. Permit condition B.1.a. requires the temperature to be above 765 degree F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
NOV ADs Granted During the first quarter of 2004, you operated Boiler Unit # 2 (Permit/Certificate # PCP960004), while the temperature of the unit was below 865 Degrees F with no Auxiliary Burners on January 16, 2004. Permit condition B.1.d. required that the Auxiliary Burners be operated when the temperature is below 865 degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
NOV AD Granted During the first quarter of 2004, your operated Boiler Unit # 1 (Permit/Certificate # PCP960004) while the temperature of the unit was below 765 Degrees F. on January 25 & 26, 2004. Permit condition B.1.a. requires the temperature of the boiler to be above 765 Degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
AD Granted During the first quarter of 2004, you operated Boiler Unit # 1 (Permit/Certificate # BOP960004), while the temperature of the unit was below 865 Degrees F with no Auxiliary Burners on January 26, 2004. Permit condition B.1.d. requires that the Auxiliary Burners be operated when the temperature to the boiler is below 865 degrees F.	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
AD granted.		

Activity Number: PEA 090004 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/20/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2007, the concentration of emissions of sulfur dioxide from the emission unit U1 Combuster #2, operating permit BOP070001, exceeded the maximum allowable concentration of 50 ppm on August 27 from 3:00 pm to 6:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2007, the temperature of the emission unit U1 Combuster #2, Operating Permit BOP070001, failed to meet the minimum operating temperature without burners of 865 degrees F on July 1 from 4:10 pm to 8:33 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090005 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/20/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2007, the four hour concentration of emissions of carbon monoxide from emission unit U1 Combuster #1, Operating Permit BOP060001, exceeded the maximum allowable concentration of 100 ppm on April 18 from 8:00 am to 12:00 pm. During the second quarter of 2007, the four hour concentration of emissions of carbon monoxide from emission unit U1 Combuster #1, Operating Permit BOP070001, exceeded the maximum allowable concentration of 100 ppm on May 4 from 3:00 pm to 4:00 pm and on June 18 from 12:00 am to 4:00 am. AD GRANTED	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the second quarter of 2007, the one hour concentration of emissions of carbon monoxide from emission unit U1 Combuster #1, Operating Permit BOP070001, exceeded the maximum allowable concentration of 400 ppm on May 4 from 03:00 pm to 04:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2007, the temperature of emission unit U1 Combuster #1, Operating Permit BOP070001, did not meet the minimum operating temperature with burners of 865 degrees F on May 2 from 9:53 am to 9:58 am and from 10:01 to 10:02 & on May 4 from 14:40 to 15:15. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, operating permit BOP060001, exceeded the maximum allowable concentration of 100 ppm on April 5 from 12:00 pm to 4:00 pm; on April 8 from 8:00 pm to 11:59 pm; on April 14 from 8:00 am to 12:00 pm; and on April 18 from 8:00 am to 4:00 pm. During the second quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, operating permit BOP070001, exceeded the maximum allowable	[40 CFR 62.14104(a)]	Affirmative Defense Approved

concentration of 100 ppm on June 18 from 12:00 am to 4:00 am.		
AD GRANTED		
During the second quarter of 2007, the temperature of emission unit U1 Combustor #2, operating permit BOP060001, failed to meet the minimum temperature with burners of 865 degrees F on April 8 from 11:25 pm to 11:39 pm.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
AD Granted		

