

1999 ANNUAL REPORT
OF THE
CLEAN WATER ENFORCEMENT ACT

PURSUANT TO N.J.S.A. 58:10A-14.1

CALENDAR YEAR 1999



MAY 2000

New Jersey Department of Environmental Protection

**1999 ANNUAL REPORT
OF THE
CLEAN WATER ENFORCEMENT ACT**

PURSUANT TO N.J.S.A. 58:10A-14.1

May 2000

**CHRISTINE TODD WHITMAN
GOVERNOR**

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Gloucester County U. A.	Hamilton Twp. Dept. of
Hanover S.A.	Pollution Control
Joint Meeting of Essex and Union Counties	Linden-Roselle S. A.
Middlesex County U. A.	Morris Township
Mount Holly S. A.	North Bergen M.U.A.
Northwest Bergen County U. A.	Ocean County U. A.
Passaic Valley Sewerage Commissioners	Pequannock, Lincoln Park
Rahway Valley S.A.	and Fairfield S. A.
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Wayne Township	

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Middlesex County	Morris County	Passaic County
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PREFACE

The New Jersey Department of Environmental Protection (department) is pleased to submit this 1999 Annual Report to the Governor and the Legislature in accordance with the requirements of the Clean Water Enforcement Act (CWEA), P.L. 1990, c. 28. The department has been implementing the major provisions of the CWEA, including the mandatory penalty scheme, since July 1, 1991. The information contained in this Report enables the department and the Legislature to reflect upon eight full years of implementation and enforcement of the CWEA.

In last year's preface it was noted that amendments were adopted on January 19, 1999 to the Civil Administrative Penalties and Requests for Adjudicatory Hearings regulations at N.J.A.C. 7:14-8, the Pretreatment Program Requirements for Local Agencies at N.J.A.C. 7:14A-19, and to the Requirements for Indirect Users at N.J.A.C. 7:14A-21. These amendments require that Delegated Local Agencies (DLAs) impose the mandatory minimum penalty requirements and the settlement restrictions of the CWEA when issuing civil administrative penalties against indirect dischargers into their sewerage systems. In order to determine what impact, if any, the amendments had on the DLAs' enforcement programs, the department reviewed the data submitted for calendar year 1999. The result of the review did show that there was a reduction in the number of significant noncompliers, serious violations and reporting violations from 1998 levels. However, there is no clear trend when you evaluate the data from the past nine years. The levels seen this past year have been seen before and even lower figures have been reported in previous reports. It is also difficult to draw conclusions as to the impact of this regulatory change due to the fact that the DLAs already had authority to issue penalties and were implementing enforcement programs. The impacts of these regulatory changes may become more apparent in subsequent years.

As to the facilities regulated by the department, this year saw a slight increase over 1998 in the number of serious discharge violations (107 versus 92) reported by permittees which were verified and addressed in formal enforcement actions. While the number of serious discharge violations increased, there was a continuation in the steep decline of the total number of discharge violations for which the department took an action. This year there were actions taken against 49 facilities, from the more than 1600 permittees, for 113 discharge violations. In comparison, in 1992 there were actions taken against more than 300 permittees for 1,446 discharge violations. This is important since these are the types of violations which have the ability to impact water quality. A slight increase in the number of significant noncompliers was also seen over last year (20 versus 16).

Throughout this past year major resources continued to be directed to the development of the department's unified computer system known as the New Jersey Environmental Management System or NJEMS. Some delays in bringing the system online have occurred which is not unusual given the complexity of the project. Testing has been completed and staff training will commence shortly and continue into this summer. The department now anticipates that the water permitting and enforcement components will become operational in July 2000.

Chapter VII - Water Quality Assessment - has been expanded to include information and an evaluation of nitrogen and total phosphorus in streams and water quality indicators . The indicators provide measures of status and trends in point and nonpoint source pollutant loadings and other stressors, measures of ambient water quality and measures of success of implementation of management measures. The indicators chosen measure the department's progress toward environmental goals and milestones it has developed and are an integral part of its "Results Based Management" approach.

In conclusion, the department is pleased to submit this 1999 Annual Report to the Governor and the Legislature.

EXECUTIVE SUMMARY

The Federal Clean Water Act establishes a permit system to regulate discharges of pollutants into the water and authorizes the United States Environmental Protection Agency (EPA) to approve State water pollution control programs to implement this permit system. In 1977, New Jersey enacted the Water Pollution Control Act (WPCA) enabling New Jersey to implement the permit system required under the Clean Water Act, and in 1981, New Jersey received EPA's approval of its water pollution control program. As a result of that approval, the New Jersey Department of Environmental Protection (department) was delegated primary responsibility to issue permits for discharges of pollutants and to enforce the permit system. The WPCA established the New Jersey Pollutant Discharge Elimination System (NJPDES). Under NJPDES, a person must obtain a NJPDES permit in order to discharge a pollutant into surface water or ground water of the State or to release a pollutant into a municipal treatment works.

In 1990, the Legislature enacted substantial amendments to the WPCA, commonly known as the Clean Water Enforcement Act, P.L. 1990, c.28 (CWEA). The CWEA requires the department to inspect permitted facilities and municipal treatment works at least annually. Additional inspections are required when the permittee is identified as a significant noncomplier. The CWEA also requires the assessment of mandatory minimum penalties for violations of the WPCA that are considered serious violations and for violations by permittees designated as significant noncompliers. A serious violation is an exceedance of an effluent limitation in a NJPDES permit by 20 percent or more for a hazardous pollutant or by 40 percent or more for a nonhazardous pollutant. A significant noncomplier is a permittee which:

1. Commits a serious violation for the same pollutant at the same discharge point source in any two months of any six-month period;
2. Exceeds the monthly average in any four months of any six-month period; or
3. Fails to submit a completed Discharge Monitoring Report (DMR) in any two months of any six-month period.

For serious violations, the CWEA requires mandatory minimum penalties of \$1,000 per violation. Significant noncompliers are subject to mandatory minimum penalties of \$5,000 per violation.

The CWEA also requires the department to impose a mandatory penalty when a permittee omits from a DMR required information relevant to an effluent limitation. The penalty is \$100 per day per effluent parameter omitted.

The CWEA requires the department to submit this report to the Governor and the Legislature by March 31 of each year. The statute also specifies the items that the department must include in the report. The department has organized the required information into several categories, including Permitting, Enforcement, Delegated Local Agencies, Criminal Actions, Fiscal, and Water Quality Assessment. A brief summary of each chapter follows:

Permitting

The department's Division of Water Quality (DWQ) regulated 1,689 facilities in 1999 as compared to 1,645 in 1998, representing a 2.7% increase. In 1999, the DWQ issued 326 final permit actions, including 126 permit renewals and 86 new permits. The DWQ received only 10 adjudicatory hearing requests, which is a request rate of only 3.1% as a percent of permit actions.

The Division of Water Quality also administers the Statewide Stormwater Permitting Program. This program emphasizes pollution prevention techniques and source control rather than end-of-pipe treatment. This program regulated 4,778 facilities in 1999 under a combination of general and individual permits. The Basic Industrial Stormwater General Permit (NJ0088315) covers 1,620 facilities, and the Construction General Permit (NJ0088323), which is for construction activities disturbing 5 acres or more and certain mining activities, covers 2,745 facilities. In 1999, a total of 797 permit actions of all types were processed. This number includes 99 permits that were authorized under one of three stormwater General Permits and 538 permits authorized under the Construction General Permit. The DWQ received only one adjudicatory hearing request as a result of these permit actions.

Enforcement

This report once again notes a decrease in the number of effluent or discharge violations committed. The number of serious violations and the number of facilities designated as significant noncompliers remained quite low while very slightly higher than last year. The total amount of civil administrative penalties assessed by the department was significantly higher than in 1998. An analysis of the numbers is given in Chapter III, Enforcement. Below, in this summary, the statistics are simply stated.

The department will continue its efforts to advise and assist permittees with their permit and reporting requirements, as these efforts have proven to be highly successful in achieving improved compliance.

Inspections Performed:

Each fiscal year, the department performs one full inspection of every regulated facility except in the stormwater program, and starting July 1, 1994, an additional interim or follow-up inspection only on an as needed basis. Because inspections are scheduled and conducted on a fiscal year basis, the number of permitted facilities inspected in a given calendar year will not equal the actual number of permitted facilities. Excluding the stormwater program, in 1999 the department conducted 2,224 inspections at 1,676 NJPDES permitted facilities. Of the 2,224 facility inspections performed, 2,131 were full inspections and 93 were interim inspections.

Results of Facility Inspections:

Whenever the department identifies one or more serious violations during an inspection, the department issues a Notice of Violation (NOV) to the facility. In 1999, the department issued 338 NOVs.

Total Number of Effluent Violations Reported:

Effluent violations occur when a discharge exceeds the limits established within the NJPDES permit or the interim limits established in a consent order. In 1999, permittees reported a total of 1086 effluent violations: 90 involved exceedances of limits for hazardous pollutants, and 996 involved exceedances of limits for non-hazardous pollutants. These numbers may change due to reporting or recording errors and do not reflect the number of verified violations for which an enforcement action was taken.

Reporting Violations:

Reporting violations occur when a permittee fails to submit a DMR or submits a DMR that does not provide all of the information required. In 1999, the department confirmed 219 reporting violations. The substantial decline in reporting violations may be attributed, in part, to the development and distribution by the department of a manual explaining the preparation of DMRs and the constant outreach efforts of the department to explain the reporting requirements. The familiarity and comfort with the reporting procedures by the regulated community may be attributed, in part, to the department's increased emphasis since 1988 in both issuing enforcement actions, and providing detailed compliance assistance.

Violations of Administrative Orders and Consent Orders:

In 1999, the department identified 1 violation of an interim effluent limitation established in a consent order. The single violation involved a hazardous pollutant.

In 1999, two local permittees were more than 90 days out of compliance with the schedules established in their ACOs.

Affirmative Defenses:

In 1999, the department accepted 51 affirmative defenses asserted by 46 facilities for 69 effluent violations or parameter omissions. Twenty-nine of the affirmative defenses granted concerned upsets, 16 concerned defenses granted for extenuating circumstances, 6 concerned laboratory error, and none were attributed to a bypass. Fourteen of the defenses granted involved discharges by local agencies, and 37 involved nonlocal agency permittees.

In 1999, the department rejected 30 affirmative defenses asserted by 28 facilities for 78 effluent violations or parameter omissions. Twenty of the affirmative defenses denied concerned upsets; 10 concerned laboratory error; and none were attributed to a bypass or concerned extenuating

circumstances. Seven of the defenses denied involved discharges by local agencies and 23 involved nonlocal agency permittees. In 1995, the department began reporting information on the defenses denied.

Violations for Which the Department Assessed a Penalty:

In 1999, the department assessed penalties against 134 facilities for 959 violations of the WPCA. In comparison, the department assessed penalties against 300 facilities for 2,483 violations in 1992.

Serious Violations:

In 1999, the department identified and issued enforcement actions for 107 serious violations. These violations involved discharges from 49 facilities. Five of those permittees appealed penalty assessments for 27 of the violations. Of the 107 serious violations, 76 (71.0%) involved violations of limitations for non-hazardous pollutants, and 31 (29.0%) involved violations of limitations for hazardous pollutants.

Significant Noncompliers:

In 1999, 20 permittees became or continued to be significant noncompliers (SNCs). Two permittees have contested their individual designations as SNCs. Fifteen of the 20 SNC permittees were nonlocal agencies and 5 were local agencies.

Informal Enforcement Actions:

The department uses both formal and informal enforcement actions to promote compliance with the WPCA. An informal enforcement action notifies a violator that it has violated a statute, regulation or permit requirement, and directs the violator to take corrective actions to comply. Typically, informal actions are a first step in the enforcement process and are taken at the time the department identifies a violation. The department does not assess penalties in informal enforcement actions, which are preliminary in nature and do not provide an opportunity to contest the action in an adjudicatory hearing.

In 1999, the department initiated 340 informal enforcement actions. Specifically, the department issued 338 Notices of Violation and 2 Telefax Orders.

Formal Enforcement Actions:

The department typically takes formal administrative enforcement action when it is required by the CWEA to assess a mandatory penalty and/or when a permittee has failed to remedy a violation in response to an informal enforcement action previously taken by the department. The department only takes formal enforcement action when it has verified that a violation has occurred. The department usually initiates formal administrative enforcement action through the issuance of an Administrative Order or by Settlement Agreement.

In 1999, the department initiated 165 formal enforcement actions, including judicial orders, administrative orders, and settlement agreements with penalty assessments. A total of 69 orders were issued in 1999. The total number of Settlement Agreements for 1999 was 96.

Alternative Dispute Resolution (ADR) Program:

In 1999, the department continued to resolve water enforcement cases through participation with the Office of Dispute Resolution in the ADR program. This year saw 1 case referred for inclusion in the ADR program and 1 case was brought to resolution.

Penalties Assessed:

In 1999, the department assessed a total of \$3.15 million in civil and civil administrative penalties in 146 actions. This is in comparison to a high of \$22.2 million assessed in 1994 and a high of 339 assessments in 1992. This is a significant increase over the \$1.30 million assessed in 1998. Interestingly, this large increase occurred even though the number of serious violations and significant noncompliers was virtually unchanged from last year. The increase was caused by a few large assessments against a limited number of facilities and a significant number of penalty assessments for violations other than effluent violations or DMR reporting violations (such as exceeding sewage sludge application requirements at permitted sites and unpermitted discharges).

The overall trend (1992 through 1999) of a decrease in the number of penalty actions and total amount of penalties assessed in all ranges and the decrease in the average penalty amount can be attributed to increased compliance and prompt enforcement action. By taking prompt enforcement action when the department identifies violations, particularly serious or uncorrected violations, the department is able to work with regulated facilities to resolve the conditions or activities causing noncompliance before the passage of time results in the accumulation of additional violations and the assessment of a correspondingly higher penalty.

Delegated Local Agencies

A delegated local agency (DLA) is a political subdivision of the State, or an agency or instrumentality thereof, which owns or operates a municipal treatment works in accordance with a DEP approved industrial pretreatment program. The department approves pretreatment programs pursuant to the General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR 403, as adopted in the NJPDES regulations, N.J.A.C. 7:14A-1 et seq. Under these Federal regulations, the department may approve a pretreatment program only if the DLA has specified types of legal authority and implements specified procedures including the following:

1. Control indirect discharges through permit, order or similar means to ensure compliance with applicable pretreatment standards;
2. Randomly sample and analyze the effluent from indirect users and conduct

surveillance activities in order to identify, independent of information supplied by indirect users, occasional and continuing noncompliance with pretreatment standards;

3. Inspect and sample the effluent from each significant indirect user at least once a year;
4. Investigate and respond to instances of noncompliance through appropriate enforcement action.

Twenty-three DLAs have obtained the department's approval for their industrial pretreatment programs, which they implement with oversight by the department.

Permits: The 23 DLAs have issued permits to control the discharges from a total of 1,058 facilities discharging to their sewage treatment plants.

Inspections and Sampling: The DLAs inspected and sampled 1,019 of the 1,058 permittees at least once during the calendar year.

Violations: The DLAs reported 1,727 permit violations by permitted facilities in 1999, compared with 1,802 permit violations in 1998. Of the 1,727 permit violations reported in 1999, 1,207 (70%) were effluent violations, and 520 (30%) were reporting violations, compared with 1,216 (67.5%) effluent violations and 586 (32.5%) reporting violations in 1998.

Of the 1,207 effluent violations, 507 (42%) were for non-hazardous discharges of conventional pollutants, such as suspended solids and nutrients, and 700 (58%) were for hazardous pollutant discharges, such as metals, organics and other toxic substances. In 1998, 546 effluent violations were for non-hazardous pollutants and 670 were for hazardous pollutants. Of the total number of effluent violations in 1999, 505 (41.8%) constituted serious violations compared with 557 (45.8%) serious violations in 1998.

Significant Noncompliance: The CWEA requires DLAs to identify facilities designated as significant noncompliers (SNCs) in accordance with the definition of SNC as defined by the New Jersey Water Pollution Control Act under N.J.S.A. 58:10A-3.w.

The DLAs reported a total of 74 indirect users who qualified as significant noncompliers, under the State definition, including those contesting such designation, in calendar year 1999, as compared to 94 in 1998. The DLAs also reported that 34 (45.9%) of the 74 facilities achieved compliance prior to the end of calendar year 1999.

Violations of Administrative Orders and Administrative Consent Orders: The DLAs reported 14 violations of Administrative Orders or Administrative Consent Orders, including violations of interim limits, compliance schedule milestones for starting or completing construction and failure to attain full compliance. One DLA reported that one facility violated the compliance schedule by more than 90 days; this is discussed further in Chapter IV of the report. In 1998, the DLAs reported 32 violations of AOs and ACOs.

Affirmative Defenses: Five DLAs granted 60 affirmative defenses for upsets, bypasses, testing or laboratory errors for serious violations. A major reason cited again this year was matrix interference in laboratory testing for industries subject to the Organic Chemicals, Plastics and Synthetic Fibers (OCPSF) categorical standards. Matrix interference accounted for 31 of the 60 affirmative defense requests granted. The department's Office of Quality Assurance conducted a workshop for OCPSF facilities and their laboratories in an effort to eliminate matrix interference problems. This issue is currently under review. In 1998, the DLAs granted 59 affirmative defenses.

Enforcement Actions: In 1999, the DLAs initiated 382 enforcement actions as a result of inspections and/or sampling activities. In 1998, the DLAs initiated 374 enforcement actions.

Penalty Assessments and Collections: In 1999, 17 DLAs assessed a total of \$1,262,322 in penalties for 661 violations. These 17 DLAs collected penalties in calendar year 1999 totaling \$1,177,841. In 1998, DLAs assessed \$1,108,660 in penalties for 643 violations, and collected \$1,143,735.

Criminal Actions

In 1999, the New Jersey State Attorney General, through the Division of Criminal Justice, Environmental Crimes Bureau, and several county prosecutors, continued its commitment to the enforcement of the criminal provisions of the Water Pollution Control Act (WPCA), N.J.S.A. 58:10A-10(f).

The Division of Criminal Justice (Division), Environmental Crimes Bureau, investigates and prosecutes violations of the State's water pollution laws on a statewide basis, as well as violations of air pollution, hazardous waste, solid waste and regulated medical waste laws. It also investigates and prosecutes traditional crimes, such as racketeering, thefts, frauds and official misconduct that have an impact on environmental regulatory programs, including the department's water pollution program. The Division handles matters brought to its attention by the department, county health departments, local police and fire departments and citizens. In addition, the division coordinates the criminal enforcement efforts of the county prosecutors and provides technical and legal training and assistance to those offices.

In 1999, the Division of Criminal Justice conducted a total of 18 WPCA investigations. The Division also reviewed all of the 155 water pollution investigations undertaken by the Marine Bureau of the State Police, which resulted in 36 summonses, as well as over 651 civil WPCA summonses issued by the department, for potential criminality. The Division filed 3 criminal actions (counts in indictments, accusations and complaints) for violations of the WPCA. Each of these constituted third degree charges involving a purposeful, knowing or reckless unlawful discharge of a pollutant into the State's waters and is pending final disposition. The Division, with the U.S. Attorney and Richmond County District Attorney (Staten Island), also obtained a Federal indictment for a violation of the Federal Clean Water Act that is pending final disposition. The Division also obtained convictions against two defendants for violations of the WPCA.

In 1999, county prosecutors filed eight (8) criminal actions for violations of the WPCA. This total is derived from actions filed by the prosecutors of the following counties: Morris (2), Middlesex (4), and Passaic (2). Of this total, 7 involved third degree charges and 1 was a fourth degree charge involving an unlawful negligent discharge into the State's waters. Two of the third degree charges resulted in convictions. One of the third degree charges resulted in the defendant's entry into the Pretrial Intervention Program (PTI). Four were dismissed as conditions of plea agreements. The fourth degree charge resulted in a conviction.

Fiscal

The CWEA establishes the Clean Water Enforcement Fund (the Fund) and provides that all monies from penalties, fines and recoveries of costs collected by the department shall be deposited into the Fund. The CWEA further provides pursuant to N.J.S.A.58:10A-14.4, that unless otherwise specifically provided by law, monies in the Fund shall be utilized exclusively by the department for enforcement and implementation of the WPCA. However, beginning in July 1995 (fiscal year 1996) all agencies of State government were placed "on budget". Accordingly, a General Fund appropriation is provided for the program. In turn, all fine and penalty revenues are deposited in the General Fund.

In 1999, the Receipts Schedule (Table VI-1) shows penalty receipts of \$1,793,136, while the Cost Statement (Table VI-2) reflects disbursements of \$1,290,664.

Water Quality Assessment

The Water Quality Assessment section of the Clean Water Enforcement Act Report provides an overview of water quality, including an evaluation of the effect of point sources on water quality. In a progressive step towards more environmental-effects-based assessment, this year's CWEA report, through this section, reports water quality results in the context of New Jersey's Results Based Management System, by assessing progress toward environmental goals and milestones in NJDEP's Strategic Plan and NEPPS.

The Water Quality Assessment section was compiled from information previously made publicly available in other forms, such as Water Quality Inventory Reports. Thus, the information provided here is not new but is summarized for readers of this report. This year's Water Quality Assessment chapter is more expansive than those in the past. Particularly, this year saw the addition of a more detailed discussion of water quality indicators such as "In-stream Trends of Ammonia and Nitrate" and a more detailed explanation of the water assessment programs. The use of environmental indicators is a more holistic approach to water quality management and allows the department and interested parties to see the end result of efforts to improve water quality, both from point and nonpoint sources.

Direct evaluation of the effects of point source compliance on water quality is challenging

for several reasons. Since permit compliance is very high (greater than 98%) and permit violations are often of very short duration, in-stream monitoring that corresponds spatially and temporally to permit violations is not feasible. However, results indicate that improving effluent quality has had a positive impact on water quality.

- Dissolved oxygen levels in streams have increased and day-time exceedences of Surface Water Quality Standards are now rare.
- The 1998 Surface Water Quality Standards amendment included 17 stream segments which were upgraded from non-trout to trout maintenance or trout production based on recent data.
- Reductions in ocean and bay beach closings can be attributed to wastewater regionalization and diligent management of ocean discharges of wastewater.
- New Jersey is a national leader in opening shellfish beds, due in large part to improved wastewater management.
- Due to improved wastewater management, loads of BOD and CBOD have remained stable despite increases in population served by wastewater treatment plants.
- Regulated facilities have very high compliance with Whole Effluent Toxicity limits, indicating effective management of toxics.

However, continued compliance at wastewater treatment plants coupled with nonpoint source management are essential to maintaining high quality waters, improving waters that do not meet standards and addressing emerging issues.

Rising levels of nitrate present an emerging issue that can affect drinking water supplies and contribute to eutrophication in estuaries. In response, NJDEP and wastewater treatment plants worked cooperatively to reduce the amount of nitrates in effluent discharged into the Passaic River and also reduce energy usage.

Biological screening in freshwater streams using benthic macroinvertebrate communities indicates widespread impairment. Efforts are underway to enhance biological assessment methods, identify causes of biological impairment, target nonpoint source management projects and develop realistic stream restoration goals.

NJDEP is investing significant effort in Watershed Management and TMDL development as major tools to address remaining water pollution problems and to prevent additional degradation. In addition, the freshwater streams and ground water monitoring networks have been redesigned to improve water quality assessments. These efforts are being conducted in a goal-oriented framework to provide measurable targets for water resources improvement.