Activity Number: PEA 090006 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2006, the four hour average concentration of emissions of carbon monoxide from emission unit U1 Combustor #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on October 5 from 12:00 am to 3:59 am and on November 23 from 8:00 pm to 11:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the one hour average concentration of emissions of carbon monoxide from emission unit U1 Combustor #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm from October 4 at 10:00 pm to October 5 at 2:59 am. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the temperature of the emission unit U1 Combustor #2, Operating Permit BOP050002, failed to meet the minimum operating temperature without burners of 865 degrees F from October 4 at 10:19 pm to October 5 at 3:40 am. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the four day average concentration of emissions of carbon monoxide from emission unit U1 Combustor #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm from October 4 at 8:00 pm till October 8 at 7:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the concentration of emissions of sulfur dioxide from emission unit U1 Combustor #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on November 7 from 3:00 pm to 5:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on October 4 from 8:00 pm to October 5 at 3:59 am; and on December 26 from 8:00 pm to 11:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the one hour average concentration of emissions of carbon monoxide from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm on October 5 from 12:00 am to 1:59 am. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the temperature of the emission unit U1 Combustor #1, Operating Permit BOP050002, failed to meet the minimum operating temperature without burners of 865 degrees F on October 4 from 10:20 pm to 11:31 pm; on October 5 from 12:51 am to 2:14 am; on October 22 from 12:53 pm to 1:13 pm; on December 26 from 9:41 pm to 10:13 pm; and on December 27 from 7:36 am to 8:06 am. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2006, the opacity from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable opacity level of 10% on October 4 from 10:24 pm to 11:59 pm, on October 5 from 12:00 am to 2:48 am, and on December 13 from 8:06 pm to 8:12 pm. AD GRANTED	[40 CFR 62.15160]	Affirmative Defense Approved
During the fourth quarter of 2006, the concentration of emissions of sulfur dioxide from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on October 5 from 2:00 am to 3:59 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090007 **Document Type:** NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/20/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter of 2006, the 1 hour concentration of emissions of carbon monoxide from the emission		Affirmative

unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm on July 12 from 4:00 pm to 6:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Defense Approved
During the third quarter of 2006, the 4 hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on July 12 from 12:00 pm to 7:59 pm; and on September 16 from 4:00 am till 5:59 pm. AD GRANTED	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the third quarter of 2006, the 4 day average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm from July 12 at 7:00 pm till July 16 at 5:59 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the concentration of emissions of SO2 from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on July 12 from 6:00 pm to 9:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the temperature of emission unit U1 Combuster #2, Operating Permit BOP050002, did not meet the minimum temperature without burners of 865 degrees F on July 12 from 1:23 pm to 7:55 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the 1 hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm on July 4 from 3:00 am to 4:59 am; on July 4 from 7:00 am to 12:59 am; on July 12 from 2:00 pm to 3:59 pm; on July 12 from 6:00 pm to 11:59 pm; and on September 16 from 6:00 am to 7:59 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the 4 hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on July 4 from 12:00 am to 12:59 pm; on July 12 from 12:00 pm to 11:59 pm; on August 29 from 4:00 am to 11:59 am; and on September 16 from 4:00 am to 7:59 am. AD GRANTED	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the third quarter of 2006, the 4 day average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on July 4 from 10:00 am to 10:59 am; and from 8:00 pm on July 12 till 9:59 pm on July 16. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the concentration of emissions of SO2 from the emission unit U1 Combuster #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on July 12 from 10:00 pm until July 13 at 12:59 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the third quarter of 2006, the temperature of the emission unit U1 Combuster #1, Operating Permit BOP050002, did not meet the minimum operating temperature without burners of 865 degrees F on July 4 from 7:26 am to 1:10 pm; on July 12 from 1:22 pm till July 13 at 1:08 am; on July 13 from 3:31 am to 4:28 am; on September 16 from 5:52 am to 7:47 am; and on September 18 from 7:26 pm to 8:10 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090008 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the 1st quarter of 2005, the 6 minute average opacity of emissions from Unit #2, Operating Permit BOP990001, exceeded the maximum allowable opacity of 10% on January 19, 2005 and March 24, 2005.	[40 CFR 62.14103(a)]	Affirmative Defense Approved
During the 1st quarter of 2005, the 4 day average concentration of emissions of CO from Unit #1, Operating Permit BOP990001, exceeded the maximum allowable concentration of 100 ppmvd @ 7% O2 on January 4, 2005, February 13, 2005 and March 24, 2005.	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the 1st quarter of 2005, the 1 hour average concentration of emissions of CO from Unit #2, Operating Permit BOP990001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on January 4, 2005, January 18, 2005, January 25 2005, February 13, 2005 and March 24, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 1st quarter of 2005, the 3 hour average concentration of emissions of SO2 from Unit #2, Operating Permit BOP990001, exceeded the maximum allowable concentration of 50 ppmvd @ 7% O2 on February 13, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