I. INTRODUCTION

The New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., requires the New Jersey Department of Environmental Protection (department) to prepare an annual report of its implementation efforts and enforcement actions taken under the auspices of that statute. This introduction briefly outlines the statutory and regulatory structure for water pollution control.

The Federal Clean Water Act established a permit system to regulate discharges of pollutants into the water. Under the Clean Water Act, the United States Environmental Protection Agency (EPA) may approve State water pollution control programs to implement this permit system.

In 1977, New Jersey enacted the Water Pollution Control Act (WPCA). The WPCA enabled New Jersey to implement the permit system required under the Clean Water Act. In 1981, New Jersey received EPA's approval of its water pollution control program. As a result of that approval, the department was delegated primary responsibility to issue permits for discharges of pollutants and to enforce the permit system.

The WPCA established the New Jersey Pollutant Discharge Elimination System (NJPDES). Under NJPDES, a person must obtain a NJPDES permit in order to discharge a pollutant into surface water or ground water of the State or to release a pollutant into a municipal treatment works.

The NJPDES permit is a legally binding agreement between a permittee and the department, authorizing the permittee to discharge effluent into the State's waters under specified terms and conditions. Those conditions include (a) the specific pollutants in the effluent stream, (b) the amount or concentration of those pollutants which the effluent may contain, (c) the type and number of tests of the effluent to be performed and (d) the reporting of test results to determine compliance. The permit normally provides for monthly reporting of these test results to the department in a discharge monitoring report (DMR).

In 1990, the Legislature enacted substantial amendments to the WPCA, commonly known as the Clean Water Enforcement Act (CWEA). P.L. 1990, c.28. The CWEA strengthened enforcement of New Jersey's water pollution control program by several means, including the imposition of mandatory minimum penalties for certain violations of the WPCA. The CWEA also requires the department to prepare a report on implementation and enforcement actions which the department and delegated local agencies (DLAs) have taken during the preceding calendar year. The department is required to submit the report to the Governor and the Legislature by March 31 of each year. The department has prepared this report in accordance with those requirements.

A discussion of the provisions of the CWEA relevant to this report follows:

Inspections:

The CWEA requires the department to inspect permitted facilities and municipal treatment works at least annually. Additional inspections are required when the permittee is identified as a significant noncomplier (discussed below). The inspection requirement applies to all facilities except those that discharge only stormwater or non-contact cooling water and to those facilities which a delegated local agency is required to inspect. A delegated local agency must inspect facilities discharging into its municipal treatment works, again excluding those facilities that

discharge only stormwater or non-contact cooling water. Either the department or the delegated local agency is, however, required to inspect permitted facilities that discharge stormwater runoff which has come into contact with a Superfund site, listed on EPA's National Priorities List, or municipal treatment works receiving such stormwater runoff.

Mandatory minimum penalties:

Mandatory minimum penalties under the CWEA apply to violations of the WPCA that are considered serious violations and to violations by permittees designated as significant noncompliers. A serious violation is an exceedance of an effluent limitation in a NJPDES permit by 20 percent or more for a hazardous pollutant or by 40 percent or more for a nonhazardous pollutant. A significant noncomplier is a permittee which:

1. Commits a serious violation for the same pollutant at the same discharge point source in any two months of any six-month period;
2. Exceeds the monthly average in any four months of any six-month period; or
3. Fails to submit a completed DMR in any two months of any six-month period.

For serious violations, the CWEA requires mandatory minimum penalties of \$1,000 per violation. Significant noncompliers are subject to mandatory minimum penalties of \$5,000 per violation.

The CWEA also requires the department to impose a mandatory penalty when a permittee omits from a DMR required information relevant to an effluent limitation. The penalty is \$100 per day per effluent parameter omitted.

Effective January 19, 1999, the DLAs were required to assess mandatory minimum penalties against any indirect user that commits either a serious violation, a violation that causes a user to become or remain in SNC or an omission violation as noted in the preceding paragraph.

Affirmative defenses:

The CWEA establishes the following bases for affirmative defenses to mandatory minimum penalties: upsets, bypasses and testing or laboratory errors.

An upset is an exceptional incident (such as a flood or storm event) beyond the permittee's reasonable control that causes unintentional and temporary noncompliance with an effluent limitation. As part of the affirmative defense, the permittee must identify the cause of the upset whenever possible and establish that the permitted facility was being operated properly at the time of the upset and that all remedial measures required by the department or the delegated local agency were taken.

A bypass is an intentional diversion of waste streams from any portion of a treatment works. Whether or not the permittee anticipated the need for the bypass, a permittee may raise the affirmative defense only if the bypass was unavoidable to prevent loss of life, personal injury or severe property damage and there was no feasible alternative to the bypass. If the bypass was

anticipated, the permittee should have provided the department with prior notice in order to be eligible for the affirmative defense. If the bypass was unanticipated, the permittee should demonstrate that it was properly operating its facility and that it promptly notified the department or the delegated local agency as well as took remedial measures required by the department or the delegated local agency.

To establish an affirmative defense for testing or laboratory error, the permittee must establish that an exceedance of an effluent limitation resulted from unanticipated test interferences, sample contamination, analytical defects, procedural deficiencies in sampling or other similar circumstances beyond the permittee's control.

Compliance schedules:

Under the CWEA, the department may establish a compliance schedule for a permittee to complete remedial measures necessary for compliance. However, the permittee must provide financial assurance for completion of those remedial measures in the form of a bond or other security approved by the Commissioner.

Annual report:

The CWEA requires the department to submit this report to the Governor and the Legislature by March 31 of each year. The statute also specifies the items that the department must include in the report. The department has organized the required information into several categories, including Permitting, Enforcement, Delegated Local Agencies, Criminal Actions, Fiscal and Water Quality Assessment.

Chapter II - Permitting presents information related to permits, including the number of facilities permitted, the number of new permits, permit renewals and permit modifications issued and the number of permit approvals contested.

Chapter III - Enforcement presents the following:

- A. Information related to inspections, including the number of facilities (including publicly owned treatment works) and the number of discharges inspected at least once by the department;
- B. Information related to violations and violators including the number of enforcement actions resulting from facility inspections, the number of permit violations, the number of violations of administrative orders and administrative consent orders, the number of violations of milestones in compliance schedules which have continued for more than 90 days, the number of effluent violations which constitute serious violations, the number of permittees qualifying as significant noncompliers, the number of violations for which civil penalties or civil administrative penalties have been assessed, the number of unpermitted discharges, and the number of affirmative defenses granted; and
- C. Information related to enforcement actions and penalties, including the dollar amount of civil penalties and civil administrative penalties assessed, the dollar amount of

civil penalties and civil administrative penalties collected, and the dollar amount of enforcement costs recovered in civil actions and civil administrative actions.

Chapter IV - Delegated Local Agencies presents enforcement and permitting information relating to local agencies' operations of sewage treatment plants with industrial pretreatment programs approved by the department.

Chapter V - Criminal Actions presents information concerning criminal actions filed by the New Jersey State Attorney General and by county prosecutors.

Chapter VI - Fiscal presents financial information, including the purposes for which program monies have been expended.

Chapter VII - Water Quality Assessment presents an assessment of surface water quality in the context of the department's "Results Based Management" system. Information on the department's Ambient Biological Monitoring Network has been provided along with the current status of water quality in the state's streams, lakes and coastal waters. Water quality indicators are discussed for the first time in this report to show progress made towards meeting environmental goals and milestones. The TMDL process and schedule and the plans for a comprehensive assessment of surface and ground water quality, which includes identification of the source(s) and cause(s) of the water body impairment, is discussed.

II. PERMITTING

The CWEA requires the department to report the total number of facilities permitted pursuant to the WPCA, the number of new permits, renewals and modifications issued by the department and permit actions contested in the preceding calendar year (N.J.S.A. 58:10A-14.2a(1)-(4)). This information is presented below under the headings: Division of Water Quality, New Developments, and Stormwater Permitting.

A. DIVISION OF WATER QUALITY

The department issues permits to regulate discharges of pollutants to the surface and ground waters of the State. Surface water permits include Industrial and Municipal permits, as well as Stormwater permits. Municipal permits are issued to publicly owned treatment works (POTWs) and privately owned treatment plants discharging only sanitary wastewater. Industrial permits are issued to all other facilities discharging pollutants to the surface waters. Stormwater permits are addressed under Section C below. Significant Indirect User (SIU) permits regulate the discharge of industrial wastewater into sewage treatment plants. Facilities that discharge pollutants directly or indirectly to the ground waters of the State are issued ground water permits. Facilities that distribute, handle or land apply residuals are issued a Land Application of Residuals permit.

Section One - Number of Facilities Permitted:

The CWEA requires the department to report the number of facilities permitted to discharge to surface water. N.J.S.A. 58:10A-14.2a(1). The department's Division of Water Quality (DWQ) regulated 833 such facilities in 1999, reflecting no change from the 833 facilities regulated in 1998. In addition to regulating facilities with surface water discharges, the department regulates other facilities, including those discharging to ground water and to POTWs or that handle, distribute or land apply residuals. In 1999, the DWQ regulated 996 of these other facilities, reflecting a 5% increase over the 949 such facilities regulated in 1998. In total, the DWQ regulated 1,689 facilities in 1999, compared with 1,645 in 1998, representing an overall increase of 2.7%.

**TABLE II-1
REGULATED FACILITIES
1997 - 1999**

FACILITIES REGULATED	1997	1998	1999	% Change (1998 - 1999)
Discharge to Surface Water (DSW) only	957	696	693	-0.4
DSW / Other combined	N/A	137	140	+2.2
Other only	457	812	856	+5.4
TOTAL	1,414	1,645	1,689	+2.7

Because the department may at times issue permits for discharge types rather than facilities, a facility with more than one discharge type may have more than one permit. As of January 1, 2000,

the department permitted 1,862 discharge types at 1,689 facilities. Table II-2 below provides information regarding the number of discharge types permitted by the department between 1997 and 2000.

TABLE II - 2
REGULATED DISCHARGES BY CATEGORY
1997 - 2000

DISCHARGE ACTIVITY TYPE	JANUARY 1997	JANUARY 1998	JANUARY 1999	JANUARY 2000
INDUSTRIAL	670	662	564	558
MUNICIPAL	295	301	273	276
SIU	74	74	68	68
GROUND WATER	501	489	841	889
RESIDUALS	75	73	71	71
TOTAL	1,615	1,599	1,817	1,862

The number of permitted discharges regulated by the DWQ has been relatively stable over the past several years. The department continues to issue permits to new facilities, while other facilities' permits are being terminated or not renewed. In 1999, the permitted facility universe increased, mainly due to the influx of facilities covered by the new Category T1 ground water general permit that was issued in calendar year 1998.

Section Two - Types of Permits:

The CWEA requires the department to report the number of new permits, renewals, modifications, and contested actions. N.J.S.A. 58:10A-14.2 (2), (3) and (4).

The department issues several different types of NJPDES permits. Permits are limited to a maximum term of five years. The permittee must reapply 180 days before the current permit expires if a permittee anticipates continuation of the discharge. One aspect of the Environmental Management Accountability Plan enacted by the Legislature in 1991, P.L. 1991, c.423, requires the department to develop and classify permit applications, establish a standard time to process a typical application, and report to the Legislature permit and application activity by the established permit categories. In accordance with P.L. 1991, c.423, the department classified NJPDES permit actions based upon the technical complexity of the permit application and the potential environmental or health effects of the discharge, and reports the following permit categories in the Permit Activity Report:

Requests for Authorization to discharge under a general permit:

The DWQ issues general permits for the discharge of wastewater by facilities that have similar types of discharges. A general permit contains conditions and effluent limitations that are applied to all facilities seeking coverage under this permit. The following general permits are currently effective:

**TABLE II-3
GENERAL PERMITS**

NJPDES No.	Category	Name of General Permit	Discharge Type	Year Issued
NJ0070203	CG	Non-contact Cooling Water	DSW	1994
NJ0102709	B4B	Ground water Petroleum Product Clean-up	DSW	1998
NJ0128589	B6	Swimming Pool Discharges	DSW	1998
NJ0134511	B7	Construction Dewatering	DSW	1999
NJ0132993	BG	Hydrostatic Test Water	DSW	1999
NJ0105023	CSO	Combined Sewer Overflow	DSW	1995
NJ0105767	EG	Land Application Food Processing Residuals	RES	1998
NJ0132519	ZG	Residuals Transfer Facilities	RES	1999
NJ0108308	I1	Stormwater Basins/SLF	DGW	1997
NJ0108642	I2	Potable WTP Basins/Drying Beds	DGW	1996
NJ0130281	T1	Sanitary Subsurface Disposal	DGW	1998

Several other general permits are being developed for other types of discharge activities and are expected to be issued in 2000. Stormwater general permits are addressed in Section C below.

Surface Water Permits:

These are individual permits and renewals issued for the discharge of sanitary, industrial, cooling, decontaminated ground water and stormwater runoff not eligible for coverage under a general permit.

Ground Water Permits:

These are individual new permits and renewals issued to facilities for wastewater that is discharged directly or indirectly to the ground water of the State. The DWQ issues ground water permits for septic systems, infiltration-percolation lagoons, spray irrigation systems, overland flow and landfills.

Significant Indirect Users:

These are permits and renewals issued for wastewater discharges to publicly owned treatment works. The department has delegated to 23 DLAs the authority to issue SIU permits for significant discharges occurring within their respective service areas. The department is responsible for permitting SIU discharges for the remainder of the State.

Land Application of Residuals:

These are permits and renewals issued to regulate the distribution, handling and land application of residuals originating from sewage treatment plants, industrial treatment plants, water treatment plants and food processing operations.

Permit Modifications:

These are modifications to existing permits and are usually requested by the NJPDES permittee. These modifications range from a transfer of ownership, or reduction in monitoring frequency, to a total re-design of a wastewater treatment plant operation. The department can issue modifications for all discharge types except Requests for Authorization under a general permit. Permit modifications do not extend the expiration date of the permit.

Permit Terminations (Revocations):

These actions are also often initiated by the permittee when the regulated discharge of pollutants has ceased, usually as a result of regionalization, closure or recycling. Prior to terminating or revoking a permit, the department ensures that sludge has been removed, outfalls have been sealed, and the treatment plant has been dismantled.

Table II-3 summarizes formal permit actions by the categories described above. For the purposes of this presentation, Requests for Authorization are included as new or renewals, as appropriate, under the applicable discharge type. In each permit category, the number of new permits, renewal permits, permit modifications, and terminations (revocations) are listed.

Section Three - Permit Actions:

In 1999, the department took 326 formal permit actions, reflecting a 56% decrease in permit actions from 1998. Approximately 26% of the final permit actions were new facilities, 39% of the actions were permit renewals, 12% were for permit modifications, and 23% were for permit terminations. The substantial decrease in permit actions from 1998 to 1999 is attributed to the significantly increased outputs achieved in 1998 due to issuance of the new Category T1 ground water general permit and the renewal of the Category B4B surface water general permit. Disregarding this anomaly in 1998, the 1999 discharge to ground water and industrial surface water permit outputs are comparable to, or better than, those from previous years. New permits and permit renewals are often controversial, particularly when the department imposes new requirements or more stringent effluent limitations, and have historically been contested. In 1999, the department received 10 requests for adjudicatory hearings, compared to 3 requests received in 1998. This is a request rate of 3.1% as a percent of permit actions. The department has modified its operating procedures to recommend meeting with the applicant prior to issuing a draft permit to ensure that the data submitted in the application is current and to obtain any additional information that might

be useful. This has resulted in better permits and minimizes the number of requests for adjudicatory hearings.

The department issued permit renewals to 29 major facilities in 1999. Over the past few years, DWQ has focused its permitting resources on renewing major permits. The department also issued 86 new permits and received no hearing requests. The lack of hearing requests can be attributed to the increased use of general permits and predrafts. The general permits contain certain conditions and effluent limitations that are the same for similar types of discharges. Once a general permit is issued, applicants may request authorization to discharge under the final general permit. In such cases, applicants are aware of the permit conditions and effluent limitations before they apply for the permit. In the case of regular permits, the DWQ has increased the practice of providing a predraft of a permit to permittees prior to the formal public notice period. This provides the permittee with an opportunity to correct factual information used in the permit development before issuance of the formal draft permit. Understanding the permit conditions prior to applying for a general permit and providing an opportunity to correct factual information for regular permits greatly improves acceptance of the permit by the permittee and thereby diminishes the filing of hearing requests.

TABLE II - 4
PERMIT ACTIONS TAKEN BY THE DIVISION OF WATER QUALITY
1997 - 1999

TYPE OF PERMIT ACTION	1997	Contested 1997	1998	Contested 1998	1999	Contested 1999
Industrial Surface Water						
- New	31	0	33	0	20	0
- Renewals	28	2	145	0	38	1
- Modifications	49	0	25	0	17	0
- Terminations	10	0	7	0	39	0
Subtotal	118	2	210	0	114	1
Municipal Surface Water						
- New	1	1	0	0	2	0
- Renewals	33	2	51	1	41	8
- Modifications	20	0	13	2	17	0
- Terminations	1	0	26	0	0	0
Subtotal	55	3	90	3	60	8
Significant Indirect User						
- New	6	0	4	0	1	0
- Renewals	16	0	6	0	5	0
- Modifications	2	0	3	0	2	0
- Terminations	3	0	4	0	4	0
Subtotal	27	0	17	0	12	0
Ground Water						
- New	17	0	238	0	57	0
- Renewals	29	0	166	0	37	0
- Modifications	8	0	8	0	3	0
- Terminations	12	0	11	0	24	1
Subtotal	66	0	423	0	121	1
Land Application of Residuals						
- New	2	0	4	0	6	0
- Renewals	0	0	2	0	5	0
- Modifications	0	0	0	0	0	0
- Terminations	1	0	4	0	8	0
Subtotal	3	0	10	0	19	0
TOTALS	269	5	750	3	326	10

Table II-5 reflects the total number of permit actions taken by the DWQ in each of the last four years.

**TABLE II - 5
COMPARISON OF PERMIT ACTIONS
1996 - 1999**

TYPE OF PERMIT ACTION	1996	1997	1998	1999
New	59	57	279	86
Renewal	105	106	370	126
Modifications	201	79	49	39
Terminations (Revocations)	50	27	52	75
DACs	4	N/A	N/A	N/A
TOTAL ACTIONS	419	269	750	326

B. NEW DEVELOPMENTS

Section One - Four New General Permits Developed; General Petroleum Products Permit Renewed

The Division of Water Quality (DWQ) recently developed four new NJPDES General Permits - three in the surface water area and one for residuals (sludge). In addition, the general permit for petroleum products has been renewed. General permits reduce permit processing time because a standard set of conditions, specific to a discharge type or activity, are developed (rather than issuing individual permits for each activity). This permitting approach is well suited for regulating similar facilities or activities that have the same monitoring requirements.

The following briefly describes the new and renewed general permits:

Surface Water

Swimming Pool Discharges

This permit covers discharges from municipal, commercial and other non-residential swimming pools. These discharges result from the backflushing of filtration equipment used to remove solids and other materials from pool water and the emptying/draining of pools at the end of the swimming season or for maintenance.

To address these unique discharges, the division decided that a Best Management Practice (BMP) approach would be the most effective and practical regulatory tool. As such, the new general permit does not include effluent limitations or monitoring conditions but incorporates BMPs to be

implemented as necessary to protect the integrity and designated uses of receiving waters. It is anticipated that residential pool owners, while not specifically covered under this permit, will also follow the concepts detailed in the BMPs. Some examples of these BMPs are as follows:

1. If the discharge contains suspended solids, BMPs utilized to reduce or eliminate solids levels prior to discharge should be employed. These can include anything from increased retention time in the pool to the use of filtration devices such as hay bales.
2. If the discharge contains a chlorine residual, increasing the time between filter backwashing, up to 7 days, will help dissipate residual chlorine. A chlorination kit can be used to confirm that there is no detectable level of chlorine in the water prior to discharge.
3. The water used to backwash the filter should be retained on site or discharged over a grassy area so solids settle out and can be removed, or are filtered out prior to discharge. Solids, residue, or sediment must not be discharged to a waterway and must be removed (i.e., discharged to a publicly owned treatment works with appropriate authorization, disposed of as solid waste, etc.) prior to discharging filter backwash water to a receiving waterbody.

No application submittal or notification to the DWQ is necessary to utilize this permit, however, qualifying dischargers must certify that the discharge activity complies with all of the stated terms of the general permit. A designated agent may also make this certification.

Hydrostatic Test Water Discharges

This general permit should interest those in the utilities, construction, and petroleum storage tank terminal industries. It covers discharges occurring during the hydrostatic testing of storage tanks and pipelines that have been cleaned pursuant to recognized Federal, State or general industry documented procedures. The general permit does not authorize the discharge of the cleaning water or tank bottom water.

Similar to how it regulates swimming pool discharges, the DWQ decided a BMP approach along with the submission of a certification form would be the most effective and practical regulatory tool. As such, the new general permit does not include effluent limitations or monitoring conditions but incorporates BMPs. Additionally, the new general permit's Clean Water Assurance Certification Form submission requirement, provides DWQ with the following information to ensure the integrity and designated uses of receiving waters are protected:

1. Identification and listing of all Tank and Vessel Cleaning Procedures implemented prior to the hydrostatic testing.
2. Identification and listing of all BMPs implemented including any chemical dechlorination agents.
3. An executed declaration by the Authorized Agent and Authorizing Entity, certifying that the discharge shall not contain toxic pollutants in toxic amounts as defined under 33 USC. 1251 et seq. of the Federal Water Pollution Control Act, or other pollutants which could adversely impact natural aquatic biota, or which could cause instream exceedances of applicable Federal or New Jersey Surface Water Quality Standards criteria (N.J.A.C. 7:9B-1.14 et seq.)

No application submittal to DWQ is necessary to utilize this permit, however, qualifying dischargers must submit the Clean Water Assurance Certification Form 14 days prior to the anticipated discharge date as specified in the general permit.

Construction Dewatering Discharges

This new permit authorizes discharges of ground water that result from lowering the ground water table during construction. Historically, these types of ground water discharges have not been regulated under individual permits because they are typically short-term in duration. This short duration is substantially less than the term of an individual NJPDES permit which is usually effective 5 years. The type of discharges subject to this general permit only need authorization for the time the discharge will take place.

Issuing individual permits for these types of discharges would be resource intensive to the extent of being impractical without having any recognized environmental benefit. Dischargers often notify DWQ on a case-by-case basis of these planned discharge events and have received determinations, in most cases, that a permit would not be necessary provided appropriate protective measures are taken.

A review of files and historical monitoring data from these types of discharges indicates they are typically clean in nature. The pumping associated with well point construction dewatering for the purposes of lowering the ground water table tends to stabilize the well packs, resulting in higher solids removal efficiency in the discharge.

The new general permit authorizes the discharge of ground water, during construction dewatering, that contains negligible levels of pollutants. As such, the permit does not cover discharges from sites known or suspected to contain contaminated ground water, such as remediation or petroleum products clean-up sites, stormwater discharges, and discharges associated with sediment laden waters (authorized under the Standards for Soil Erosion and Sediment Control in New Jersey and the Soil Erosion and Sediment Control Act, N.J.S.A. 4-24-39 et seq.). The permit also does not include discharges associated with treated or untreated domestic wastewater, combined or sanitary sewer overflows, filter backwash operations, hydrostatic test water discharges, contaminated ground water discharges from aquifer or well pump tests, swimming pool discharges, tank and vessel bottom waters, and tank and vessel bottom and cleaning waters.

This general permit includes Best Management Practices (BMPs) and/or provides temporary treatment units as well as self-monitoring rather than numeric limitations.

No application submittal to DWQ is necessary for this permit; however, qualifying dischargers must submit a Request for Authorization Certification Form 14 days prior to the anticipated discharge date.

Residuals

Residuals Transfer Facilities

This general permit will apply to certain residuals transfer facilities that temporarily store liquid sewage sludge (which includes domestic septage) and grease (which meets the definition of

a domestic pollutant) prior to transfer to a duly permitted or approved residuals management operations for ultimate management.

The new general permit will incorporate BMPs and operation, maintenance, and inspection requirements.

To qualify for coverage under this general permit, residuals transfer facility owners will first have to submit a complete application to DWQ that demonstrates no conditions exist that would necessitate the need to obtain an individual permit. Facilities that would be precluded from obtaining this general permit are:

1. Residuals transfer facilities that have a total on-site storage capacity which exceeds 50,000 gallons;
2. Residuals transfer facilities that accept dewatered sewage sludge;
3. Residuals transfer facilities that perform any type of treatment (including dewatering, but excluding storage); and
4. Residuals transfer facilities that transfer and/or store industrial residuals.

After DWQ reviews an application, qualifying facility owners will receive a letter of authorization to operate under the general permit.

General Petroleum Products Clean-Up Permit Renewal (GPPC)

This general permit authorizes discharges of decontaminated ground water into surface waters of the State or separate storm sewers. These discharges result from remediation projects and dewatering and pump test activities where ground water has been contaminated by petroleum products.

1. The primary changes to the renewal GPPC permit are as follows: Two additional compounds are addressed - methyl *tert* butyl ether (MTBE) and *tert* butyl alcohol (TBA). These compounds are fuel oxygenate additives that are typically present in modern reformulated gasoline.
2. Two additional discharge scenarios are included. These scenarios include remediation discharges to Category One and Pinelands waterbodies and remediation discharges into certain waters where other metals, volatile organics, acid extractables, or base/neutral compounds are present in addition to petroleum related constituents. In the event that a metal other than lead is regulated, biomonitoring requirements are applicable.
3. The permit renewal does not include biomonitoring requirements for discharges resulting from strictly gasoline, fuel oil or diesel fuel contamination. This change was based on a review of the biomonitoring data collected under the previous, now expired, GPPC permit.

Applicants requesting authorization for coverage under this general permit will undergo an eligibility determination by DWQ. Eligible dischargers will receive an individual authorization.

Section Two - Reclaiming Wastewater for Beneficial Reuse

Over the past year, DWQ has been working on rules to implement the beneficial reuse of wastewater from domestic and industrial wastewater dischargers. Reclaimed Water for Beneficial Reuse (RWBR) involves taking what was once considered waste, giving it a high degree of treatment, and using the resulting high quality reclaimed water for new, beneficial uses. RWBR has a myriad of application potentials including the spray irrigation of crops, parks, and golf courses; dust control; fire fighting; and toilet flushing, to list a few. The high-level of disinfection and effluent treatment required for RWBR protects public health and environmental quality.

As a result of the recent drought, several wastewater facilities have approached DWQ seeking approval for beneficially reusing their effluent. One such facility, the Evesham Township Municipal Utilities Authority received approval to distribute their RWBR to a nearby golf course for public access spray irrigation. They are also authorized to spray irrigate the facility site and are contemplating the irrigation of other properties such as parks and school properties. Since Evesham's effluent satisfies the high-level disinfection and treatment requirements for RWBR, any new RWBR locations they identify can easily be added to their permit upon filing a request with DWQ.

In an effort to promote and encourage the beneficial reuse of wastewater, DWQ has drafted a document entitled *Guidance Manual for Reclaimed Water for Beneficial Reuse* to assist facility operators and owners interested in pursuing the reclamation of their wastewater. The manual will be available in hard copy and from DWQ's web site in the near future.

Section Three - Now Available on DWQ's Web Site

NJPDES Database - Municipal Surface Water Discharger Flow Data

This data is in Microsoft Excel format and lists average annual flow data since 1994 for municipal surface water dischargers. Contained within a zip file for download are both an Excel file (.xls) and a readme.txt. The file is located at: www.state.nj.us/dep/dwq/database.htm.

New On-Screen Application Forms

DWQ recently converted its two main permit applications into Adobe Acrobat forms. Rather than filling in spaces with a pen or typewriter, the NJPDES-1 and the TWA-1 Forms can now be completed right on your computer screen. Access the newly formatted applications at: www.state.nj.us/dep/dwq/forms.htm.

NJPDES Rules

The DWQ recently compiled a current version of the NJPDES rules into Adobe Acrobat format. The rules are located at: www.state.nj.us/dep/dwq/rules.htm.

Section Four - Sludge Quality Assurance Regulations Readopted

In the May 17, 1999 *New Jersey Register*, the department readopted with certain amendments and new rules the Sludge Quality Assurance Regulations (SQAR) at N.J.A.C. 7:14C.

All domestic and industrial treatment works need to become familiar with the changes to SQAR. The readopted rules change the parameters required to be reported for all domestic and industrial treatment works. In addition, the reporting frequency for industrial treatment works has also changed. All domestic treatment works will shortly be receiving new reporting forms in the mail. Industrial treatment works will continue to use existing reporting forms until new forms are provided.

Section Five - New Water Permitting Data System Nears Implementation

Major construction work on the DWQ's water permitting data system was conducted during 1999. This new system, which is part of the department's New Jersey Environmental Management System (NJEMS), has been enhanced to include a redesigned NJPDES and Treatment Works Approval (TWA) permitting system. The new system will enable the NJPDES/TWA programs to share and process data more efficiently with each other as well as the rest of the department. Case managers will be able to manage their projects within the confines of one database system, allowing for ease of management oversight and coordination among the various internal program areas such as Enforcement, Planning, and Water Supply. The TWA portion of the NJEMS system is scheduled to come online in March 2000, with the NJPDES portion to follow in July 2000.

C. STORMWATER PERMITTING

Under the Federal Clean Water Act Amendments of 1987 and rules adopted by EPA, permits are required for stormwater discharges associated with industrial activity. The Bureau of Nonpoint Pollution Control (BNPC) administers the Statewide Stormwater Permitting Program within the Division of Water Quality. This program emphasizes pollution prevention techniques and source control rather than end-of-pipe treatment. In order to implement this program, four general Discharge to Surface Water (DSW) permits have been adopted. The Basic Industrial Stormwater General Permit (NJ0088315) requires the elimination of contact between industrial materials or operations and stormwater. Facilities unable to meet this requirement must submit an application for an individual permit or another general permit (GP). At the end of the reporting year, BNPC was managing 1,620 Basic Industrial Stormwater GP authorizations. The Construction General Permit (NJ0088323) is for construction activities disturbing 5 acres or more and certain mining activities. This permit is administered by the local Soil Conservation Districts in conjunction with the Soil Erosion and Sediment Control Plan certification. As of December 31, 1999, there were 2,745 active construction activity GP authorizations, 538 of which were issued in 1999.

The DWQ has two industry-specific general permits for the Scrap Metal Processing and the Concrete Products industries. These permits are written to address the specific concerns of these industries. There are 116 facilities authorized under the Scrap Metal Permit and 81 facilities authorized under the Concrete Products permit as of December 31, 1999. On December 1, 1999, the Scrap Metal Permit was readopted and 114 existing permittees were reauthorized. The major change in this readoption is that the permit now covers discharges to ground water in addition to surface water. The department has also issued 216 individual permits for stormwater-only discharges. The number of these permits has decreased from previous years as the department moves facilities into general permits.

For 1999, 99 General Permit authorizations were issued, 125 General Permit Authorizations were terminated, 6 Requests for Authorization (RFA) were denied, 2 RFAs were withdrawn, and 2 authorizations were revoked and reissued as other General Permits.

For Individual Permits in 1999, 5 were issued, no individual permit applications were denied, 3 were renewed, 5 were terminated, 7 applications were withdrawn, 3 were revoked and reissued as General Industrial Permit authorizations, and 2 individual permit modifications were completed.

The DWQ has received 9,147 Nonapplicability Forms to date, with 161 received in 1999. During 1999, the principal focus of enforcement activities was on compliance for those facilities which should have prepared and implemented their stormwater pollution prevention plans. Compliance efforts consisted of letters, telephone calls and site visits.

TABLE II - 6
REGULATED STORMWATER DISCHARGES BY TYPE

PERMIT TYPE	DECEMBER 31, 1999
Basic Industrial General	1,620
Individual	216
Construction (including Transportation)	2,745
Scrap Metal	116
Concrete	81
TOTAL	4,778

TABLE II - 7
1998 & 1999 GENERAL STORMWATER PERMIT ACTIONS

TYPE OF PERMIT ACTION	1998	CONTESTED 1998	1999	CONTESTED 1999
General Permit Authorizations (GP)	78	0	99	0
Construction General Permit Authorizations (include. Transportation)	335	0	538	0
GP Revocations / Reissue as Other GP	6	0	2	0
Terminations	84	0	125	0
Denials	1	0	6	0
Withdrawals	0	0	2	0
TOTAL	504	0	772	0

TABLE II - 8
1998 & 1999 INDIVIDUAL STORMWATER PERMIT ACTIONS

TYPE OF PERMIT ACTION	1998	CONTESTED 1998	1999	CONTESTED 1999
New Individual Permits (IP)	21	0	5	1
Renewals	11	0	3	0
IP Revocations / Reissue as GP	13	0	3	0
Terminations	2	0	5	0
Withdrawals	2	0	7	0
Denials	1	0	0	0
Modifications	1	0	2	0
TOTAL	51	0	25	0

III. ENFORCEMENT

The CWEA requires the department to report information annually concerning the number of inspections conducted, the number and types of violations identified, the number of enforcement actions initiated and the dollar amount of penalties assessed and collected. N.J.S.A. 58:10A-14.2a(6)-(20). This information is presented below under the following headings: Inspections, Violations, Enforcement Actions and Penalties Assessed and Collected.

A. INSPECTIONS

The CWEA requires the department to report the number of facilities that were inspected at least once in the preceding calendar year (N.J.S.A. 58:10A-14.2a(6)). In 1999, the department inspected 1,676 NJPDES permitted facilities. Because some facilities have more than one discharge type, the 1,676 permitted facilities represent 2,224 discharges.

Each fiscal year the department performs one full inspection of every regulated facility and an additional interim inspection, as needed, to determine compliance. In a full inspection, the department reviews all DMRs and evaluates the entire water pollution control process for each discharge, including operation and maintenance practices as well as monitoring and sampling procedures. In an interim inspection, the department reviews the facilities' DMRs and focuses upon specific compliance issues. Beginning July 1, 1994 the department eliminated the routine interim inspection at all facilities and only completes them as required by the Water Pollution Control Act or to help determine compliance. Previously the department conducted a second routine inspection because we could not rely on data in the system. The elimination of the second routine inspection was made possible by improvements to the department's computer system and data entry accuracy so that it is now better able to track compliance with the WPCA.

Excluding the facilities authorized to discharge under a general permit in the stormwater program, the department conducted 2,224 facility inspections in 1999. Of the 2,224 facility inspections performed, 2,131 were full inspections and 93 were interim inspections.

The data presented below concerning the number of facilities and discharges inspected are organized into two categories of facilities: local and nonlocal. A local facility is a POTW or other facility, such as a school, landfill or wastewater treatment plant, that is operated by a local agency (a political subdivision of the State, or an agency or instrumentality thereof). A nonlocal facility is any facility that is not operated by a local agency. The CWEA distinguishes between these two types of facilities in a number of ways. For instance, for local agencies the CWEA establishes different criteria for financial assurance requirements and different settlement criteria.

The data presented below also distinguishes between the three different types of discharges for which NJPDES permits are issued: (i) discharges to surface water (DSW), (ii) discharges to ground water (DGW) and (iii) discharges into a municipal treatment works by significant indirect users (SIU).

Table III-1 sets forth the number of inspections the department performed from 1992 through 1999, by type of discharge and by type of facility. As noted earlier, the department eliminated routine interim inspections after July 1, 1994, which has significantly decreased the total number of inspections. Additionally, until March of 1998, the number of permitted facilities had

been decreasing since 1992 with the largest decrease occurring in calendar years 1993 and 1994. In March of 1998, approximately 350 general permit authorizations were issued to facilities discharging sanitary wastewater to septic systems (T1 permits). The department immediately commenced annual inspections of these T1 permit systems which explains the sudden increase in the number of DGW inspections performed in 1998. In fact, it was not until 1999 that all these facilities were inspected, and therefore the number of DGW inspections in 1999 once again increased. Both the number of DSW and SIU inspections have leveled off and have been within consistent ranges for the past four years. It is important to note that this table presents the number of inspections performed, not the number of discharges or facilities in the listed categories.

TABLE III - 1
SUMMARY OF NJPDES INSPECTIONS PERFORMED

NUMBER OF INSPECTIONS								
BY DISCHARGE TYPE								
Discharge Type	1992	1993	1994	1995	1996	1997	1998	1999
DSW	2,550	2,380	1,773	1,267	1,098	1,160	1,164	1168
DGW	705	763	640	515	499	498	761	969
SIU	185	162	120	80	83	85	75	87
TOTALS	3,440	3,305	2,533	1,862	1,680	1,743	2,000	2,224
BY FACILITY TYPE								
Facility Type	1992	1993	1994	1995	1996	1997	1998	1999
Local	716	695	660	454	456	505	493	590
Nonlocal	2,203	2,562	1,816	1,360	1,202	1,205	1491	1634
TOTALS	2,919	3,257	2,476	1,814	1,658	1,710	1,984	2,224

B. VIOLATIONS

Section One - Results of Facility Inspections:

The CWEA requires the department to report the number of enforcement actions resulting from facility inspections (N.J.S.A. 58:10A-14.2a(7)). Whenever the department identifies one or more serious or SNC violations during an inspection, the department issues a Notice of Violation (NOV) to the facility. NOV's are not typically issued for minor violations.

NOV's and Telefax Orders (TOs) identify violations and direct the facility operator to correct the activity or condition constituting the violation within a specified period of time. As further discussed in Section C. Enforcement Actions, these documents are considered informal enforcement actions. The department initiates a formal enforcement action, which may include the assessment of a civil administrative penalty, if a permittee fails to comply with the terms of a TO or remedy a violation identified in a NOV. The department will also initiate a formal enforcement action whenever it is required by the CWEA to assess a mandatory minimum penalty.

Section Two - Total Number of Permit Violations:

The CWEA also requires the department to report the number of actual permit violations that occurred in the preceding calendar year (N.J.S.A. 58:10A-14.2a(8)). Information concerning permit violations is presented below under *Effluent Violations* and *Reporting Violations*.

Effluent Violations:

Effluent violations occur when a discharge exceeds the limits established within the NJPDES permit or the interim limits established in a consent order. In 1999, permittees reported a total of 1,086 effluent violations: 90 involved exceedances of limits for hazardous pollutants and 996 involved exceedances of limits for non-hazardous pollutants.

Further, it is important to note that enforcement actions are taken only on verified violations. The above numbers of effluent violations includes all violations that were reported in calendar year 1999. The number of violations may change due to reporting or recording errors.

Reporting Violations:

Reporting violations occur when a permittee fails to submit a DMR or submits a DMR that does not provide all of the required information. In 1999, the department confirmed 219 reporting violations. This number is much higher than the number confirmed the past few years (excluding the 254 reported in 1997 because of the 197 reporting violations by the Lighthouse Bar and Restaurant that year). Likewise, in 1999 the large number is not an indication of more permittees having reporting violations, but rather is attributed to five permittees that were responsible for 168 of the 219 reporting violations. In fact, the Kearfott Guidance & Navigation Corporation Plants #1 and #3 located in West Paterson Borough in Passaic County were accountable for 65 and 55 of the violations respectively. Overall, the decrease in the number of reporting violations can be attributed to the cooperative efforts of the regulated community and department staff to develop a manual explaining the preparation of DMRs and the constant outreach efforts of the department to explain the reporting requirements. The familiarity and comfort with the reporting procedures by the regulated community is a result of the department's increased emphasis since 1988 on both issuance of enforcement actions and providing detailed compliance assistance.

Section Three - Violations of Administrative Orders and Consent Orders:

The CWEA requires the department to report the number of violations of administrative orders (AOs), administrative consent orders (ACOs) and compliance schedule milestones (dates for starting or completing construction or for attaining full compliance that are set in an ACO). N.J.S.A. 58:10A-14.2a(16). The department must also report the number of permittees that are out of compliance by more than 90 days from the date set in a compliance schedule for starting or completing construction or for attaining full compliance (N.J.S.A. 58:10A-14.2a(17)). Although not expressly required by the CWEA, the department also includes in this section of the report, the number of violations of judicial orders (JOs) and judicial consent orders (JCOs). Information concerning violations is presented below under *Violations of Interim Effluent Limitations* and *Violations of Compliance Schedules*.

Violations of Interim Effluent Limitations:

In 1999, the department identified 1 violation of an interim effluent limitation established in one ACO. The single violation involved a hazardous pollutant.

In contrast, in 1992, the department identified 191 violations of interim effluent limitations established in 29 ACOs. Of these 191 violations, 95% (181) involved non-hazardous pollutants and 5% (10) involved hazardous pollutants.

Violations of Compliance Schedules:

The department determined that in 1999 there were two local permittees more than 90 days out of compliance with the schedules established in their ACOs.

Section Four - Unpermitted Discharges:

The CWEA requires the department to report the number of unpermitted discharges identified in the previous calendar year. N.J.S.A. 58:10A-14.2a(12). An unpermitted discharge is the release of pollutants into surface water, ground water or a municipal treatment works when the discharger does not hold a valid NJPDES permit or when the discharge is not authorized under the discharger's permit.

In 1999, the department issued 69 informal (NOVs) and 19 formal enforcement actions against 140 facilities responsible for unpermitted discharges. Of the 88 total unpermitted discharge enforcement actions, 23 involved discharges to ground water, 60 involved discharges to surface water and 5 involved a discharge into a municipal treatment works by an SIU.

Section Five - Affirmative Defenses:

The CWEA requires the department to report the number of affirmative defenses granted that involved serious violations (N.J.S.A. 58:10A-14.2a(10)). The CWEA specifically provides affirmative defenses to penalty liability for serious violations and violations by significant noncompliers. It also indicates that the department may allow these defenses for any effluent violation that is also provided for in the existing NJPDES regulations. The CWEA requires the permittee to assert the affirmative defense promptly after the violation occurs, enabling the department to evaluate the asserted defense before assessing a penalty. Therefore, this report shall include information on all affirmative defenses asserted, not just information on the defenses granted for serious violations.

Once again this year, in addition to the information on affirmative defenses for effluent violations, the department is providing data on extenuating circumstance type defenses, as provided for pursuant to N.J.S.A. 58:10A-10.1.d and N.J.A.C. 7:14-8.9(e), for DMR omissions or DMR non-submittal.

In 1999, the department granted 51 affirmative defenses asserted by 46 facilities for 69 effluent violations or parameter omissions. Twenty-nine of the affirmative defenses granted concerned upsets, 16 concerned defenses granted for extenuating circumstances, 6 concerned laboratory error and none were attributed to a bypass. In 51 defenses granted, 62 violations

concerned a discharge to surface water, 4 involved discharges to ground water and 3 related to significant indirect user discharges. Fourteen of the defenses granted involved discharges by local agencies and 37 involved nonlocal agency permittees.

In 1999, the department rejected 30 affirmative defenses asserted by 28 facilities for 78 effluent violations. Twenty of the affirmative defenses denied concerned upsets, 10 concerned laboratory error, and none were attributed to a bypass or concerned extenuating circumstances. In 30 defenses denied, 58 violations concerned a discharge to surface water, 17 involved discharges to ground water and 3 were related to significant indirect discharges. Seven of the defenses denied involved discharges by local agencies and 23 involved nonlocal agency permittees.

Section Six - Violations for Which the Department Assessed a Penalty:

The CWEA requires the department to report the number of violations for which civil or civil administrative penalties were assessed in the preceding calendar year (N.J.S.A. 58:10A-14.2a(15)).

In 1999, the department assessed penalties against 134 facilities for 959 violations of the WPCA. The number of violations addressed by the department's actions was substantially higher in 1999 than in 1998 (959 vs. 291). In comparison, in 1992 the department assessed penalties against 300 facilities for 2,483 violations. A closer look at the data shows that the penalty actions issued in 1999 were similar to those in the past few years in one respect. For penalty actions for effluent violations, more than one-half of the actions (32 of 56) were in response to just a single violation.

Table III-2 groups violations into the following categories: effluent violations, violations of compliance schedules, DMR violations and other violations.

TABLE III - 2
SUMMARY OF VIOLATIONS FOR WHICH A PENALTY WAS ASSESSED
Calendar Year 1999

VIOLATION CATEGORY	#	%
Effluent	113	11.8
- Non-Hazardous	72	63.7
- Hazardous	41	36.3
Compliance Schedule	6	0.6
Reporting	219	22.8
- Non-Submittal	20	9.1
- Omissions	199	90.9
Other	622	64.9
TOTALS	959	100.0

Effluent violations comprised 11.8% (113) of the 959 violations for which the department assessed penalties in 1999. Strikingly, since 1992, there has been almost a 700% decrease in the number of effluent violations for which the department assessed penalties (1,446 to 113). In 1992, effluent violations accounted for 58.2% of all violations. Of the 113 effluent violations in 1999, 63.7% (72) concerned discharges of non-hazardous pollutants, such as suspended solids, nutrients and fecal

coliform. The remaining 36.3% (41) concerned discharges of hazardous pollutants, such as chlorine residual, metals, pesticides and organics.

Reporting violations accounted for 22.8% (219) of the violations for which the department assessed a penalty. Other Violations includes CSO permit requirements, unpermitted discharges, improper sampling, and sewer connection/extension violations. The number of Other Violations (622) was abnormally high this year because of the 480 violations noted at one facility, Harmony Dale Farms, located in Phillipsburg, Warren County.

Local agencies accounted for 118 of the violations for which the department assessed penalties, nonlocal agencies accounted for the remaining 841 violations.

TABLE III-3
SUMMARY OF VIOLATIONS BY CATEGORY ~ LOCAL AND NON-LOCAL
 Table III-3 Delineates the Number of Violations, by the Categories Referenced Above, for all Agencies ~ Local and Non-Local

Year	Number / Percentage	Violation Category								
		Effluent			Compliance Schedule	Discharge Monitoring Reports			Other	Grand Total (col. 5,6,9,10)
		Non Hazardous	Hazardous	Total		Non Submittal	Omissions	Total		
1992	Number	1,192	254	1,446	73	38	370	408	556	2,483
	Percentage	82.4%	17.6%	58.2%	2.9%	9.3%	90.7%	16.4%	22.4%	100.0%
1993	Number	1,167	253	1,420	2	35	213	248	384	2,054
	Percentage	82.2%	17.8%	69.1%	0.1%	14.1%	85.9%	12.1%	18.7%	100.0%
1994	Number	758	146	904	7	3	139	142	691	1,744
	Percentage	83.8%	16.2%	51.8%	0.4%	2.1%	97.9%	8.1%	39.6%	100.0%
1995	Number	578	99	677	0	7	107	114	72	863
	Percentage	85.4%	14.6%	78.4%	0.0%	6.1%	93.9%	13.2%	8.3%	100.0%
1996	Number	221	85	306	94	0	88	88	39	527
	Percentage	72.2%	27.8%	58.1%	17.8%	0.0%	100.0%	16.7%	7.4%	100.0%
1997 ¹	Number	426	64	490	8	8	246	254	71	823
	Percentage	86.9%	13.1%	59.5%	1.0%	3.1%	96.9%	30.9%	8.6%	100.0%
1998	Number	103	18	121	1	1	84	85	84	291
	Percentage	85.1%	14.9%	41.6%	0.3%	1.2%	98.8%	29.2%	28.9%	100.0%
1999 ²	Number	72	41	113	5	20	199	219	622	959
	Percentage	63.7%	36.3%	11.8%	0.5%	9.1%	90.9%	22.8%	64.9%	100.0%

¹ Of the 490 effluent violations for 1997, 70 are attributable to the Ringwood Board of Education - Robert Erskine School STP; 63 to the Lighthouse Bar and Restaurant; 59 to the New Jersey Turnpike Authority; 57 to the Rahway Valley Sewerage Authority; and, 37 to the Burlington County Solid Waste Facility. Of the 254 DMR reporting violations for 1997, 197 are attributable to the Lighthouse Bar and Restaurant.