During the 1st quarter of 2005, the 4 day average concentration of emissions of CO from Unit #1, Operating Permit BOP990001, exceeded the maximum allowable concentration of 100 ppmvd @ 7% O2 on January 3, 2005 and March 24, 2005.	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the 1st quarter of 2005, the 1 hour average concentration of emissions of CO from Unit #1, Operating Permit BOP990001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on January 3, 2005 and March 24, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 1st quarter of 2005, the 3 hour average concentration of emissions of SO2 from Unit #1, Operating Permit BOP990001, exceeded the maximum allowable concentration of 50 ppmvd @ 7% O2 on January 3, 2008.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 1st quarter of 2005, you failed to fulfill all conditions and provisions of Operating Permit BOP990001 by allowing the temperature to fall below the minimum permit allowable on January 3, 2005 and March 24, 2005 for Unit #1, and on January 4, 2005, January 19, 2005, February 13, 2005 and March 24, 2005 for Unit #2.	[N.J.A.C. 7:27-22.16(a)]	Affirmative Defense Approved

Activity Number: PEA 090009 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/22/2009	Closed 1/23/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2007, the 4 day average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP060001, exceeded the maximum allowable concentration of 50 ppm from March 14 at 10:00 am to March 18 at 12:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050003, exceeded the maximum allowable concentration of 100 ppm on January 25 from 4:00 pm to 8:00 pm. During the first quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP060001, exceeded the maximum allowable concentration of 100 ppm on February 23 from 4:00 pm to 8:00 pm; and on February 27 from 12:00 pm to 4:00 pm. AD GRANTED	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the first quarter of 2007, the one hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP060001, exceeded the maximum allowable concentration of 400 ppm on March 14 from 9:00 am to 1:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2007, the temperature of the emission unit U1 Combuster #2, Operating Permit BOP060001, did not meet the minimum operating temperature without burners of 865 degrees F on March 14 from 8:59 am to 1:19 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on January 5 from 8:00 am to 12:00 pm and on January 11 from 8:00 pm to 11:59 pm. During the first quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP050003, exceeded the maximum allowable concentration of 100 ppm on January 12 from 8:00 am to 12:00 pm. During the first quarter of 2007, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP060001, exceeded the maximum allowable concentration of 100 ppm on March 2 from 8:00 pm to 11:59 pm and on March 14 from 8:00 am to 12:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the first quarter of 2007, the one hour average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #1, Operating Permit BOP060001, exceeded the maximum allowable concentration of 400 ppm on March 2 from 8:00 pm to 9:00 pm and on March 14 from 8:00 am to 12:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2007, the temperature of the emission unit U1 Combuster #1, Operating Permit BOP060001, did not meet the minimum operating temperature without burners of 865 degrees F on March 14 from 7:54 am to 10:00 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090010 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
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1/22/2009 Closed 1/23/2009 N/A N/A

Description of Non-compliance	Violated Citation	Violation Status
During the 4th quarter of 2005, the concentration of emissions of CO from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 100 ppmvd @ 7% O2 on December 19, 2005.	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the 4th quarter of 2005, the concentration of emissions of CO from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on October 11 & 22, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 4th quarter of 2005, the concentration of emissions of CO from Unit #1, Operating permit BOP040001, exceeded the maximum allowable concentration of 100 ppmvd @ 7% O2 on November 6, 19 & 28, 2005 and December 10, 13, 15, 16,18 & 25, 2005.	[40 CFR 62.14104(a)]	Affirmative Defense Approved
During the 4th quarter of 2005, the concentration of emissions of CO from Unit #1, Operating permit BOP040001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on December 18, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090011 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the 3rd quarter of 2005, the opacity of emissions from Unit #2, Operating permit BOP040001, exceeded the maximum allowable opacity of 10% on July 27, 2005.	[40 CFR 62.14103(a)]	Affirmative Defense Approved
During the 3rd quarter of 2005, the concentration of emissions of CO from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on August 21 & 31, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 3rd quarter of 2005, the concentration of emissions of SO2 from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 50 ppmvd @ 7% O2 on August 4 & 21, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090012 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the 2nd quarter of 2005, the concentration of emissions of CO from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 100 ppmvd @ 7% O2 on May 25, 2005.	[40 CFR 62.14104(a)]	Satisfied
During the 2nd quarter of 2005, the concentration of emissions of CO from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on April 23, 2005, May 25, 2005 and June 6, 2005.	[N.J.A.C. 7:27-22.16(e)]	Satisfied
During the 2nd quarter of 2005, the concentration of emissions of SO2 from Unit #2, Operating permit BOP040001, exceeded the maximum allowable concentration of 50 ppmvd @ 7% O2 on May 25, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the 2nd quarter of 2005, the concentration of emissions of CO from Unit #1, Operating permit BOP040001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on June 12-13, 2005.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