² Five facilities were responsible for 168 of the 219 reporting violations (Kearfott Guidance & Navigation Corporation - Plant #1 (65 omission violations); Kearfott Guidance & Navigation Corporation- Plant #3 (55 omission violations); Phillips Electronics North America Corporation (22 omission violations); Anadigics, Inc. (16 omission violations) and John T. Handy, Inc. (10 DMR non-submittal violations). Of the 622 reporting violations, 480 violations were noted at one facility, Harmony Dale Farms.

TABLE III-4
SUMMARY OF VIOLATIONS BY CATEGORY ~ NON-LOCAL AGENCIES

Table III-4 Delineates the Number of Violations, by the Categories Referenced Above, for Non-Local Agencies

Year	Number / Percentage	Violation Category								
		Effluent			Compliance Schedule	Discharge Monitoring Reports			Other	Grand Total (col. 5,6,9,10)
		Non Hazardous	Hazardous	Total		Non Submittal	Omissions	Total		
1992	Number	782	209	991	2	38	336	374	538	1,905
	Percentage	78.9%	21.1%	52.0%	0.1%	10.2%	89.8%	19.6%	28.2%	100.0%
1993	Number	672	223	895	0	24	181	205	346	1,446
	Percentage	75.1%	24.9%	61.9%	0.0%	11.7%	88.3%	14.2%	23.9%	100.0%
1994	Number	595	118	713	0	2	119	121	135	969
	Percentage	83.5%	16.5%	73.6%	0.0%	1.7%	98.3%	12.5%	13.9%	100.0%
1995	Number	348	68	416	0	7	103	110	40	566
	Percentage	83.7%	16.3%	73.5%	0.0%	6.4%	93.6%	19.4%	7.1%	100.0%
1996	Number	156	55	211	0	0	86	86	26	323
	Percentage	73.9%	26.1%	65.3%	0.0%	0.0%	100.0%	26.6%	8.0%	100.0%
1997	Number	187	24	211	1	6	234	240	52	504
	Percentage	88.6%	11.4%	41.9%	0.2%	2.5%	97.5%	47.6%	10.3%	100.0%
1998	Number	76	9	85	1	1	78	79	42	207
	Percentage	89.4%	10.6%	41.1%	0.5%	1.3%	98.7%	38.2%	20.3%	100.0%
1999	Number	54	28	82	0	18	183	201	558	841
	Percentage	65.9%	34.1%	9.8%	0.0%	9.0%	91.0%	23.9%	66.3%	100.0%

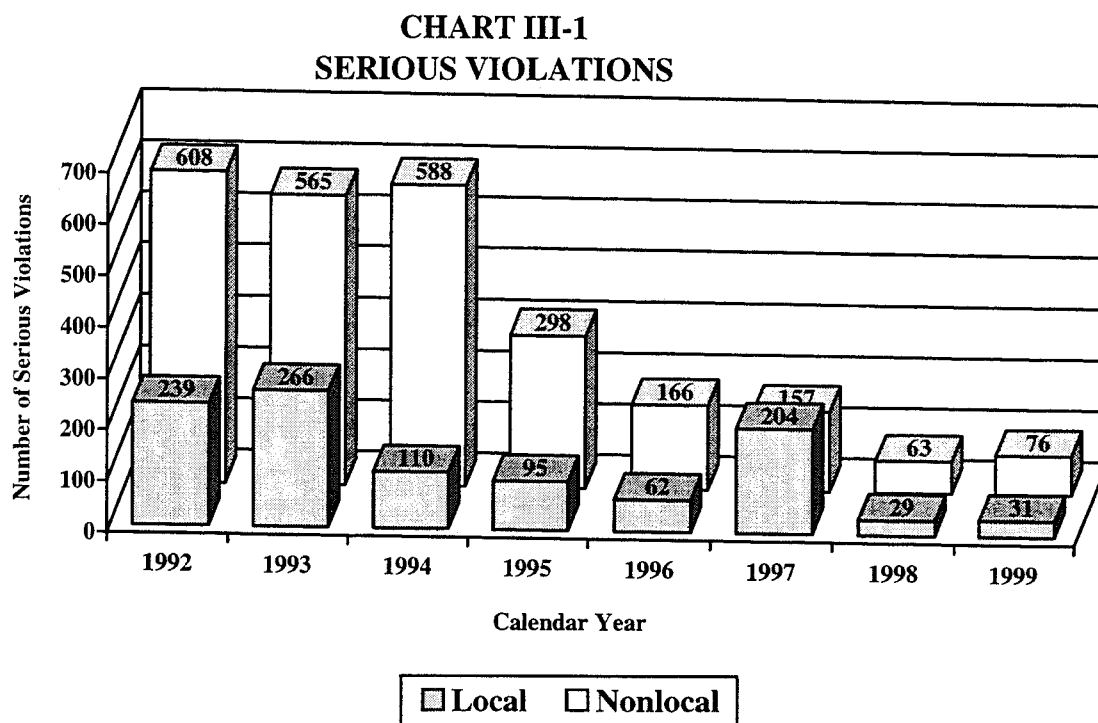
TABLE III-5
SUMMARY OF VIOLATIONS BY CATEGORY ~ LOCAL AGENCIES
 Table III-5 Delineates the Number of Violations, by the Categories Referenced Above, for Local Agencies

Year	Number / Percentage	Violation Category								
		Effluent			Compliance Schedule	Discharge Monitoring Reports			Other	Grand Total
		Non Hazardous	Hazardous	Total		Non Submittal	Omissions	Total		
1992	Number	410	45	455	71	0	34	34	18	578
	Percentage	90.1%	9.9%	78.7%	12.3%	0.0%	100.0%	5.9%	3.1%	100.0%
1993	Number	495	30	525	2	11	32	43	38	608
	Percentage	94.3%	5.7%	86.3%	0.3%	25.6%	74.4%	7.1%	6.3%	100.0%
1994	Number	163	28	191	7	0	20	20	556	774
	Percentage	85.3%	14.7%	24.7%	0.9%	0.0%	100.0%	2.6%	71.8%	100.0%
1995	Number	230	31	261	0	0	4	4	32	297
	Percentage	88.1%	11.9%	87.9%	0.0%	0.0%	100.0%	1.3%	10.8%	100.0%
1996	Number	65	30	95	94	0	2	2	13	204
	Percentage	68.4%	31.6%	46.6%	46.1%	0.0%	100.0%	1.0%	6.4%	100.0%
1997	Number	239	40	279	7	2	12	14	19	319
	Percentage	85.7%	14.3%	87.5%	2.2%	14.3%	85.7%	4.4%	6.0%	100.0%
1998	Number	27	9	36	0	0	6	6	42	84
	Percentage	75.0%	25.0%	42.9%	0.0%	0.0%	100.0%	7.1%	50.0%	100.0%
1999	Number	18	13	31	5	2	16	18	64	118
	Percentage	58.1%	41.9%	26.3%	4.2%	11.1%	88.9%	15.3%	54.2%	100.0%

Section Seven - Serious Violations:

The CWEA requires the department to report the number of actual effluent violations constituting serious violations, including those violations that are being contested by the permittee (N.J.S.A. 58:10A-14.2a(9)). The CWEA defines a serious violation as an exceedance of a valid effluent limitation by 20% or more for hazardous pollutants and by 40% or more for non-hazardous pollutants. The CWEA establishes mandatory minimum penalties for serious violations and requires the department to assess a penalty for a serious violation within six months of the violation.

In 1999, the department identified and issued formal enforcement actions for 107 serious effluent violations (31 were from local permittees and 76 from nonlocals). These violations involved discharges from 49 facilities. Five of these permittees have appealed penalty assessments for 27 of these violations. Of the 107 serious violations, 71.0% (76) involved violations of limitations for non-hazardous pollutants, and the remaining 29.0% (31) involved violations of limitations for hazardous pollutants. In Chart III-1 below, the serious violations are separated into those from either local or nonlocal permittees. Serious violations have decreased from a reported high figure of 847 in 1992. This staggering decrease is a very positive trend indicating the regulated community, as a whole, is paying close attention to monitoring their discharges and taking the appropriate corrective action to prevent their facilities from having serious violations.



Section Eight - Significant Noncompliers:

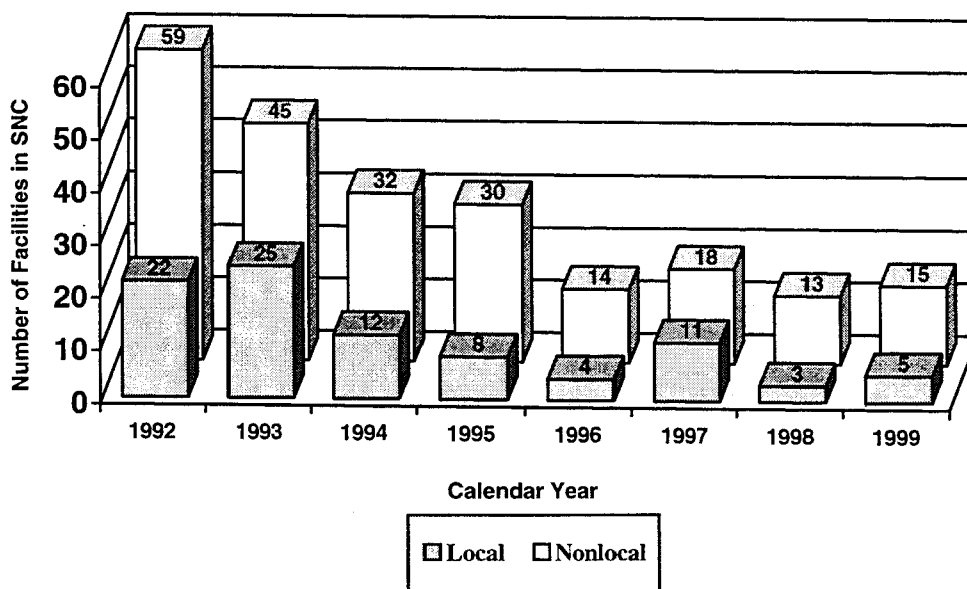
The CWEA requires the department to report the number of permittees qualifying as significant noncompliers (SNCs), including permittees contesting such designation (N.J.S.A. 58:10A-14.2a(11)), and to provide certain information pertaining to each permittee designated as an SNC (N.J.S.A. 58:10A-14.2b(1)). A significant noncomplier is a permittee which: (1) commits a serious violation for the same pollutant at the same discharge point source in any two months of any

six-month period; (2) exceeds the monthly average in any four months of any six-month period or (3) fails to submit a completed DMR in any two months of any six-month period (N.J.S.A. 58:10A-3w). The department reviews each violation to determine whether the violation has caused the permittee to become an SNC or continue to be an SNC. If the permittee is or has become an SNC, the department initiates formal enforcement action, assessing a civil administrative penalty in an amount at least equal to the statutory minimum, and directing the SNC to attain compliance.

In 1999, the department issued formal enforcement actions to 20 permittees identified as SNCs. Two permittees have contested their individual designations as SNCs. Appendix III-A identifies each SNC and sets forth information concerning each SNC's violations. In 1992, 81 permittees were issued penalties for becoming a SNC. Therefore, the number of SNCs has dropped by more than 700% since 1992. In 1999, 15 of the 20 SNC permittees were nonlocal agencies and 5 were local agencies. Seventeen of the permits regulated discharges to surface water and three regulated the discharges of a significant indirect user. In 1999, there was one permittee that continued to be an SNC violator from 1998. The permittee was Casie Econo Oil Salvage (NJ0072729). The number of permittees identified in the 1993 report that continued to be or were repeat SNC violators was eighteen.

Of the 20 permittees identified as SNCs in 1999, 35% (7) had violations of limitations for non-hazardous pollutants, 15% (3) involved violations of limitations for hazardous pollutants, 5% (1) had violations of limitations for both non-hazardous and hazardous pollutants, 35% (7) had failures to submit DMRs or reporting of incomplete information on DMRs and 10% (2) had both reporting and effluent violations.

**CHART III-2
SIGNIFICANT NONCOMPLIERS**



As has been the case since 1996, the percentage of permittees in SNC in 1999 was approximately 2.0% of the total NJPDES permittees with monitoring and reporting requirements in their permits. Chart III-2 above shows the number of local and nonlocal facilities which the Water Compliance and Enforcement Element has taken formal enforcement action against because they had

reporting or discharge violations of their permit effluent limitations that caused them to be, or continue to be, in significant noncompliance as defined by the 1990 amendments to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

There were approximately two and a half times more nonlocal facilities in SNC than locals in calendar year 1999. Similar ratios have been seen in most calendar years with calendar year 1997 being the exception. However, the SNC noncompliance rates between nonlocals and local entities have been essentially the same because there are about three times as many nonlocal dischargers than local (approximately 1,000 to 350 respectively as of 1995). Since calendar year 1996, the percentage of NJPDES permitted facilities in SNC has remained at or below 2%.

Chart III-2 shows a significant decreasing trend over the past six year period (1997 being the single year exception) in the total number of chronic violators having serious discharge violations or failing to submit discharge monitoring reports which places them in SNC. Given the large total number of permitted discharges with reporting requirements and effluent limitations compared to the limited number of facilities in SNC during the past two years, a continuation of the steep decrease previously seen or any noteworthy further decrease in the number of facilities in SNC is not likely or expected. Only slight variation in the numbers is expected from year to year as we have seen this year compared to last year. Any new and more restrictive discharge limitations imposed in NJPDES permits in the future could actually result in nominal increases in the number of SNCs although the regulated community is more educated and prepared to address any such limitations and take the steps necessary to achieve and maintain compliance and therefore avoid SNC designation.

The department believes its multifaceted compliance assistance program has played a major role in the significant reduction in SNCs and violations overall. The DMR manual, which was initially published in 1991, has been invaluable in providing guidance to permittees in proper discharge monitoring and completion of their DMRs. Seminars and training courses conducted with various organizations have assisted permittees and licensed operators in achieving a better understanding of the WPCA requirements which has also resulted in numerous wastewater treatment system improvements at both local and nonlocal facilities.

However, the largest portion of the assistance program over the years has been performed by department personnel both during permit pre-application meetings, as part of the DWQ's technical assistance program, and in particular, while conducting compliance evaluation inspections. During these activities, detailed assistance and guidance has been given to the permittee on virtually every aspect of the NJPDES program. This education and outreach effort undoubtedly has played a significant role in the tremendous increase in compliance by the regulated community.

Section Nine - Violations for which the Department Did Not Assess a Penalty:

The department did not assess penalties for violations that were not confirmed by an inspection or other appropriate follow-up. Further, until the department confirms a serious violation, violations that trigger significant noncompliance or the omission of parameter information on a DMR, a penalty is not normally assessed.

Violations Not Confirmed:

The department assesses a penalty only after conducting an inspection or confirming the violation by some other contact with the permittee. Accordingly, serious violations and violations

which cause a permittee to become an SNC, which were reported on DMRs but not confirmed before the end of the 1999 calendar year, will be the subject of penalty assessments once the department confirms that the violations occurred. If the department establishes that a report of an exceedance was in error (for example, if the reported exceedance is attributable to a mistake in the reporting or processing of discharge data), the department does not take an enforcement action for the reported exceedance.

C. ENFORCEMENT ACTIONS

Section One - Types of Enforcement Actions:

Informal Enforcement Actions:

The department uses both formal and informal enforcement actions to promote compliance with the WPCA. An informal enforcement action notifies a violator that it has violated a statute, regulation or permit requirement, and directs the violator to take corrective actions to comply. Typically, informal actions are a first step in the enforcement process and are taken at the time the department identifies a violation. The department does not assess penalties in informal enforcement actions, which are preliminary in nature and do not provide an opportunity to contest the action in an adjudicatory hearing. However, the department is always willing and available to discuss the violation with a permittee.

The department takes an informal enforcement action by issuing a Notice of Violation or Telefax Order.

A Notice of Violation (NOV) is a document issued by an inspector in the field at the time a violation is identified. A NOV identifies a violation and requires the violator to advise the department of the action taken to remedy the violation.

A Telefax Order (TO) directs a violator to take immediate action to address a violation that may present an immediate threat to public health or the environment.

Until July of 1994, the department counted inspection letters that gave an Unacceptable rating to a facility as Directive Letters (DRLs) since corrective action was directed to be performed. While these letters are still issued in the same format, they are no longer counted as a type of informal enforcement action. The department decided to modify its tracking and reporting protocol of DRLs for various administrative reasons. In addition, the department believes it is more appropriate to place emphasis on the NOV's (rather than DRLs) which are typically issued to facilities at the time of inspections if violations are noted.

As noted earlier, the department has eliminated routine interim inspections. If a review of discharge data indicates an individual serious violation, the department will contact the permittee to confirm the violation(s) prior to assessing a penalty.

Formal Enforcement Actions:

The department typically takes formal administrative enforcement action when it is required by the CWEA to assess a mandatory penalty or when a permittee has failed to remedy a violation in response to an informal enforcement action previously taken by the department. The department only takes formal enforcement action when it has verified that a violation has occurred. The

department usually initiates formal administrative enforcement action through the issuance of an Administrative Order or Settlement Agreement with Penalty. The department has utilized several types of Administrative Orders.

An Administrative Order (AO) is a unilateral enforcement action taken by the department ordering a violator to take corrective action. The department usually issues an AO to require a permittee to comply with its permit and may prescribe specific measures to be taken by the violator.

An Immediate Response Order with Penalty (IRO/P) was an administrative order that usually ordered a permittee to comply with its permit and also assessed a civil administrative penalty. In July of 1998, the department modified its tracking and reporting protocol of IRO/Ps. This type of enforcement action was eliminated since it was basically the same as an AO/NOCAPA.

An Administrative Order and Notice of Civil Administrative Penalty Assessment (AO/NOCAPA) is similar to an IRO/P. This document identifies a violation, assesses a civil administrative penalty, and also orders a violator to take specific, detailed compliance measures.

An Administrative Penalty Assessment (APA) is an action that identifies a violation and assesses a civil administrative penalty. Compliance has already been achieved in most cases.

The department requests that the New Jersey State Attorney General initiate a civil enforcement action against a violator to compel compliance and collect a penalty through an Attorney General Referral (AGR). The department typically initiates such a request to enjoin an activity or condition that poses an immediate and substantial threat to public health and the environment, and when a permittee has failed to work cooperatively with the department toward attaining compliance despite formal administrative enforcement actions.

Civil enforcement actions are filed in the New Jersey State Superior Court by the State Attorney General on behalf of the department. When the Court finds that a defendant has violated the WPCA, it will typically issue a Judicial Order (JO) directing the defendant to comply within a specified period of time and may also require the defendant to pay a civil penalty (JO/P).

The department issues Stipulated Penalty Demand Letters (SPDLs) to permittees demanding payment of penalties stipulated under an ACO or JCO for the permittee's failure to comply with terms of the order.

At one time, the department issued Enforcement Directives (EDs) to grant or deny the assertion of an affirmative defense or a Force Majeure claim. While the department continues to respond to such claims, in July of 1999 it ceased labeling and counting these actions as EDs which explains the sudden decrease in the number issued.

Section Two - Types of Settlement Agreements:

The department resolves administrative and judicial enforcement actions through the execution of several types of Settlement Agreements.

A Settlement Agreement (SA) resolves an administrative enforcement action, including a penalty previously assessed by the department. The SA does not typically impose requirements for corrective action. A Settlement Agreement with Penalty (SA/P) usually resolves an outstanding confirmed violation or an administrative enforcement action and provides for payment of penalties

not previously assessed.

An Administrative Consent Order (ACO) requires a permittee to take specific measures to attain compliance in a binding agreement between the department and the violator. It may resolve a previously issued civil administrative enforcement action. A consent order may provide interim effluent limitations relaxing limits contained in a permit until specified improvements are made in accordance with a compliance schedule. Compliance schedules usually establish milestones for starting and completing construction of required facility improvements or implementing other measures to achieve compliance. Consent orders also normally provide for stipulated penalties, to be paid by the violator if it fails to comply with the compliance schedule or exceeds interim effluent limitations.

A Judicial Consent Order (JCO) resolves a judicial enforcement action and is therefore subject to the court's approval and its ongoing jurisdiction.

An Administrative or Judicial Consent order with penalty (ACO/P or JCO/P) assesses a new penalty in addition to requiring a permittee to take specific measures to attain compliance.

Section Three - Enforcement Actions Initiated in 1999:

Informal Enforcement Actions:

In 1999, the department initiated 340 informal enforcement actions compared with 1,273 in 1992. Specifically, the department issued 338 Notices of Violation and 2 Telefax Orders in 1999.

Formal Enforcement Actions:

In 1999, the department initiated 165 formal enforcement actions compared with 752 in 1992 and the high of 941 in 1993. While a large portion of the decrease is due to the elimination of the Enforcement Directive category as previously explained, both Orders (69 in 1999 vs. 274 in 1992) and Settlements (96 in 1999 vs. 152 in 1992) of all types decreased. Since these are the documents in which the department assesses penalties and, since the department typically initiates penalty actions only against a permittee committing a serious violation or violations which causes it to become a significant noncomplier, this is consistent with the improved compliance trend noted previously.

The reduction in formal actions since 1992 can be traced for the most part to the decrease in the issuance of administrative actions containing penalty assessments that could be adjudicated. Meanwhile, Settlement Agreements with Penalty (SA/P), which now constitute approximately 47% of all formal enforcement actions, were 77 in 1999, down from a high of 126 in 1995. This indicates a drop in the number of facilities which had violations that would trigger mandatory penalties under the Act (serious and SNC violations) which chose to enter into Settlement Agreements with Penalties to avoid litigation costs and resolve violations quickly.

In 1999, the department executed two agreements that established interim enforcement effluent limitations that modified permit limitations. In 1992, the department executed 18 agreements that established interim enforcement effluent limitations.