You failed to fulfill all conditions and provisions of your operating permit BOP040001 by allowing the temperature to operate under the permit allowable on April 14 & 22, 2005, and June 5, 12 & 13, 2005 for Unit #1 and April 23, 2005, May 1 & 25, 2005, and June 6 & 16, 2005 for Unit #2.	[N.J.A.C. 7:27-22.16(a)]	Affirmative Defense Approved
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Activity Number: PEA 090013 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the fourth quarter of 2004, the temperature of emission unit U1 combustor #2, operating permit BOP990001, failed to meet the minimum temperature without burners of 865 degrees F on November 30. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the four hour average concentration of emissions of carbon monoxide from the emission unit U1 combustor #2, operating permit BOP990001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on November 30. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the three hour average concentration of emissions of NOx from the emission unit U1 combustor #2, operating permit BOP990001, exceeded the maximum allowable concentration of 300 ppmvd @ 7% O2 on November 30. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the three hour average concentration of emissions of SO2 from the emission unit U1 combustor #2, operating permit BOP990001, exceeded the maximum allowable concentration of 50 ppmvd @ 7% O2 on November 30. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the opacity from emission unit U1 combustor #2, operating permit BOP990001, exceeded the maximum opacity limit of 10% on November 30. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the one hour concentration of emissions of carbon monoxide from the emission unit U1 combustor #1, operating permit BOP990001, exceeded the maximum allowable concentration of 400 ppmvd @ 7% O2 on November 30. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the fourth quarter of 2004, the temperature of emission unit U1 combustor #1, Operating Permit BOP990001, failed to meet the minimum temperature without burners of 865 degrees F on October 6 and November 11. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090014 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the second quarter of 2006, the concentration of emissions of SO2 from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on April 23 from 12:00 am to 12: 59 am; on June 10 from 1:00 am to 6:59 am; and on June 12 from 6:00 am to 2:00 pm. AD GRANTED	[N.J.A.C. 7:27-22.3(e)]	Affirmative Defense Approved
During the second quarter of 2006, the 1 hour concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm on June 9 from 8:00 pm to June 10 at 3:59 am; on June 10 from 10:00 am to 10:59 am; and on June 12 from 3:00 am to 11:00 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the average 4 hour concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on May 29 from 4:00 pm to 7:59 pm; on May 30 from 4:00 pm to 7:59 pm; on June 9 from 8:00 pm to 11:59 am on June 10; and on June 12 from 12:00 am to 11:59 am. AD GRANTED	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the second quarter of 2006, the 4 day average concentration of emissions of carbon monoxide from the emission unit U1 Combuster #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm from 12:00 am on June 10 till 3:00 am on June 17. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the temperature of the emission unit U1 Combuster #2, Operating Permit		