**TABLE III-6
SUMMARY OF ENFORCEMENT ACTIONS**

TYPE OF ENFORCEMENT ACTION	1992	1993	1994	1995	1996	1997	1998	1999
INFORMAL ACTIONS	1273	1,055	561	323	226	247	314	340
- DRL	505	337	74	N/A	N/A	N/A	N/A	N/A
- NOV	760	711	480	315	216	240	313	338
- TO	8	7	7	8	10	7	1	2
FORMAL ACTIONS	752	941	913	638	449	383	236	165
- ENFORCEMENT DIRECTIVES	317	480	522	371	304	233	117	N/A
- ORDERS	274	198	147	71	47	50	45	69
AO	0	6	0	1	2	0	0	0
AO/NOCAPA	8	3	9	1	0	18	23	44
APA	7	8	6	8	9	4	8	12
IRO/P	222	129	77	29	11	10	N/A	N/A
SPDL	34	45	32	20	17	11	6	7
JO	1	5	5	1	3	2	4	1
JO/P	2	2	4	4	0	0	2	1
AGR	-	6	14	7	5	5	2	4
- SETTLEMENTS	152	260	244	196	98	100	74	96
ACO	32	26	21	14	6	4	1	2
ACO/P	17	30	15	8	8	7	5	3
SA	56	121	80	45	10	11	9	11
SA/P	32	77	121	126	74	75	57	77
JCO	4	4	3	2	0	2	2	1
JCO/P	2	2	4	1	0	1	0	2
- AUTO PAYMENTS	9	3	0	N/A	N/A	N/A	N/A	N/A
TOTALS	2,025	1,996	1,474	961	675	630	550	505

Section Four - Laboratory Certification Program:

On July 1, 1995, the Water Compliance and Enforcement Element received jurisdiction for enforcement of the Laboratory Certification program for violations under the WPCA as well as other statutes. The Air and Environmental Quality Element within the department previously performed this function.

Formal enforcement actions are taken based upon violations discovered by the department's Office of Quality Assurance during its audits of certified laboratories or as a result of a laboratory's failure to comply with the proficiency testing program. While the actions discussed below were taken pursuant to the WPCA, they are being reported here separately from the other sections of this report since inclusion of these actions would alter any trend analysis contained herein. Additionally, some of the enforcement actions involve the issuance of a Notice of Certification Suspension that is unique to only this program.

In 1999, the department issued 10 AO/Ps, 1 SA/P and 1 AO/S (Administrative Order and Notice of Certification Suspension). The number of AO/Ss is significantly down from the past two years because of the termination of the EPA laboratory proficiency study program in June of 1998. As part of this program in New Jersey, a laboratory's repeated failure to analyze proficiency samples and submit the results or failure to obtain results within the determined acceptable range of values would be cause for an AO/S to be issued. However, the total of civil administrative penalties assessed, \$157,500, was much higher than in past years due to more referrals received from the Office of Quality Assurance based upon audits they performed of certified laboratories. In 1999, \$27,560 in penalties was collected. These figures and those from prior years as shown below are not included in Tables III-6 and III-7 of this report.

In 1998, the department issued 4 AO/Ps, 1 SA and 33 AO/Ss (Administrative Order and Notice of Certification Suspension). A total of \$84,000 in civil administrative penalties was assessed and \$4,004 in penalties collected.

In 1997, the department issued 1 AO/P, 1 ACO/P, 2 SAs and 72 AO/Ss (Administrative Order and Notice of Certification Suspension). A total of \$13,725 in civil administrative penalties was assessed and \$1,350 in penalties collected.

In 1996, the department issued 5 EDs, 4 AO/Ps, 2 IRO/Ps, and 4 AO/Ss (one also included a penalty) and 2 SAs. A total of \$3,000 in civil administrative penalties was assessed and \$7,500 in penalties collected.

In 1995, the department issued 9 AO/Ps, 1 AO/P including a Notice of Certification Suspension and 81 AO/Ss. A total of \$6,900 in civil administrative penalties was assessed and \$1,500 in penalties collected.

Section Five - Alternative Dispute Resolution (ADR) Program:

The intent of the ADR program is to bring the department and the affected party together to resolve their disagreements in a forum which is less adversarial than the administrative or judicial forums. It may also serve to reduce expensive and protracted legal proceedings. The department will continue to identify situations that it believes are well suited to the ADR process. This will assist it in maintaining an efficient and effective overall enforcement program that utilizes various tools to achieve its goals.

In 1999 the department continued to resolve water enforcement cases through participation with the Office of Dispute Resolution in the ADR program. This year saw 1 case referred for inclusion in the ADR program and 1 case was brought to resolution.

D. STORMWATER ENFORCEMENT

The information provided in this section pertains exclusively to facilities that received authorization to discharge under a general stormwater permit. Any data related to facilities which discharge stormwater under an individual permit is included elsewhere in this report under the appropriate section.

In 1999, the department continued its stormwater enforcement initiative to complement its stormwater permitting program and priorities. Since 1996, the department's compliance and enforcement efforts have been shifted from inspecting those facilities identified by EPA rules as

requiring a stormwater permit and those facilities which the department determined may have responded erroneously that they did not have a stormwater discharge to surface water, to a focus on conducting compliance evaluation inspections of facilities authorized to discharge.

In 1999, 660 full compliance evaluation inspections and 14 follow-up inspections were performed at facilities that had a stormwater general permit. In addition, 60 discharge investigations were conducted to determine whether or not a stormwater permit was required, plus issuance of 49 NOVs, 11 AO/Ps, 1 SA/P, 2 SAs, and 1 ACO.

In 1999, a total of \$44,850 in civil administrative penalties was assessed and \$19,063 collected. None of the 1999 or prior years' inspection or enforcement action data was included in the tables within this report.

In 1998, 701 compliance evaluation inspections were performed at facilities that had a stormwater general permit. In addition, 50 discharge investigations were conducted to determine whether or not a stormwater permit was required, plus issuance of 78 NOVs, 12 EDs, 5 AO/Ps, 1 SA and 1 AGR.

In 1998, a total of \$31,750 in civil administrative penalties was assessed and \$7,510 collected. None of the above inspection or enforcement action figures were included in the tables of this report.

In 1997, 531 compliance evaluation inspections were performed at facilities that had a stormwater general permit, as well as 164 discharge investigations to determine whether or not a stormwater permit was required. In addition, the department issued 90 NOVs, 30 EDs, 3 AO/Ps, 1 IRO/P, 1 ACO/P and 1 SA/P.

In 1997, a total of \$14,135 in civil administrative penalties was assessed and \$3,500 in penalties collected. None of the above figures were included in the tables of this report.

In 1996, 900 compliance evaluations were performed at facilities with a stormwater general permit, as well as 52 discharge investigations to determine whether or not a stormwater permit is required, plus issuance of 196 NOVs, 48 EDs, 2 IRO/Ps, 1 AO/P and 2 SA/Ps.

In 1996, a total of \$11,250 in civil administrative penalties was assessed and \$4,500 in penalties collected. These penalty figures are not included in Table III-7 of this report.

The department's enforcement initiative in 1995 included 51 compliance evaluation inspections at facilities with a stormwater general permit, numerous phone calls, and site inspections to determine whether or not a stormwater permit was required at 1,426 facilities, as well as issuance of two NOVs, one enforcement directive, one IRO/P, two AO/Ps, one APA and four SAs.

E. COMBINED SEWER SYSTEM ENFORCEMENT

Issue in General: The department issued a general NJPDES - Discharge to Surface Water Permit (permit) for Combined Sewer Systems (CSS) and Combined Sewer Overflows (CSO) in order to comply with the State's Sewer Infrastructure Improvement Act. The effective date of the permit was March 1, 1995. The permit required each individual CSS owner and CSO discharger to request authorization to discharge within one month of the effective date of the permit. The permit also required that authorized CSO Dischargers develop Combined Sewer Overflow Interim and

Long- Term Solids/Floatables Control Plans on or before March 1, 1996. These requirements are the first step in the control of pollutants from these types of systems. The control of pollutants other than solids and floatables will be addressed through the development and implementation of Long-Term Control Plans (see page 12). The New Jersey General Permit requires a discharge point by discharge point evaluation of the control methods to be used. The general permit (NJ0105023) requires that the permittee capture and remove solids/floatables that cannot pass through a bar screen having a 0.5 inch opening. The permit does not specify the technology used towards this end. If solids/floatables removal cannot meet the above standard (limitation) the permittee shall demonstrate the most appropriate alternative control measures for each CSO point that cannot meet the 0.5 inch standard. The alternatives chosen would be based on an incremental cost/ performance analysis. The general permit requires that these solids/floatables control plans be implemented according to a compliance schedule. The overall process of addressing these CSO discharges will take many years and an estimated \$3.4 billion.

Enforcement Actions: Water Compliance & Enforcement (WC&E) has been coordinating an aggressive major effort with the Division of Water Quality to ensure that all CSO owners/ are appropriately committed to both the interim and long term solids & floatables control measures required by these general NJPDES permits.

When WC&E identifies situations where permittees are not in compliance with the planning, design or construction milestones in their NJPDES permits, it issues appropriate formal enforcement actions which establish an alternative compliance schedule and assesses penalties for the noncompliance. The penalties are comprised of both a punitive component and an economic benefit component (the economic benefit realized by the violator in delaying expenditures necessary for attaining compliance).

Towards that end, during Calendar Year 1999, WC&E issued or executed 1 AO/P, 1 ACO/P, 2 JCO/Ps, 1 SA/P and 1 SA in instances where permittees were not in compliance with the Solids & Floatables Control Measures compliance schedules in their CSO General Permits. The total penalties assessed that are included in Table III-7 were \$76,427. WC&E will continue to closely monitor permittees' progress with their compliance schedules and will initiate further formal enforcement actions as necessary in the future.

F. PENALTIES ASSESSED AND COLLECTED

The CWEA requires the department to report the dollar amount of all civil and civil administrative penalties assessed and collected. N.J.S.A. 58:10A-14.2a(18)-(20). This information is presented below under the headings: *Penalties Assessed* and *Penalties Collected*.

Section One - Penalties Assessed:

In 1999, the department assessed a total of \$3.15 million in civil and civil administrative penalties within 146 distinct enforcement actions. This is a significant increase over the \$1.30 million assessed last year (1998). Interestingly, this large increase occurred even though the number of serious violations and significant noncompliers was virtually unchanged from last year. This increase was caused by a few large assessments against a limited number of facilities and a significant number of penalty assessments for violations other than effluent violations or DMR reporting violations, such as exceeding sewage sludge application requirements at permitted sites and unpermitted discharges.

This point is clearly illustrated in Table III-7 below. In one assessment involving Colts Neck Inn in Colts Neck Township, Monmouth County, penalties amounting to over \$500,000 were assessed. In that case a JO/P was issued for \$549,875. The department also issued six assessments greater than \$100,000. Three of the six assessments were issued for violations at one facility. That facility was Sunnyside Farms located in Westampton Township, Burlington County. In that case, Applied Land Sciences, Inc. was issued a penalty of \$198,750, MacKay Disposal was penalized \$191,750 and Raymond MacKay was also issued a \$191,750 penalty as an individual. Smaller assessments were also issued against Biosolids Technology and Kenneth Levers at the same permitted facility.

The other noteworthy assessments over \$100,000 were a \$197,743 assessment issued to Kearfott Guidance & Navigation Corporation - Plant #1 in West Paterson Borough, Passaic County; \$167,321 to Kearfott Guidance & Navigation Corporation - Plant #3 at the same location; and a \$192,000 penalty against the Big N Plaza STP in Hampton Township, Sussex County.

An aggressive program to identify and eliminate unpermitted discharges in support of the department's Watershed initiative resulted in an increase of approximately 25% in the number of assessments under \$25,000, as compared to levels during the past three years.

TABLE III - 7
LOCAL (LOC) AND NONLOCAL (NL) PENALTIES ASSESSED

PENALTY RANGES	1993			1994			1995		
	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED
>\$500,000	\$13,033,000	3	00/03	\$17,829,680	4	01/03	\$942,000	1	00/01
250,001 - \$500,000	2,000,987	6	03/03	0	0	00/00	723,750	2	02/00
100,001 - 250,000	2,549,141	17	04/13	1,332,999	9	02/07	1,138,746	8	01/07
25,000 - 100,000	2,556,330	57	22/35	1,433,252	33	11/22	1,128,432	25	06/19
1 - 25,000	1,909,697	214	49/165	1,621,187	212	59/153	776,803	161	27/134
TOTALS	\$22,049,155	297	78/219	\$22,217,118	258	73/185	\$4,709,731	197	36/161

PENALTY RANGES	1996			1997			1998		
	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED
>\$500,000	\$0	0	00/00	\$659,000	1	00/01	0	0	00/00
250,001 - \$500,000	0	0	00/00	259,000	1	01/00	0	0	00/00
100,001 - 250,000	515,081	3	00/03	624,440	4	03/01	117,398	1	00/01
25,000 - 100,000	855,699	17	06/11	920,520	20	09/11	731,334	15	06/09
1 - 25,000	484,660	101	31/70	656,313	99	32/67	447,569	84	27/57
TOTALS	\$1,855,440	121	37/84	\$3,119,273	125	45/80	1,296,301	100	33/67

PENALTY RANGES	1999		
	\$ AMOUNT ASSESSED IN RANGE	TOTAL # OF ACTIONS	LOC/NL PENALTY ASSESSED
>\$500,000	\$549,875	1	00/01
250,001 - \$500,000	0	0	00/00
100,001 - 250,000	1,139,314	6	00/06
25,000 - 100,000	770,299	17	04/13
1 - 25,000	700,441	122	45/77
TOTALS	\$3,159,929	146	49/97

Section Two - Penalties Collected:

In 1999, the department collected \$1,790,235 in penalties from 103 permittees. This figure would have been substantially lower if not for the \$792,000 paid by one former permittee, the Lighthouse Bar & Restaurant located in West New York City, Hudson County. This amount includes partial payments that the department has received pursuant to payment schedules and collections from previous years' penalty assessments. Penalty collections have ranged from a high of \$10.8 million in 1992 to a low of \$1.3 million in 1998. The decreasing trend is consistent with the decrease in assessments over the past few years. As noted in prior reports, this overall decrease was expected based upon higher compliance rates and lower penalties assessed in prior years. It is anticipated that the amount of penalties collected each year will remain in the present range of \$1.5 to \$2.0 million or drop slightly lower. Of course, one large payment of an outstanding assessment could temporarily reverse this trend.

IV. DELEGATED LOCAL AGENCIES

A. INTRODUCTION

A delegated local agency (DLA) is a political subdivision of the State, or an agency or instrumentality thereof, which owns or operates a municipal treatment works in accordance with a department approved industrial pretreatment program. The department approves pretreatment programs pursuant to the General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR 403, as adopted in the NJPDES regulations, N.J.A.C. 7:14A-1 et seq. Under these Federal regulations, the department may approve a pretreatment program only if the DLA has specified types of legal authority and implements specified procedures including the following:

1. Control indirect discharges through permit, order or similar means to ensure compliance with applicable pretreatment standards;
2. Randomly sample and analyze the effluent from indirect users and conduct surveillance activities in order to identify, independent of information supplied by indirect users, occasional and continuing noncompliance with pretreatment standards;
3. Inspect and sample the effluent from each significant indirect user at least once a year;
4. Investigate and respond to instances of noncompliance through appropriate enforcement action.

An indirect discharge is an introduction of pollutants into a publicly owned treatment works (POTW) from any non-domestic source regulated under section 307(b), (c), or (d) of the Federal Clean Water Act. The DLA classifies an indirect discharger as a significant indirect user if the user is subject to the Federal Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N, or based upon factors such as the quantity of its discharge, the percentage of the POTW's capacity which it contributes, its potential to affect the POTW's operation adversely, or its potential to violate a pretreatment standard or requirement.

Twenty-three DLAs currently have obtained the department's approval for their industrial pretreatment programs, which they implement with oversight by the department. A listing of the DLAs is provided at the end of this chapter. The department's oversight includes: (i) conducting periodic audits of the DLA's pretreatment program; (ii) reviewing the annual report required by 40 CFR Part 403; and (iii) providing technical assistance the DLA requests. The audit includes a review of industry files maintained by the DLA to determine whether the DLA has met its permitting, sampling, inspection, and enforcement obligations. The annual report required by 40 CFR Part 403 is a detailed discussion of the implementation of the approved pretreatment program and includes elements that allow the department to gauge the program's success.

In addition to the Federal reporting requirements, the CWEA requires each DLA to file information with the department annually, for inclusion in the department's annual CWEA report. The information discussed in this chapter represents cumulative totals for these 23 DLA submissions as of the February 1, 2000 statutory deadline and does not include any addendum received after that date. Appendix IV-A summarizes the information submitted by the DLAs. The

original documents are available for review upon request.

Amendments were adopted on January 19, 1999 to the Civil Administrative Penalties and Requests for Adjudicatory Hearings regulations at N.J.A.C. 7:14-8, the Pretreatment Program Requirements for Local Agencies at N.J.A.C. 7:14A-19, and to the Requirements for Indirect Users at N.J.A.C. 7:14A-21. These amendments require that DLAs impose the mandatory minimum penalty requirements and the settlement restrictions of the CWEA when issuing civil administrative penalties against indirect dischargers into their sewerage systems. A review of the data submitted for calendar year 1999 did not show a significant change in the number of violations. However, the trends were positive and can be reviewed in the subsequent sections of this chapter. It is difficult to draw conclusions as to the impact of this regulatory change due to the fact that the DLAs already had authority to issue penalties and were implementing enforcement programs. The impacts of these regulatory changes may become more apparent in subsequent years.

B. PERMITS

The 23 DLAs have issued permits to control the discharges from a total of 1,058 facilities discharging to their sewage treatment plants. In its report, each DLA groups these dischargers into two categories based on the flow and character of the discharge. Category One includes: (i) dischargers in categories of industries for which EPA has established national pretreatment standards pursuant to 40 CFR 403.6; (ii) dischargers defined as significant by either Federal, State or local definition; and (iii) dischargers which are considered major under the applicable local definition. Category Two includes any permitted discharger that does not fall within Category One.

The CWEA requires DLAs to annually inspect each permitted facility discharging into their sewage treatment plant. For Category One permittees, the CWEA requires the DLA to annually conduct a representative sampling of the permittees' effluent. For Category Two permittees, the DLA is required to perform sampling only once every three years.

The data provided by the DLAs and presented below distinguishes the two categories. Category One is referred to as CSM (categorical/significant/major), and Category Two is referred to as OR (other regulated non-categorical).

As of December 31, 1999, the DLAs had issued permits to 622 CSM facilities and 436 OR facilities for a total of 1,058 permits. In 1998, the DLAs regulated a total of 1,060 dischargers; 630 were classified as CSM and 430 were classified as OR. The 23 DLAs issued 59 new permits in 1999. The DLAs issued 324 renewals and 115 permit modifications. Interested parties contested eleven permits. The majority of the contested permits (10 of the 11 reported) noted were reported by the Joint Meeting of Essex and Union Counties (JMEU). JMEU recently renewed permits to include a requirement that the permittee provide a physical structure for each end-of-pipe location to provide access for wastewater sampling and contain a flow meter. JMEU is currently working with these permittees to resolve this issue. In 1998, the DLAs issued a total of 64 new permits, 326 renewals, and 263 permit modifications with one permit contested by interested parties.

Table IV - 1 Details the permit actions mentioned above and identifies the CSM and OR categories.

TABLE IV - 1
PERMIT ACTIVITY SUMMARY
January 1 - December 31, 1999

PERMIT ACTIONS	CSM	OR	TOTAL
New Permits	31	28	59
Permit Renewals	147	177	324
Permit Modifications	81	34	115
Permits contested by interested parties	9	2	11
AO/ACO compliance schedules relaxing local limits	3	1	4

C. INSPECTIONS AND SAMPLINGS

The CWEA requires a DLA to inspect, at least annually, each permitted facility discharging into its sewage treatment plant. Under the CWEA, a DLA must sample the effluent from each of the CSM permittees annually and conduct sampling of the OR permittees once every three years.

The DLAs inspected and sampled 1,019 of the 1,058 permittees at least once during the calendar year. The DLAs inspected and sampled 595 (95.6%) of the 622 CSM permittees, and 424 (97.2%) of the 436 OR facilities. In 1998, the DLAs inspected and sampled 1,034 of the permittees at least once. The DLAs inspected and sampled 619 (98.3%) of the 630 CSM permittees and 415 (96.5%) of the 430 OR permittees. In 1999, there was a shortfall of approximately 4.4% in the number of inspections AND samplings performed for CSM facilities as compared to a 1.7 % shortfall from last year. This shortfall occurred for several valid reasons: a significant number of the facilities that were not sampled/inspected during the calendar year were either not currently discharging, had not begun discharging, or were new permittees. In assessing compliance with pretreatment program requirements, EPA guidance indicates that a 20% shortfall would place the DLA in reportable noncompliance. There was no sampling/inspection shortfall in the OR category as the CWEA only requires one third of these facilities to be both sampled and inspected annually. The DLAs inspected and sampled 424 of the 436 OR facilities (or 97.2% of the universe) in calendar year 1999, as compared to the statutory requirement of 33%.

D. VIOLATIONS

Section One - Violations by Permitted Facilities:

The DLAs reported 1,727 permit violations by permitted facilities in 1999, compared with

1,802 violations in 1998. Violations fall into the following categories: (i) effluent violations where the discharge exceeds the limits established within the permit; and (ii) reporting violations where self-monitoring data has not been submitted or has been submitted in an incomplete manner.

Of the 1,727 permit violations reported in 1999, 1,207 (70 %) were effluent violations, and 520 (30 %) were reporting violations, compared with 1,216 (67.5%) effluent violations and 586 (32.5%) reporting violations in 1998. The total number of violations reported decreased by 75 compared to 1998.

Of the 1,207 effluent violations, 507 (42%) were for non-hazardous discharges of conventional pollutants, such as suspended solids and nutrients, and 700 (58%) were for hazardous pollutant discharges, such as metals, organics and other toxic substances. In 1998, 546 effluent violations were for non-hazardous pollutants and 670 effluent violations were for hazardous pollutants. Of the total number of effluent violations in 1999, 505 (41.8%) constituted serious violations compared with 557 (45.8%) serious violations in 1998.

Table IV-2 - Details the permit violations mentioned above and identifies the CSM and OR categories.

TABLE IV-2
SUMMARY OF ALL PERMIT VIOLATIONS
January 1 - December 31, 1999

VIOLATION TYPE	CSM	OR	TOTAL	%
Non-hazardous pollutants	350	157	507	29.4
Hazardous pollutants	481	219	700	40.5
Reporting violations	342	178	520	30.1
TOTALS	1,173	554	1,727	100.0

Section Two - Unpermitted Discharges and Pass Throughs:

An unpermitted discharge is the release of pollutants, into the sanitary sewer, which is not covered under an existing permit. Unpermitted discharges include any newly identified facilities that have recently come within the jurisdiction of a DLA due to service area expansions by regional sewerage facilities and therefore must obtain a permit. In 1999, the DLAs reported 21 unpermitted discharges; 4 were CSM facilities and 17 were OR facilities. This was attributed to new industries, recently identified industries and industries that have undergone a change in their classification. In 1998, the DLAs reported 4 unpermitted discharges.

The term pass through means a discharge which exits the treatment plant and enters the waters of the State in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the treatment plant's

permit, including an increase in the magnitude or duration of a violation. No pass through of pollutant incidents were reported in calendar year 1999 as were none reported in calendar year 1998.

Section Three - Significant Noncompliance:

The CWEA requires that DLAs identify facilities designated as significant noncompliers (SNCs) in accordance with the definition of SNC as defined by the New Jersey Water Pollution Control Act under N.J.S.A. 58:10A-3.w.

The DLAs reported a total of 74 indirect users who qualified as significant noncompliers under the State definition during 1999. The analysis in the 1998 report indicated that 94 indirect users met the SNC definition. Therefore, there was a decrease of 20, or a 21.3% reduction in the number of facilities in SNC. The DLAs reported as a whole that by the end of calendar year 1999, 34 (45.9%) of the 74 indirect users in SNC had achieved compliance.

Section Four - Violations of Administrative Orders and Administrative Consent Orders

The DLAs reported 14 violations of Administrative Orders (AO) or Administrative Consent Orders (ACO), including violations of interim limits, compliance schedule milestones for starting or completing construction, and failure to attain full compliance. (4 CSM facilities and 10 OR facilities were responsible for these violations). One DLA, the Rahway Valley Sewerage Authority reported that one indirect user violated their compliance schedule by more than 90 days. This facility will require additional treatment, and a new ACO is expected to be executed in March of 2000. In 1998, the DLAs reported 32 violations of AOs and ACOs, and no exceedances by more than 90 days were reported.

As required by the Act, a DLA must report any permittee who was at least six months behind in the construction phase of a compliance schedule. No permittees were reported to have met this criterion in 1999.

Section Five - Affirmative Defenses:

Five DLAs granted 60 affirmative defenses for upsets, bypasses, testing or laboratory errors for serious violations. A major reason cited again this year was matrix interference in laboratory testing for industries subject to the Organic Chemicals, Plastics and Synthetic Fibers (OCPSF) categorical standards (40 CFR Part 414). Matrix interference accounted for 31 of the 60 (52%) of the affirmative defense requests granted. The department's Office of Quality Assurance conducted a workshop for OCPSF facilities and their laboratories in 1999 in an effort to eliminate matrix interference problems. This issue is under review at this time. In 1998, six DLAs granted 59 affirmative defenses.

E. ENFORCEMENT ACTIONS AND PENALTIES

Section One - Enforcement Actions:

During 1999, the DLAs issued 382 enforcement actions as a result of inspections and/or

sampling activities. CSM permittees were the subject of 67% (256) of these actions, and OR permittees were the subject of the remaining 33% (126). In 1998, the DLAs issued 374 enforcement actions. CSM permittees were the subject of 274 (73.3%) of these actions and OR permittees were subject to 100 (26.7%) of these enforcement actions.

It is important to note that the department requires that DLAs respond to all indirect user violations. This section of this report only reflects the 382 enforcement actions taken as a result of DLA inspection and sampling activity as specifically required by statute and not those enforcement actions taken by DLAs based upon indirect user self-monitoring report results. Subsequent sections of this chapter reflect these additional enforcement actions taken by DLAs.

Section Two - Penalty Assessments and Collections:

In calendar year 1999, seventeen of the DLAs assessed a total of \$1,262,322 in penalties for 661 violations. These seventeen DLAs collected penalties in calendar year 1999 totaling \$1,177,841. In 1998, the DLAs assessed \$1,108,660 in penalties for 643 violations while collecting \$1,143,735.

Two DLAs, the Joint Meeting of Essex and Union Counties and the Northwest Bergen County Utilities Authority recovered enforcement costs in civil actions and civil administrative actions totaling \$30,500.

The Passaic Valley Sewerage Commissioners reported that the county prosecutor for their service area filed one criminal action in 1999. For further information, please refer to Chapter V. Criminal Actions.

The CWEA mandates that 10% of all penalties collected by DLAs be deposited in the State Licensed Operator Training Account, but allows DLAs flexibility concerning the expenditure of the remaining balance. The DLAs use the penalty money primarily to offset the cost of the pretreatment program, and do so by depositing the money in their general operating account. Accordingly, penalty receipts collected by DLAs are used to fund salaries, sampling equipment, contract services such as legal and engineering assistance, as well as to purchase computer equipment and fund public education programs. Appendix IV-C lists the specific purposes for which penalty monies were expended.

F. LIST OF DLAs

Each of the DLAs listed below has filed the required CWEA annual report:

<u>Delegated Local Agency</u>	<u>Facility Mailing Address</u>
Bayshore Regional S.A.	100 Oak Street Union Beach, NJ 07735
Bergen County U.A.	PO Box 122 Little Ferry, NJ 07643

Camden County M.U.A.	PO Box 1432 Camden, NJ 08101
Ewing-Lawrence S.A.	600 Whitehead Road Lawrenceville, NJ 08648
Gloucester County S.A.	PO Box 340 Thorofare, NJ 08086
Hamilton Township Dept. of Pollution Control	300 Hobson Ave. Hamilton, NJ 08610
Hanover S.A.	PO Box 250 Whippany, NJ 07981
Joint Meeting of Essex and Union Counties	500 South First Street Elizabeth, NJ 07202
Linden-Roselle S.A.	PO Box 4118 Linden, NJ 07036
Middlesex County U.A.	PO Box 159 Sayreville, NJ 08872
Morris Township	50 Woodland Ave. CN-7603 Convent Station, NJ 07961
Mount Holly M.U.A.	37 Washington St. PO Box 486 Mount Holly, NJ 08060
North Bergen M.U.A.	6200 Tonnelle Ave. PO Box 5218 North Bergen, NJ 07047
Northwest Bergen County U.A.	Dow Avenue Waldwick, NJ 07463
Ocean County U.A.	PO Box P Bayville, NJ 08721
Passaic Valley Sewerage Commissioners	600 Wilson Avenue Newark, NJ 07105

Pequannock, Lincoln Park and Fairfield S.A.	PO Box 188 Lincoln Park, NJ 07035
Rahway Valley S.A.	1050 E. Hazelwood Ave. Rahway, NJ 07065
Rockaway Valley Regional S.A.	99 Green Bank Rd, RD#1 Boonton, NJ 07005
Somerset-Raritan Valley S.A.	PO Box 6400 Bridgewater, NJ 08807
Stony Brook Regional S.A.	290 River Road Princeton, NJ 08540
Trenton, City of	1502 Lamberton Road Trenton, NJ 08611
Wayne Township	475 Valley Road Municipal Bldg. Wayne, NJ 07470

V. CRIMINAL ACTIONS

In 1999, the New Jersey State Attorney General, through the Division of Criminal Justice, Environmental Crimes Bureau, and several county prosecutors, continued its commitment to the enforcement of the criminal provisions of the Water Pollution Control Act (WPCA), N.J.S.A. 58:10A-10(f).

The Division of Criminal Justice (Division), Environmental Crimes Bureau, investigates and prosecutes violations of the State's water pollution laws on a statewide basis, as well as violations of air pollution, hazardous waste, solid waste and regulated medical waste laws. It also investigates and prosecutes traditional crimes, such as racketeering, thefts, frauds and official misconduct that have an impact on environmental regulatory programs, including the department's water pollution program. The Division handles matters brought to its attention by the department, county health departments, local police and fire departments and citizens. In addition, the division coordinates the criminal enforcement efforts of the county prosecutors and provides technical and legal training and assistance to those offices.

In 1999, the Division of Criminal Justice conducted a total of 18 WPCA investigations. The Division also reviewed all of the 155 water pollution investigations undertaken by the Marine Bureau of the State Police, which resulted in 36 summonses, as well as over 651 civil WPCA summonses issued by the department, for potential criminality. The Division filed 3 criminal actions (counts in indictments, accusations and complaints) for violations of the WPCA. Each of these constituted third degree charges involving a purposeful, knowing or reckless unlawful discharge of a pollutant into the State's waters and is pending final disposition. The Division, with the U.S. Attorney and Richmond County District Attorney (Staten Island), also obtained a Federal indictment for a violation of the Federal Clean Water Act that is pending final disposition. The Division also obtained convictions against two defendants for violations of the WPCA.

In 1999, county prosecutors filed eight (8) criminal actions for violations of the WPCA. This total is derived from actions filed by the prosecutors of the following counties: Morris (2), Middlesex (4), and Passaic (2). Of this total, 7 involved third degree charges and 1 was a fourth degree charge involving an unlawful negligent discharge into the State's waters. Two of the third degree charges resulted in convictions. One of the third degree charges resulted in the defendant's entry into the Pretrial Intervention Program (PTI). Four were dismissed as conditions of plea agreements. The fourth degree charge resulted in a conviction.

Discussed below are the WPCA criminal actions and dispositions secured by the Division and by county prosecutors.

In State v. James T. McCann, the Division of Criminal Justice obtained a three count indictment against the defendant charging him with second degree unlawful release of a toxic pollutant, one third degree WPCA violation, and fourth degree creating the risk of widespread injury or damage. The defendant was charged with improperly handling hundreds of drums of chemicals at his facility in a manner that endangered the surrounding community and caused chemicals to drain into the sewer system. The case is pending in Camden County Superior Court.

In State v. Sylvan Callica, the Division of Criminal Justice obtained a two count indictment against the defendant charging him with second degree unlawfully causing the discharge of a hazardous substance and one third degree WPCA violation. The indictment charges Callica with pumping out thousands of gallons of oil contaminated water and oil from two large underground tanks at a Jersey City trucking facility into a storm drain and ultimately into the Hackensack River. The case is pending in Hudson County Superior Court.

In United States v. Donald Lamb, a case jointly investigated and prosecuted by the U.S. Attorney, Division of Criminal Justice Environmental Crimes Bureau and Staten Island District Attorney, a Federal grand jury indictment against the defendant was unsealed when he was arrested in San Francisco. The indictment charges the defendant, a tankerman on the Reinauer barge 320, with negligently causing the discharge of oil from the barge on May 15, 1997 (33 U.S.C.A. §1311(a) and 1319(c)(1)(A), for leaving the deck and falling asleep while the vessel was receiving a load of oil at the GATX Terminal in Carteret. While the defendant slept, it is alleged approximately 49,000 gallons of oil overflowed from the barge. The defendant is also charged with misusing a Federal document (18 U.S.C.A. §2197 1 & 2) for obtaining a Merchant Mariner's document by supplying false information to the Coast Guard and then using said document to obtain employment. The case is pending in Federal District Court in Newark.

In State v. Mohawk Fisheries, Inc., the Division of Criminal Justice filed a summons complaint against the operator of the commercial fishing boat Big Mohawk III, which is based at the Belmar Marina. The complaint charges the operator with discharging untreated sewage into the Shark River, which is a department, EPA designated no discharge area, and into the Atlantic Ocean in New Jersey's territorial waters. The charges are a result of the Division's effort to monitor vessels' compliance with the State's no discharge zones, such as the Shark River. The case is pending in Monmouth County Superior Court.

In State v. Alfred Ciarlone and Alfred Ciarlone, Inc., both the individual and corporate defendants entered guilty pleas to fourth degree water pollution. The case was indicted in 1998 by the Division of Criminal Justice and venued in Mercer County. The Honorable Charles A. Delehy, J.S.C., then sentenced the individual defendant to four years probation and a \$5,000 fine. The company was sentenced to pay a \$50 fine. The defendants, the owner of a gasoline station and his corporation, pled guilty to discharging gasoline contaminated water from underground storage tanks into ground waters of the State.

In State v. Galaxie Chemical Inc., Co., the corporate defendant, both a NJPDES permittee # NJ0125172 and a PVSC permittee # 27403552, entered a guilty plea to an accusation charging two third degree WPCA violations and five Air Pollution Control Act violations. This action, brought by the Passaic County Prosecutor's Office, involved a discharge of ignitable pollutants to the PVSC treatment works and violations of their stormwater permit. The Honorable Joseph A. Falcone, A.J.S.C., sentenced the corporation to a \$200,000 fine, \$150,000 of which was for the WPCA violations, and ordered restitution in the amount of \$37,311.

In State v. Dunellen Associates, Mark Ulinsky, Fred Galler and Environmental Management Services, the defendants were charged in a four count indictment by the Middlesex County Prosecutor's Office with third degree water pollution. The incident involved a discharge of

pollutants, including lead and arsenic, into the Bonegut and Bound Brooks in Dunellen. The Honorable Barnett Hoffman, J.S.C., admitted Dunellen Associates into the PTI program. Conditions of PTI include six months supervision, remediation of the contamination and payment of \$10,000 to the Clean Water Enforcement Fund. Charges against Mark Ulinsky, Fred Galler and Environmental Management Services were dismissed as part of a plea bargain agreement.

In State v. Thomas L. Hathaway, Hathaway was arrested and charged by the Morris County Prosecutor's Office with two counts of water pollution, and Title 2C violations. This matter involves the discharge of pollutants at the former Whippany Paper Board site in Hanover Township, NJ, by Thomas Hathaway. Eden Wood Realty, who employed Hathaway as Project Manager, was developing the property. He pled guilty to a one count accusation charging fourth degree water pollution, paid a \$50,000 fine into the CWEF, and was sentenced to eighteen months probation by the Honorable B. Theodore Bozonelis, J.S.C.

In summary, the Attorney General, through the Division of Criminal Justice, and county prosecutors filed eleven (11) WPCA criminal actions in 1999, involving ten (10) third degree charges and one (1) fourth degree charge, and secured final dispositions for ten (10) criminal violations of the WPCA. Eight of these dispositions resulted from 1999 filings, which are already included in the total criminal actions filed in 1999. The other two dispositions resulted from a 1998 filing. Two of the 1999 convictions involved both a Passaic Valley Sewerage Commission permittee and a NJPDES permittee. The Division of Criminal Justice, with the U.S. Attorney and Richmond County District Attorney, also obtained a Federal indictment for a violation of the Federal Clean Water Act. The Division and counties' activities in 1999 demonstrate the State's continuing commitment to criminal enforcement under the WPCA.

VI. FISCAL

A. CWEA FUND SCHEDULE AND COST STATEMENT

The CWEA establishes the Clean Water Enforcement Fund (Fund) and provides that all monies from penalties, fines and recoveries of costs collected by the department shall be deposited into the Fund. The CWEA further provides, pursuant to N.J.S.A. 58:10A-14.4, that unless otherwise specifically provided by law, monies in the Fund shall be utilized exclusively by the department for enforcement and implementation of the WPCA. However, beginning in July 1995 (fiscal year 1996) the department was placed on budget. Accordingly, a General Fund appropriation is provided for the program. In turn, all fine and penalty revenues are deposited in the General Fund. This change provides the program with greater fiscal stability, especially given the recent decline in fines and penalties that would have otherwise required a downsizing in the program.

The CWEA, in accordance with N.J.S.A. 58:10A-14.2a(21), requires the department to include in this report the specific purposes for which penalty monies collected have been expended, displayed in line format by type of expenditure, and the position numbers and titles funded in whole or in part from the penalty monies. Accordingly, the CWEA Fund Schedule (Table VI-1) presents the monies deposited into the Fund and the Program Cost Statement (Table VI-2) presents the specific purposes for which the monies in the Fund were expended in 1999, based upon cost accounting data.

The Fund Schedule

\$1,215,730 in penalty receipts was deposited in the second half of FY1999. \$577,406 in penalty receipts was deposited during the first half of fiscal year 2000.

TABLE VI – 1
CLEAN WATER ENFORCEMENT FUND SCHEDULE
For the period from January 1, 1999 through December 31, 1999

	January – June 1999	July – December 1999
Total Penalties Recorded	\$1,215,730	\$577,406

The CWEA Program Cost Statement

The WPCA Program Cost Statement (Table VI-2) represents disbursements from the Fund in accordance with N.J.S.A. 58:10A-14.4, for the costs associated with the implementation and enforcement of the WPCA. In calendar year 1999, the Fund disbursed \$313,000 to the Division of Law for the costs of litigating civil and administrative enforcement cases and other legal services; \$40,000 to the Office of Administrative Law for costs associated with adjudicating WPCA enforcement cases; and \$52,220 to the Office of Information Technology for the operation and maintenance of the NJPDES data system. The Fund disbursed \$885,444 for expenses incurred by the department (see Table VI-2 for additional details).

Fiscal

The steady decline in the amount of penalties assessed by the department for WPCA violations is a reflection of increased compliance. The department believes that this trend will continue in the foreseeable future.

The department is continuing the effort begun in FY1995 of reviewing program costs to identify areas where efficiencies could be identified and resultant cost savings could be realized.

TABLE VI-2
CLEAN WATER ENFORCEMENT COST STATEMENT
For the period from January 1, 1999 through December 31, 1999

	FY1999 January - June	FY2000 July - December
Division of Law (Dept. of Law & Public Safety)	\$313,000	\$ -0-
Office of Administrative Law	20,000	20,000
Office of Information Technology	36,564	15,656
Department of Environmental Protection		
- Salaries	333,652	308,779
- Materials and Supplies	22,620	3,559
- Services Other than personal	80,247	18,087
- Maintenance and Fixed Charges	72,363	36,890
- Equipment	8,992	255
DEP Subtotal	517,874	367,570
Total Disbursements	\$887,438	\$403,226

VII. WATER QUALITY ASSESSMENT

A. Introduction

The Water Quality Assessment section of the Clean Water Enforcement Act Report provides an overview of water quality including an evaluation of the effect of point sources on water quality. Water quality results are conveyed in the context of New Jersey's Results Based Management System which focuses on progress towards meeting environmental goals, milestones and indicators developed through NJDEP's Strategic Plan and NEPPS.

Readily available information from Water Quality Inventory Reports, Water Indicator Reports and other published documents was used to develop this Water Quality Assessment. To the extent possible, water quality information is presented using graphs and maps.

Direct evaluation of the effects of point source compliance on water quality is challenging for several reasons. Since permit compliance is very high (greater than 98%) and permit violations are often of very short duration, in-stream monitoring that corresponds spatially and temporally to permit violations is not feasible. However, results indicate that improving effluent quality has had a positive impact on water quality.

- Dissolved oxygen levels in streams have increased and day-time exceedences of Surface Water Quality Standards are now rare.
- The 1998 Surface Water Quality Standards amendment included 17 stream segments which were upgraded from non-trout to trout maintenance or trout production based on recent data.
- Reductions in ocean and bay beach closings can be attributed to wastewater regionalization and diligent management of ocean discharges of wastewater.
- New Jersey is a national leader in opening shellfish beds, due in large part to improved wastewater management.
- Due to improved wastewater management, loads of BOD and CBOD have remained stable despite increases in population served by wastewater treatment plants.
- Regulated facilities have very high compliance with Whole Effluent Toxicity limits, indicating effective management of toxics.

However, continued compliance at wastewater treatment plants coupled with nonpoint source management are essential to maintaining high quality waters, improving waters that do not meet standards and addressing emerging issues.

Rising levels of nitrate present an emerging issue that can affect drinking water supplies and contribute to eutrophication in estuaries. In response, NJDEP and wastewater treatment plants worked cooperatively to reduce the amount of nitrates in effluent discharged into the Passaic River and also reduce energy usage.

Biological screening in freshwater streams using benthic macroinvertebrate communities indicates widespread impairment. Efforts are underway to enhance biological assessment methods, identify causes of biological impairment, target nonpoint source management projects and develop realistic stream restoration goals.

NJDEP is investing significant effort in Watershed Management as a major tool to

address remaining water pollution problems and to prevent additional degradation. New Jersey's twenty (20) Watershed Management Areas are shown on Figure 1.

Watershed Management is a public process to develop restoration goals, management measures, funding sources and implementation commitments which are formalized in Watershed Management Area plans. These plans provide a framework to holistically manage all water resource issues within the Watershed Management Area. Watershed Management Area plans are expected to include regulatory and voluntary measures that will be implemented by government, private sector and citizens to reach agreed upon goals for water resources.

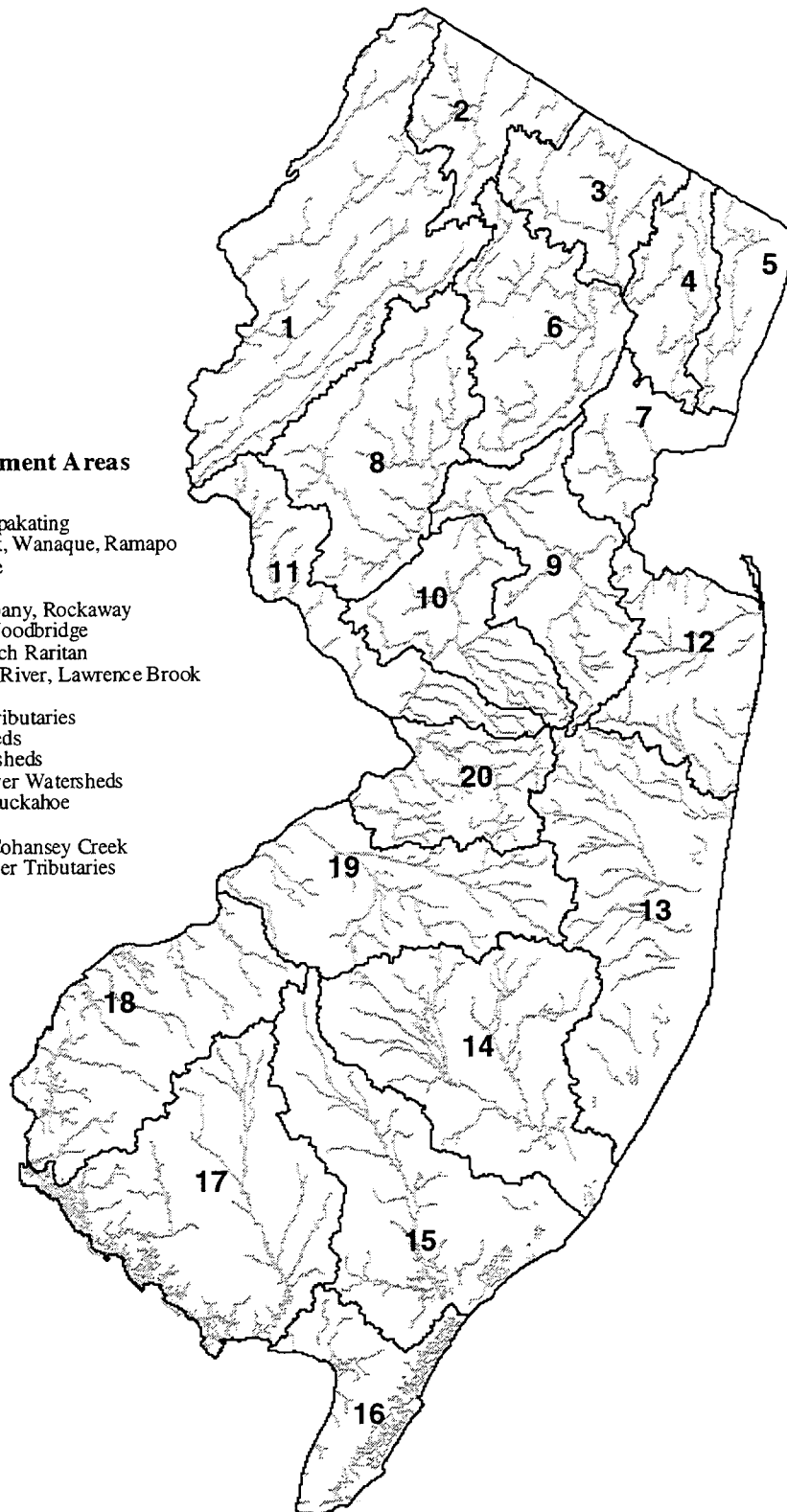
As needed, Total Maximum Daily Loads (TMDLs) will be developed to address remaining exceedences of Surface Water Quality Standards. In order to develop TMDLs, point and nonpoint source contributions to current in-stream load will be evaluated through monitoring and modeling. To ensure Surface Water Quality Standards are met, loads are allocated to point and nonpoint sources, reserve capacity (for future loads) and margin of safety (to address model uncertainty). As needed, TMDLs will be developed in each watershed management area based on a schedule agreed upon with EPA Region II. DEP has committed to completing TMDL development by 2007. TMDLs will be developed under the umbrella of Watershed Management, extensively involving watershed partners.