BOP050002, failed to meet the minimum required temperature without burners of 865 degrees F on May 12 from 12:45 am to 1:37 am; on May 29 from 6:15 pm to 6:30 pm; on May 30 from 5:15 pm to 7:31 pm; on June 9 from 8:01 pm to 8:49 pm; and on June 12 from 3:25 am to 11:50 am. AD GRANTED	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the 1 hour average concentration of emissions of Carbon Monoxide from the emission unit U1 combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 400 ppm on May 12 from 1 am to 1:59 am; on May 29 from 4 pm to May 30 at 12:59 am; on May 30 from 6 pm to 6:59 pm; and on June 9 from 9 pm to 7:59 am on June 10.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the 4 hour average concentration of emissions of Carbon Monoxide from the emission unit U1 combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on April 11 from 12 am till 6:32 am; on May 29 from 4 pm till May 30 at 3:59 am; on May 30 from 4 pm till 7:59 pm; on June 9 from 8 pm till June 10 at 7:59 am; and on June 17 from 12 am till 3:59 pm.	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the second quarter of 2006, the 4 day average concentration of emissions of Carbon Monoxide from the emission unit U1 combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm from May 29 at 7 pm till June 2 at 11:00 pm and from June 10 at 12:00 am till June 14 at 11:00 am.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the 3 hour average concentration of emissions of SO2 from the emission unit U1 combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 50 ppm on June 10 from 1:00 am to 10:59 am.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the second quarter of 2006, the temperature of emission unit 1 combust #1, Operating Permit BOP050002, failed to meet the minimum operating temperature without burners of 865 degrees F on May 12 from 1:27 am to 2:40 am; on May 29 from 4:04 pm to May 30 12:50 am; on May 30 from 5 pm to 6:22 pm, and on June 9 from 7:58 pm to 8:39 pm.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090015 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the first quarter of 2006, the concentration of emissions of Carbon Monoxide from the emission unit U1 Combustor #2, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on January 4, 2006 from 12:00 am to 8:00 am, on January 14, 2006 from 12:00 pm to 4:00 pm, on February 1, 2006 from 12:00 pm to 2:00 pm, and on February 28, 2006 from 4:00 pm to 8:00 pm.	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the first quarter of 2006, the temperature of the emission unit 1 Combustor #2, Operating Permit BOP050002, failed to meet the minimum temperature without burners of 865 degrees F on February 28 from 6:06 pm to 7:58 pm.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved
During the first quarter of 2006, the concentration of emissions of Carbon Monoxide from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on January 4, 2006 from 4:00 am to 8:00 am on January 14, 2006 from 12:00 pm to 4:00 pm and on February 19, 2006 from 8:00 pm until February 20, 2006 4:00 am.	[40 CFR 62.15160(a)(3)]	Affirmative Defense Approved
During the first quarter of 2006, the concentration of emissions of Carbon Monoxide from the emission unit U1 Combustor #1, Operating Permit BOP050002, exceeded the maximum allowable concentration of 100 ppm on January 19, 2006.	[N.J.A.C. 7:27-22.16(e)]	Affirmative Defense Approved

Activity Number: PEA 090016 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the three hour SO2 concentration exceeded 50 ppmvd @ 7% O2 on August 13. Permit condition A.2.a. requires that the three hour SO2 concentrations be less than 50 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the temperature was below the minimum temperature requirements on August 12. Permit condition B.1. requires that the temperature be maintained above 765 Degrees F with burners or 865 Degrees F without burners. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the one hour CO concentration exceeded 400 ppmvd @ 7% O2 on August		Affirmative

13. Permit condition A.5.b. requires that the one hour CO concentrations be less than 400 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #2 while the four day CO average concentration exceeded 100 ppmvd @ 7% O2 from August 13 through 17. Permit condition A.5.c. requires that the four day CO concentrations be less than 100 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while three hour NOx concentration exceeded 300 ppmvd @ 7% O2 on August 13 and 21. Permit condition A.6.b. requires that the three hour NOx concentrations be less than 300 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the three hour SO2 concentration exceeded 50 ppmvd @ 7% O2 on August 13. Permit condition A.2.a. requires that the three hour SO2 concentrations be less than 50 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the four day CO average concentration exceeded 100 ppmvd @ 7% O2 from August 13 through 17, and August 21 through 23. Permit condition A.5.c. requires that the four day CO concentrations be less than 100 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the one hour CO concentration exceeded 400 ppmvd @ 7% O2 on August 13, 21, and 22. Permit condition A.5.b. requires that the one hour CO concentrations be less than 400 ppmvd @ 7% O2. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved
During the third quarter 2004, you failed to fulfill all conditions and provisions of permit/certificate PCP960004 by operating U1 Combustor #1 while the temperature was below the minimum temperature requirements on August 12, 13, 16, and 31. Permit condition B.1. requires that the temperature be maintained above 765 Degrees F with burners or 865 Degrees F without burners. AD GRANTED	[N.J.A.C. 7:27- 8.3(e)]	Affirmative Defense Approved

Activity Number: PEA 090017 Document Type: NOV

Effective Start Date	Current Document Status and Date	Penalty Assessed	Received Amount
1/28/2009	Closed 1/29/2009	N/A	N/A

Description of Non-compliance	Violated Citation	Violation Status
You failed to fulfill all conditions and provisions of your operating permit BOP040001 by allowing the temperature to operate under the permit allowable on July 8 & 31, 2005 August 15 & 31, 2005 and September 2, 3, 4 & 19 for Unit # 1 and July 5 & 27, 2005 and August 3, 2005 for Unit # 2.	[N.J.A.C. 7:27-22.16(a)]	Affirmative Defense Approved

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Last Updated: December 13, 2005