Figure 1

New Jersey's Watershed Management Areas

Watershed Management Areas

1. Upper Delaware
2. Wallkill, Pochuck, Papakating
3. Pompton, Pequannock, Wanaque, Ramapo
4. Lower Passaic, Saddle
5. Hackensack, Pascack
6. Upper Passaic, Whippany, Rockaway
7. Elizabeth, Rahway, Woodbridge
8. North and South Branch Raritan
9. Lower Raritan, South River, Lawrence Brook
10. Millstone
11. Central Delaware Tributaries
12. Monmouth Watersheds
13. Barnegat Bay Watersheds
14. Mullica, Wading River Watersheds
15. Great Egg Harbor, Tuckahoe
16. Cape May
17. Maurice River and Cohansey Creek
18. Lower Delaware River Tributaries
19. Rancocas Creek
20. Crosswicks Creek



B. Surface Water Assessment in the Context of the Results Based Management System

To the extent possible, this water quality assessment is presented in the context of environmental goals, milestones and indicators for water resources developed as part of New Jersey's Environmental Results Based Management System, which is described in Section E below. Components of this system include the department's Strategic Plan and National Environmental Performance Partnership System (NEPPS). Goals, milestones and indicators were developed under the Strategic Plan and NEPPS with significant input from water managers within DEP and stakeholders, including the regulated community, environmental groups and citizens. Through Watershed Management, it is expected that water goals, milestones and indicators will be tailored to meet watershed needs, and will inform the statewide effort.

Clean and Plentiful Water Goal

New Jersey's rivers, lakes and coastal waters will be fishable, swimmable and support health ecosystems. Surface and ground water will be clean sources of water. Every person in New Jersey will have safe drinking water. Adequate quantities of surface and ground water will be available for all needed uses.

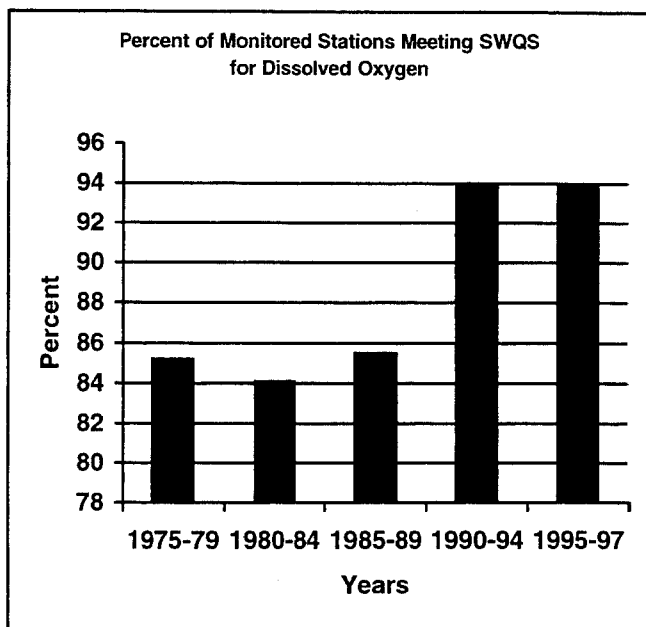
Freshwater Aquatic Life Designated Use Milestone: By 2005, 50% of assessed nontidal river miles will support healthy, sustainable, biological communities.

Current Status: DEP operates the Ambient Biological Monitoring Network (AMNET) to evaluate communities of bottom dwelling insects, crustacea and worms in freshwater streams at 765 locations. Each station was assumed to represent 5 miles of stream. The results provide a screening tool to evaluate the biological health of the waterbody. Stations are monitored once every 5 years.

Through 1995, 756 stations representing 3,815 of 6,450 stream miles (59.1%) were assessed in the AMNET program. Based on these screening level data, 35 percent of the assessed miles fully support the use, 53 percent of the assessed miles partially support the use and 12 percent of the assessed miles fail to support the use.

Recently, 127 stations in the Wallkill and Upper Delaware River Watersheds (WMA's 1, 2 and 11) were re-sampled in the AMNET (DEP, 1999a). Based on these screening level data, 58 percent of the assessed miles in these watershed management areas fully support the use, 41.3 percent of the assessed miles partially support the use and 0.7% of the assessed miles fail to support the use. When compared to data collected in 1993, 71.7% of sites showed no change in assessment classification, 12.6% exhibited a positive change (upgrade in classification), and 15.7 exhibited a negative change (downgrade in classification).

Dissolved oxygen is necessary for almost all aquatic life. Thus concentrations of dissolved oxygen (DO) in water also provide an indicator of the health of aquatic ecosystems. Results of stream monitoring at 83 locations show almost all locations meet DO requirements included in New Jersey's Surface Water Quality Standards. The improvements since the early 1970's have been attributed to significant improvements in effluent quality.



Biological and dissolved oxygen monitoring yield different pictures of the health of New Jersey's freshwater streams. These differences may be due to several reasons:

- Benthic impairment has been generally attributed to water and sediment quality degradation (i.e., current and/ or historical point and/ or non-point sources), habitat alterations (e.g., erosion, sedimentation), flow alterations (decreasing base flow, flashiness) and natural factors (drought, population fluctuations). Often, multiple factors play a role in observed impairments.
- DEP is expanding biological assessment tools to include fish population data to more comprehensively evaluate biological health using existing fisheries databases and to collect new data. Also, dissolved oxygen measurements over a 24 hour cycle will be collected to improve this indicator of biological health.
- NJDEP is currently conducting additional evaluations of habitat quality and pollution sources upstream of impaired benthic macroinvertebrate sampling stations to begin to identify factors that contribute to impairment.
- Efforts are underway to orient Watershed Restoration Action Strategies and Non-point Source Management (319h) projects toward managing causes of impairment.
- Further, NJDEP is developing a project with the United States Geological Survey to evaluate the potential causes of benthic impairment using advanced statistical and spatial analysis techniques. Results of these efforts will be used to identify realistic stream restoration goals that can be integrated into Watershed Management Plans.

Recreational Designated Use Milestones:

By 2005, 100% of New Jersey's coastal recreational beach waters will be safe for swimming.

By 2000, 100% of New Jersey's recreational lake beaches will be assessed and prioritized for improvement projects.

Recreational uses of New Jersey's streams will be maintained and enhanced.

Coastal Beaches: Currently, 100% of ocean beaches and 99.3% of bay beaches are assessed as safe for swimming because there are fewer than 10 closures per beach per year. Safety of New Jersey's coastal beaches is due to a comprehensive program of monitoring, shoreline surveys and diligent management of coastal wastewater treatment plants. Over 6,000 water samples are analyzed each summer, shoreline surveys are used to identify pollution sources and the department's Water Compliance and Enforcement program works closely with coastal wastewater treatment plants to

minimize treatment plant effects on bathing beaches.

However, additional work needs to be done to further minimize beach closings. Last summer, 6 of 14 ocean beach closures were attributed to sewage collection system problems. The remaining 8 ocean closures and all bay beach closures were due to nonpoint sources.

Lake Beaches DEP and NJ Department of Health and Senior Services are working cooperatively to evaluate lake bathing beach data. Initial results indicate relatively few beach closings but additional data assessments are needed to finalize these results. Nonpoint sources are expected to play a significant role in observed lake beach closures.

Rivers and Streams: Bacterial monitoring in New Jersey's rivers and streams, which are not designated bathing areas, indicates significant exceedences of criteria used at swimming beaches. However, due to excellent compliance with disinfection requirements, point sources are assessed as a minor contributor to instream fecal coliform bacteria levels. Management of stream bacteria will occur through the TMDL process that will include best management practices for bacteria.

Freshwater Lakes

Lake eutrophication milestone or objective: under development

Current Status: In New Jersey there are 380 public lakes representing 24,000 acres. To date, 116 lakes, representing a total of 10,462 acres, have been evaluated for trophic status in New Jersey. All freshwater lakes assessed are found to be either threatened or impaired by eutrophication. Lake eutrophication is a natural process that is being accelerated by excessive inputs of nutrients and suspended sediments. Also, most lakes in New Jersey are not natural but instead are shallow stream impoundments that make them highly prone to eutrophication.

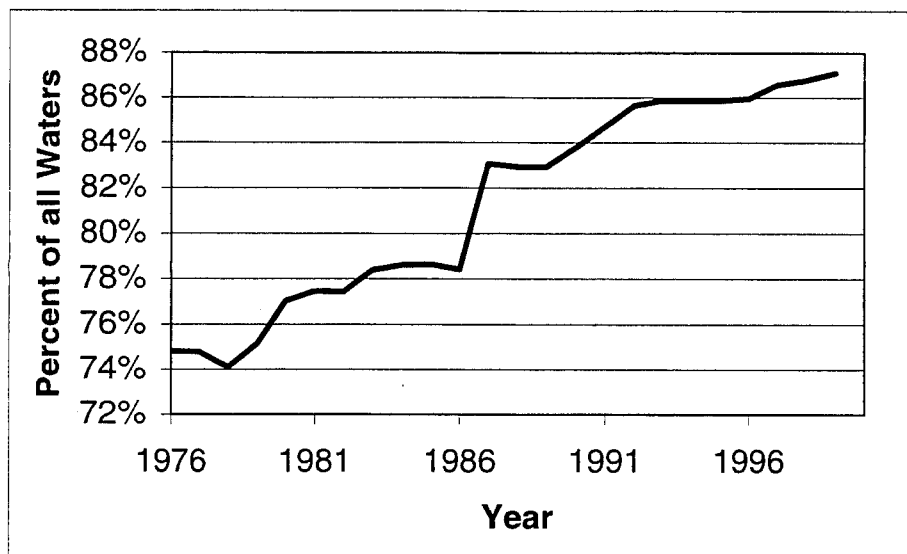
Through the Clean Lakes Program, a number of eutrophic public lakes were remediated using management measures such as dredging and stormwater re-routing. Unfortunately, Clean Lakes Program funding has been discontinued by EPA. In response, New Jersey's legislature funded projects at additional public and private lakes through the Lakes Bond Act. Additional remediation projects are expected to be conducted under the umbrella of watershed management and TMDL development.

Shellfish Consumption Designated Use Milestone: By 2005, 90% of New Jersey's classified waters will provide shellfish that are safe to harvest.

In 1998, 87% of shellfish beds supported harvesting in 1998. The majority of these waters (798 square miles or 76%) fully support shellfish consumption and 116 square miles (11%) are available under seasonal or special restricted conditions and, thus, partially support shellfish consumption. In 1998, 3.47 square miles (2,222 acres) were upgraded, 0 acres were downgraded.

The historical expansion of harvestable waters noted above are due principally to the improved management of point sources. Recent improvements specifically in the alarm systems in treatment plants discharging to the ocean have allowed for reduction of the size of the precautionary buffers surrounding these outfalls and a resulting upgrade in classifications of these waters.

Additional improvements in shellfish waters will be dependant upon effective management of coastal nonpoint sources and continued compliance of ocean discharges.



Toxic Substances in Fish Tissue

Fish Consumption Designated Use Objectives:

- Reduce toxic contamination in fish tissue and, therefore, reduce the need for fish consumption advisories.
- Evaluate fish tissue for contamination, update advisories and provide public education.

Current Status: Due to elevated levels of chlordane, dioxin and PCBs in tidal fish species, and elevated levels of mercury in freshwater species, New Jersey has issued fish consumption advisories and bans for affected species and waterways. A study is ongoing to evaluate older advisories. The Delaware River Basin Commission has identified PCBs, chlordane and mercury in tidal and nontidal portions of the Delaware River as impairing fish consumption.

A Harbor Estuary Program study is being conducted to track down fugitive emissions of PCB's from point sources and contaminated sites in the New York-New Jersey Harbor. The Delaware River Basin Commission, member states and EPA are planning a similar effort for the Delaware Estuary. These studies will shed light on the relative roles of current and historical point and nonpoint sources of PCBs to these waterbodies that have resulted in fish consumption advisories. Results will be used to plan and implement appropriate management actions.

C. Evaluation of Point Source Contribution to Water Quality

The New Jersey Clean Water Enforcement Act requires evaluation of point source contribution to water quality to the extent possible. Direct evaluation of the effects of point source compliance on water quality is challenging for several reasons. Since permit compliance is very high (greater than 98%) and permit violations are often of very short duration, instream monitoring that corresponds spatially and temporally to permit violations is not feasible. However, several sources of information are available to evaluate the effects of improving effluent quality on water quality:

- Water Quality Indicators – DEP developed environmental indicators related to point source loadings, permit compliance and water quality status and trends.
- Relative Contributions Study – USGS evaluated water quality constituent loadings under low and high flow scenarios to evaluate the relative contribution of point and nonpoint sources to water quality at stream monitoring locations.
- 305(b) Source and Cause Assessment – DEP conducted a GIS-based pilot study of point and nonpoint sources fecal coliform pollution to selected streams.

1. Water Quality Indicators

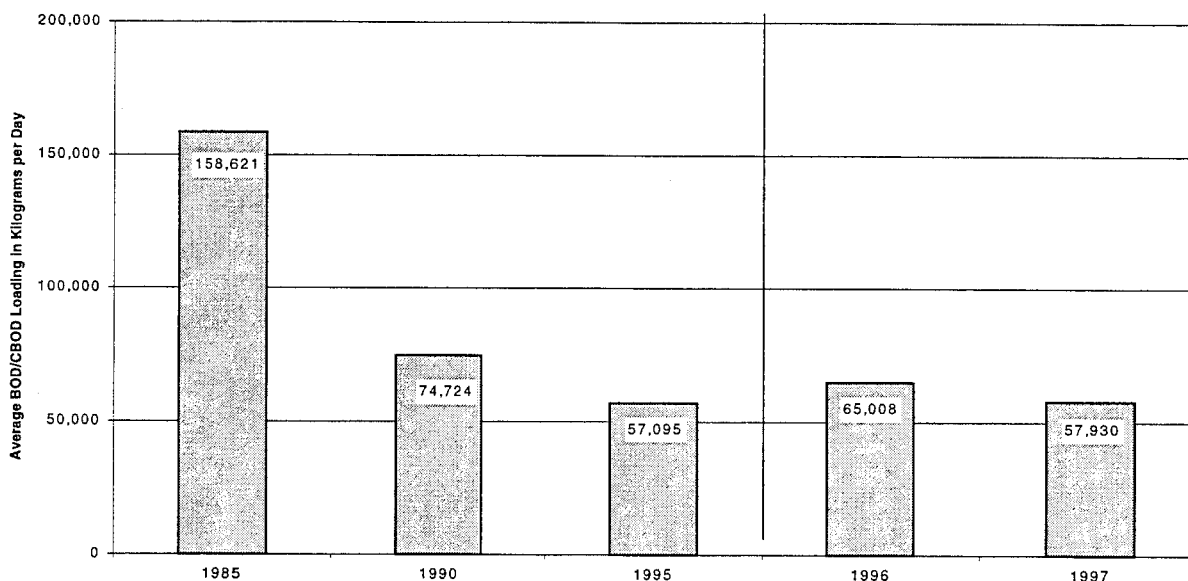
Water quality indicators provide measures of status and trends in point and nonpoint source pollutant loadings and other stressors, measures of ambient water quality and measures of success of implementation of management measures. Indicators have been chosen to measure progress toward environmental goals and milestones developed under New Jersey's Strategic Plan and National Environmental Performance Partnership System (NEPPS).

New Jersey has invested significant effort in selection and development of environmental indicators, including indicators of water resources. Several indicators have been selected for this report to highlight improvements in effluent quality and emerging issues. Additional information regarding New Jersey's Results Based Management System, including Strategic Plan, NEPPS and environmental indicators can be found at www.state.nj.us/dep.

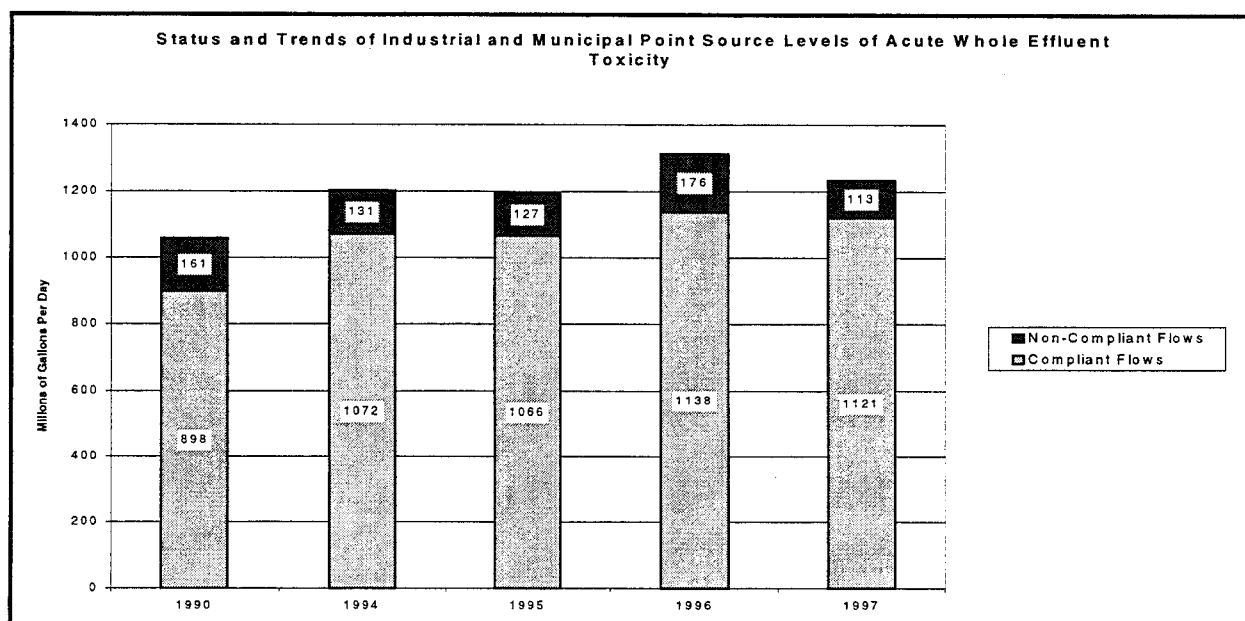
Municipal Point Source Loads of BOD and CBOD Indicator: Biological Oxygen Demand (BOD) and Carbonaceous Biological Oxygen Demand (CBOD) indicate the amount of oxygen needed for biological degradation of organic materials in wastewater. Excessive BOD and CBOD loadings may reduce ambient dissolved oxygen levels, stressing the aquatic community. Municipal point source BOD and CBOD levels decreased as a result of the Federal mandate for secondary treatment in 1988. As a result of improved wastewater treatment operations, BOD and CBOD loadings have been relatively stable since 1990, although the number of residents in sewered areas has increased.

USGS evaluated 1998 in-stream BOD data from the Redesigned Ambient Stream Monitoring Network. Results from quarterly sampling were grouped by land use: background, forest, agricultural, urban. Results show that median levels for all land use types were below 2 mg/l BOD, however, in urban areas in-stream BOD sometimes exceeded 10 mg/l BOD. Point and nonpoint source contribution to these in-stream levels will be evaluated in the future.

Municipal Point Source Loads of BOD and CBOD



Point Source Compliance with Whole Effluent Toxicity Indicator: Whole Effluent Toxicity (WET) is a measure of the potential toxic effects of an effluent on the aquatic community. The health of the biological community may improve as dischargers attain compliance with WET limits. The number of facilities in compliance with acute WET limits for all testing increased 10% from 197 in 1995 to 215 in 1997. Currently, the average flow regulated for acute WET represents 21% of the 5.6 billion gallons per day regulated by NJPDES permits.



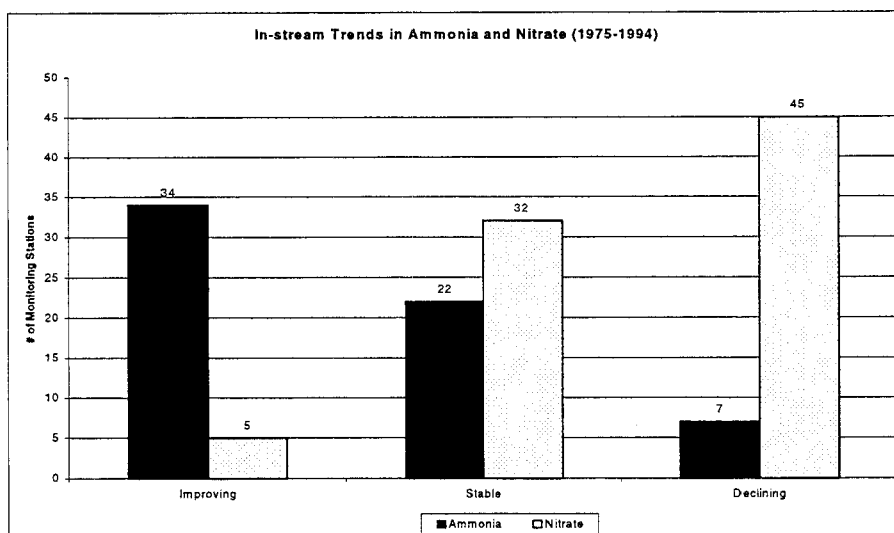
Nitrogen in Streams - An Indicator of an Emerging Issue:

USGS evaluated nitrate 1998 data from the Redesigned Ambient Stream Monitoring Network. Results from quarterly sampling were grouped by land use. Results show that

concentrations of nitrate at 6 background stations were lower than those at agricultural, forested and urban stations. Although median concentrations were below 1 mg/l nitrate at all stations, agricultural, forested and urban stations had at least 1 sample above 5 mg/l nitrate. Due to the difficulty in removing nitrate from drinking water, this concentration is used as a trigger for additional monitoring in the Safe Drinking Water Program. Elevated nitrate is also a contributing factor to estuarine eutrophication.

The graph below highlights the results of effective point source controls on un-ionized ammonia: levels are below Surface Water Quality Standard criteria and continued to decrease or remain stable at most monitoring locations. Levels of nitrate are below Surface Water Quality Standards. However, between 1975 and 1994, nitrate levels were rising at 58 percent of stream monitoring locations.

Point sources contribute nitrate through secondary treated effluent while nonpoint sources contribute through the application of fertilizers to lawns and farms and through animal waste. The effect of nitrate on drinking water supply source waters will be evaluated through the Source Water Assessment Program. As appropriate to protect drinking water supplies and to prevent estuarine eutrophication, nitrate will be managed through the development and implementation of TMDL's.



Nitrate concentrations are of particular concern in the Passaic River Basin due to intensive water uses. In October, 1999 the Division of Water Quality and the Water Supply Element retained a consultant to initiate a demonstration project concerning the potential to reduce the amount of nitrates discharged from wastewater treatment plants into the Passaic River. The project evaluated a technique known as On-Off Aeration. By periodically turning their aeration systems on and off the facilities were able to show significant reductions in the amount of nitrates discharged as well as reductions in energy usage. These results are being evaluated for a next phase to be tested this year.

2. Relative Contributions of Point and Nonpoint Sources – USGS Study Results

The United States Geological Survey – Water Resources Division conducted a study to evaluate the relative contributions of point and nonpoint sources of pollution to freshwater streams.

The study included a statistical evaluation of water quality data collected in the Ambient Stream Monitoring Program at 79 stations. Water quality data for 20 parameters collected under high and low flow conditions were used to indicate the relative contribution or dominance of point and nonpoint sources. Results for total phosphorus are summarized below. Requests for additional information regarding these studies and copies of the reports should be directed to the District Chief, US Geological Survey at 810 Bear Tavern Rd., Suite 206, West Trenton, NJ 08628, Email: dc_nj@usgs.gov.

Evaluation of Total Phosphorus In Streams

Excessive total phosphorus concentrations in stream can indicate a potential eutrophication problem in the watershed, which may occur in the stream or in downstream lakes and reservoirs. Typically, additional data are needed to evaluate watershed eutrophication issues. However, total phosphorus evaluations provide a useful starting point for eutrophication assessments.

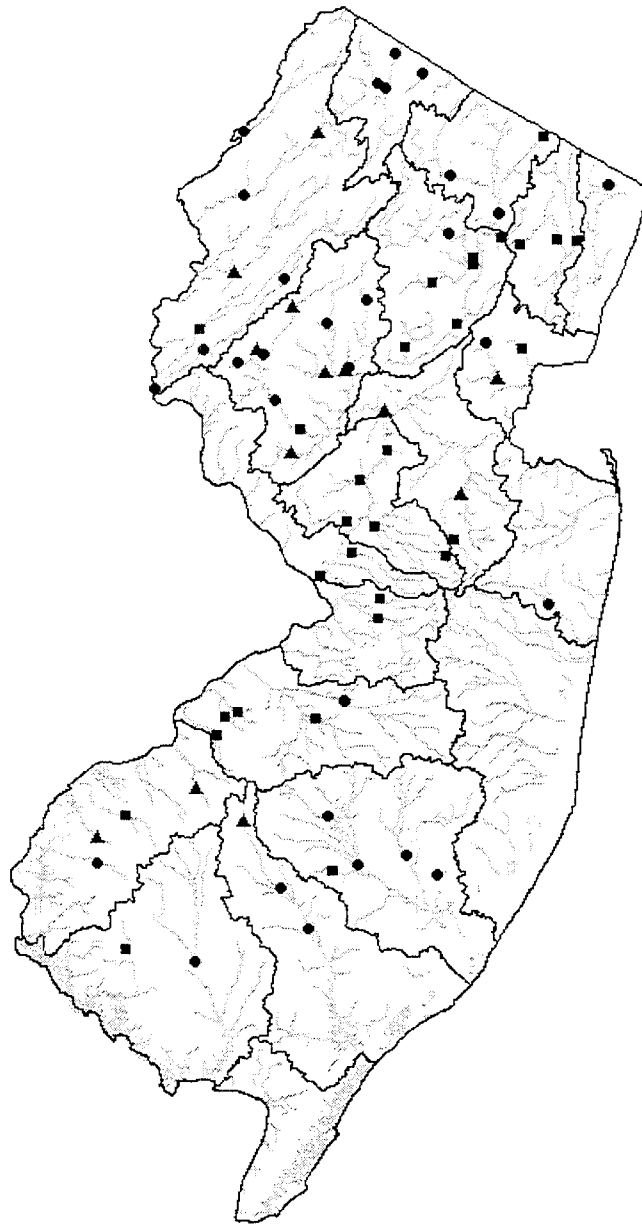
In-stream total phosphorus data collected 5 times per year between 1995 and 1997 were evaluated with respect to Surface Water Quality Standard criteria. Results show that 30 of 73 monitoring locations (41%) complied with criteria; 12 of 73 monitoring locations (16.4%) exhibited moderate impairment and 31 of 73 monitoring locations (42.5%) exhibited severe impairment.

USGS evaluated quarterly total phosphorus data from the Redesigned Ambient Stream Monitoring Network and grouped results by land use. Results show that total phosphorus concentrations at 6 undisturbed background stations was less than 0.04 mg/l TP. Although some samples ranged up to 0.3 mg/l TP in forested sites, median concentrations at agricultural and urban sites were higher.

Relative contributions of point and nonpoint sources to total phosphorus concentrations from the USGS study indicate that point sources contribute relatively more total phosphorus at 15 locations (20%), nonpoint sources contribute relatively more total phosphorus at 12 locations (16%) and both point and nonpoint sources are important at 46 locations (63%). These results are also shown on the figures below.

The results of this study provide a general indication of relative contributions of point and nonpoint sources. However, additional detailed monitoring, assessment and modeling will be conducted to evaluate eutrophication issues in these watersheds and to develop TMDLs as needed.

Status of Total Phosphorus in Streams (1995-1997)



% Exceedences of TP SWQS

• 0 - 10

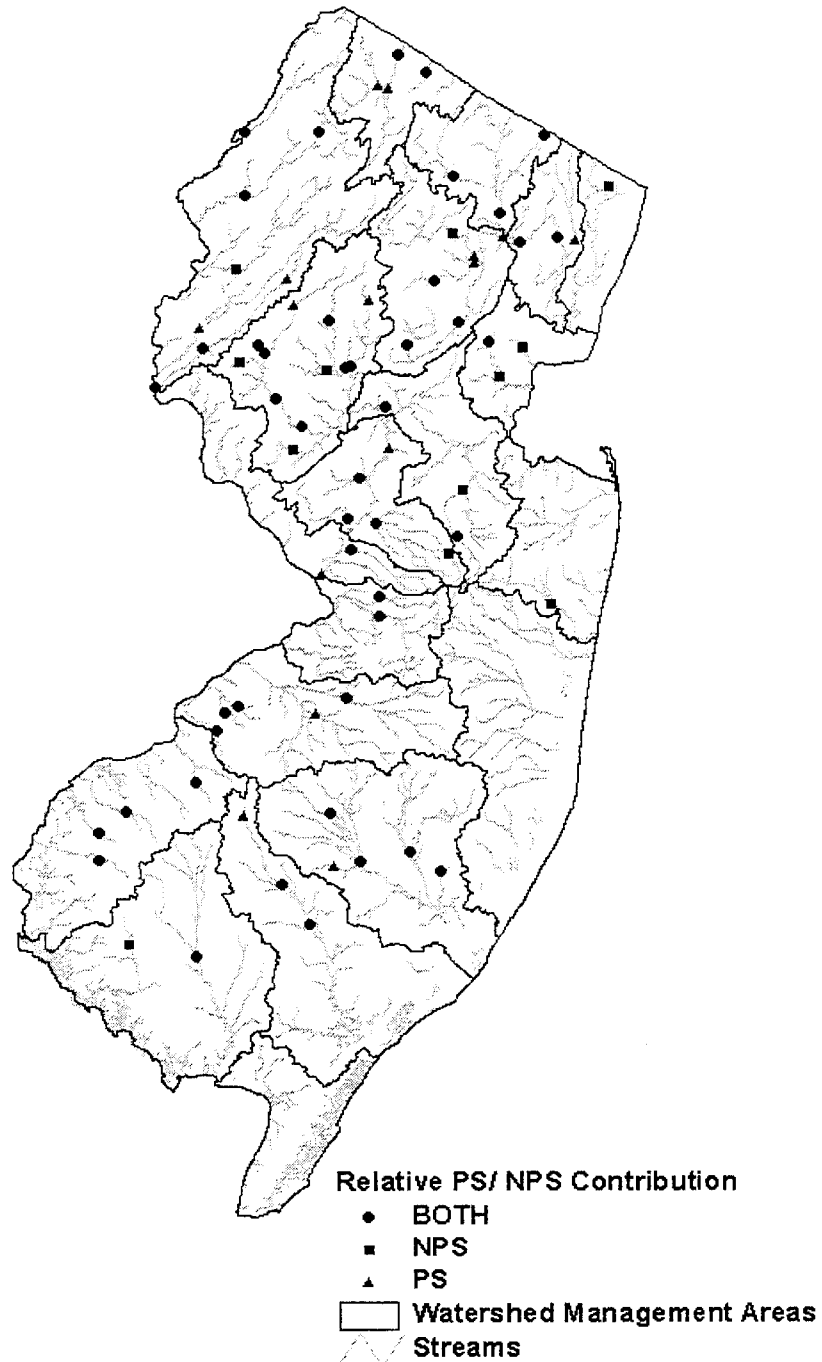
▲ 11 - 25

■ 25 - 100

□ Watershed Management Areas

▤ Streams

Relative Contribution of Point and NonPoint Sources to Instream Total Phosphorus



3. Source and Cause Assessment

EPA Guidance for Preparation of Water Quality Inventory Reports (305b) (EPA, 1997) encourages states to identify impairments to designated uses (e.g., protection of aquatic life, primary and secondary contact recreation, drinking water supply). For waterbodies with impairments, states are requested by EPA to identify the cause(s) and source(s) of the impairment. Causes of designated use impairments include exceedences of narrative and numerical criteria in Surface Water Quality Standards (e.g., elevated fecal coliform) and habitat degradation. Suspected sources of pollution and habitat degradation include point and nonpoint sources of pollution, erosion and channelization. States are further requested to evaluate the relative contributions of causes and sources and delineate the stream miles affected.

In the past, New Jersey's cause and source assessments have been very cursory due to lack of resources. Recently, additional water assessment resources have become available through the department's Water Assessment Team. Using these resources, an improved cause and source assessment for recreational designated use impairments was piloted within the Watershed Management Areas (WMAs) of the Passaic River (WMAs 4 and 6), Paulins Kill/Musconetcong (WMA 1), Whippany River (WMA 6), the Ramapo and Pompton Rivers (WMA 3)

The specific goals of the pilot cause and source assessment were to:

- improve TMDL planning in impaired waterbodies,
- inform supplemental data collection and BMP implementation,
- develop an assessment method that is applicable to many use impairments,
- provide a reproducible cause and source assessment tool,
- evaluate causes and suspected sources of recreational use impairments in streams using readily available water quality and GIS data.

The pilot assessment focused on causes and suspected sources of recreational designated use impairments, which are caused by exceedences of Surface Water Quality Standards criteria for fecal coliform. Results suggest that urban runoff/storm sewers are the principal source of bacterial contamination in the study. Point source permit violations, in contrast, represent a minor source within the areas evaluated. The results are summarized below.

Suspected sources of fecal coliform pollution included:

- urban runoff/ storm sewers: (131.3 miles, 100%); major (27.8 miles), moderate (61.7 miles) and minor (41.8 miles)
- natural source/ wildlife: (46.0 miles, 35%); moderate (23.8 miles) and minor (22.2 miles)
- agriculture: (69.7 miles, 53%); moderate (28.2 miles) and minor (41.5 miles)
- suspended sediment (52.4 miles, 40%); moderate (26.9 miles), minor (25.5 miles)
- permit violations (31.5 miles, 24%); minor (31.5 miles)
- closed landfills (3.2 miles, 2.4%); minor (3.2 miles)

D. Ground Water Quality and Management

Ground Water Goal

To protect and enhance the quality of ground water and assure that adequate quantities of ground water will be available for domestic, municipal, industrial and other purposes as well as serving a vital role in maintaining aquatic ecology by providing ground water base flow to receiving waters

The ground water underlying WMA 6 was characterized. The results indicate natural ground water quality is acceptable for potable use. Localized ground water contamination was identified in some areas.

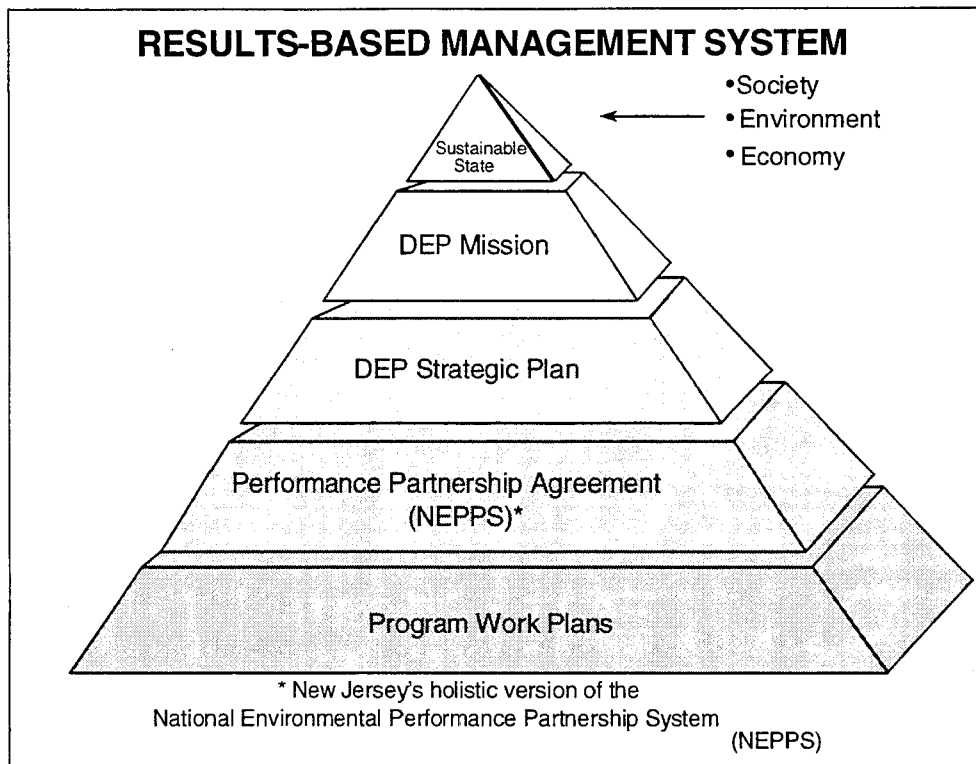
In WMA 19, wells underlying 3 categories of land uses, urban, agricultural and undeveloped, were sampled. In general, nitrate and nitrite levels were lowest in the undeveloped land use areas, and higher in the locations classified as agricultural or urban land use. Detectable levels of volatile organic compounds (VOCs) were found in wells in all three land uses. The most frequently encountered VOCs were chloroform and methyl *tert* butyl ether (MTBE).

In 1997, the DEP and USGS began to redesign the ambient ground water quality monitoring network to better meet current and future information needs of the two agencies, including assessing progress toward meeting the ground water goal and objectives included in the NEPPS Performance Partnership Agreement. The proposed goals for the redesigned ground water network are to assess the status of shallow ground water quality, evaluate pollution sources, assess trends, establish correlation with land use, and identify emerging issues.

E. Surface Water Monitoring and Pollution Control Programs

Development and Implementation of Results Based Management System

New Jersey has adopted a tiered planning approach in its environmental management efforts so as to ensure that all aspects are fully integrated. The figure below represents the framework of New Jersey's overall environmental management efforts. At the top of the pyramid is New Jersey's sustainable State efforts, followed by the department's mission and Strategic Plan. The Strategic Plan is implemented through New Jersey's participation in NEPPS and, specifically, through the Performance Partnership Agreement (PPA), which is supported by program work plans. At each decreasing level of the pyramid, the amount of detail contained within the approach also increases. Additionally, the time horizon for the strategies changes from the Strategic Plan (4 year document) to the PPA (multi-year document) to the program work plans (annual).



Improvements to Surface Water Quality Standards

In April 1998, the department adopted amendments to the Surface Water Quality Standards upgrading the water quality classification of 17 segments from non-trout to trout maintenance or trout maintenance to trout production. These changes in classifications were based on actual field data. Additional segments are being proposed for reclassification to trout maintenance or trout production in the next Surface Water Quality Standards proposal.

Development and Implementation of the Statewide TMDL Schedule

A principal water quality management strategy of the department is the development and implementation of TMDLs. The TMDL process provides a holistic framework for water quality assessment and management. Waterbodies that do not meet Surface Water Quality Standards are identified through monitoring and listed on a Impaired Waterbodies List, prepared pursuant to Section 303(d) of the Federal Clean Water Act. Then as, water quality problems are thoroughly delineated through monitoring and modeling. As appropriate, Total Maximum Daily Loads are developed to manage point and nonpoint sources through permits and other regulatory and non-regulatory measures as agreed on in Watershed Management Plans.

DEP and EPA signed a Memorandum of Agreement (MOA) on May 10, 1999 for TMDL development that includes a schedule for completing all needed TMDLs by 2007. TMDLs are currently being developed in the Whippany River Watershed, Delaware River Estuary and New York-New Jersey Harbor and Sylvan Lakes. In addition, efforts are underway to evaluate waterbodies on the 1998 Impaired Waterbodies List. Based on these data, waterbodies may be removed from the list for some or all listed pollutants, recommended for additional monitoring or TMDL development as appropriate.

Surface Water Quality Monitoring

Monitoring data are used to establish baseline conditions, determine water quality trends, identify water pollution solutions or further clarify water quality problems. The department's primary surface water quality monitoring unit is the Office of Water Monitoring Management.

A DEP and USGS interagency committee designed a new surface water river/stream physical/chemical monitoring network. The redesigned Ambient Stream Monitoring Network has been operating since the fall of 1997. This redesigned network focuses on water quality status and trends to support the development of indicators, identify pollution sources and assess relative pollution impacts in each of the department's 20 watershed management areas. The network includes 5 types of monitoring stations, which provide integrated information regarding surface water quality in New Jersey. In addition, a project is being conducted to continue to evaluate and improve the monitoring network design and to develop a data analysis guidance manual.

In addition to the Ambient Stream Monitoring Network described above, monitoring has been conducted to evaluate waterbodies listed for metals and nutrients on the Impaired Waterbodies List (303d). Thus far, 303d Evaluation Monitoring has been conducted in the Passaic Basin (WMAs 3, 4, 6), Monmouth County Watersheds (WMA 12), the Cooper/ Rancocas/ Pennsauken Watersheds (WMA 19), the Saddle/ Hackensack (WMA 5). Monitoring is planned for the remaining WMAs. Results are being evaluated and will be used, as appropriate, to propose delisting, recommend additional monitoring or TMDL development.

Plans for Comprehensive Assessments of Water Quality in New Jersey

To support EPA and DEP environmental and programmatic goals, the department has begun to employ probabilistic monitoring and assessment techniques to facilitate assessment of statewide status of surface and ground water quality. Data collection for surface waters began in 1997; monitoring for ground water began in mid-1999.

In addition, the department has recently formed a Water Assessment Team in the Division of Science, Research and Technology. This Team is responsible for assessing surface and ground water quality data to support the Water Quality Inventory Report (305b), the Impaired Waterbodies Listing (303d), Watershed Characterization and Assessments and Water Quality Indicators.

F. Literature Cited

Additional information regarding water quality in New Jersey may be obtained by visiting the Division of Science, Research and Technology's and Water Assessment Team's web sites and the Division of Watershed Management's web site; all available through the DEP. Web addresses are:

- www.state.nj.us/dep/dsr,
- www.state.nj.us/dep/dsr/watershed,
- www.state.nj.us/dep/watershedmgt.

NJ Department of Environmental Protection. June, 1998. *Environmental Indicators Technical Report*. Division of Science, Research and Technology. 235 p.

NJ Department of Environmental Protection. 1999a. *Ambient Monitoring Network. Watershed Management Areas 1, 2, and 11. Upper Delaware Region. 1998 Benthic Macroinvertebrate Data*.

NJ Department of Environmental Protection, Bureau of Freshwater and Biological Monitoring,

Trenton, NJ 08625.

NJ Department of Environmental Protection. 1999b. *New Jersey Water Quality Inventory Report 1998*. NJ Department of Environmental Protection, Division of Science, Research and Technology, Trenton, NJ 08625.

US Environmental Protection Agency. September, 1997. *Guidelines for Preparation of the Comprehensive State Water Quality Assessments (305(b) Reports) and Electronic Updates*. EPA-841-B-97-002A.

US Geological Survey. 1998. *Relations of Surface-Water Quality to Streamflow in the Hackensack, Passaic, Elizabeth, and Rahway River Basins, New Jersey, Water Years 1976-93*. Water-Resources Investigations Report 98-4049.

US Geological Survey. 1998. *Relations of Surface-Water Quality to Streamflow in the Atlantic Coastal, Lower Delaware River, and Delaware Bay Basins, New Jersey, Water Years 1976-93*. Water-Resources Investigations Report 98-4244.

US Geological Survey. 1999. *Relations of Surface-Water Quality to Streamflow in the Wallkill and Upper Delaware River Basins, New Jersey, Water Years 1976-93*. Water-Resources Investigations Report 99-4016.

US Geological Survey. 1999. *Relations of Surface-Water Quality to Streamflow in the Raritan River Basin, New Jersey, Water Years 1976-93*. Water-Resources Investigations Report 99-4045.

APPENDIX III-A

DEP - SIGNIFICANT NONCOMPLIERS

As per N.J.S.A. 58:10A-14.2b(1)

1. Anadigics, Inc.

NJPDES No. NJ0100153

Block 78, Lots 16.01 and 18.01, 35 Technology Drive

Warren Township, Somerset County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to an unnamed tributary of Cory's Brook to Anadigics, Inc. on October 22, 1993. Discharge monitoring reports for the monitoring period of January through May 1998 indicated that Anadigics, Inc. failed to monitor for Total Dissolved Solids and pH at outfall number 002.

Follow-up and action:

On October 8, 1999 DEP issued an Administrative Order and Notice of Civil Administrative Penalty in the amount of \$33,108. DEP and Anadigics, Inc. have discussed and have agreed to execute a settlement agreement in order to amicably resolve this matter.

Total Number of Violations: 16

2. Casie Ecology Oil Salvage

NJPDES No. NJ0072729

Block 89, Lot 17, 3209 N. Mill Road

Vineland City, Cumberland County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Significant Indirect User Permit to discharge to Landis Sewerage Authority to Casie Ecology Oil Salvage (Casie) on October 1, 1997. Discharge monitoring reports for the monitoring periods of December 1997 through April 1998 indicated violations for Total Phenols. On May 4, 1998, DEP issued an Administrative Order and Notice of Civil Administrative Penalty (AO/NCAPA) in the amount of \$11,500 for the Total Phenols violations during the December 1997 through March 1998 monitoring periods. Casie requested an Adjudicatory Hearing on this AO/NCAPA.

Follow-up and action:

On May 26, 1999 DEP and Casie executed a Settlement Agreement with Penalty in the total amount of \$16,000, which settled the penalties assessed in the AO/NCAPA and included an additional \$5,000 penalty for an April 1998 Total Phenols violation not included in the previous AONCAPA.

Total Number of Violations: 1

3. **City of Cape May - Cape May Desalination Plant**
NJPDES No. NJ0108341
Block 1061, Lot 139, Canning House Lane
Middle Township, Cape May County

This permittee is contesting the designation of a significant noncomplier.

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to the City of Cape May to discharge to Cape Island Creek from its desalination plant on January 1, 1998. Discharge monitoring reports for the monitoring periods of September 1998 through January 1999 indicated that the facility did not sample for pH.

Follow-up and action:

On September 3, 1999 DEP issued an Administrative Order and Notice of Civil Administrative Penalty Assessment (AO/NOCAPA) in the amount of \$15,075 requiring the City of Cape May to discharge pollutants only in conformity with its permit and the New Jersey Water Pollution Control Act. By letter dated September 14, 1999 the City of Cape May requested an Adjudicatory Hearing on the AO/NOCAPA.

Total Number of Violations: 5

4. **Clinton Township Board of Education - Round Valley School STP**
NJPDES No. NJ0023175
Block 3, Lot 19, 11 Humphry Road
Clinton Township, Hunterdon County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the South Branch of Rockaway Creek to the Clinton Township Board of Education on July 1, 1986. Discharge monitoring reports for the monitoring periods of March through June 1998 indicated violations for Fecal Coliform and Ammonia Nitrogen.

Follow-up and action:

On July 1, 1999, DEP and the Clinton Township Board of Education executed a Settlement Agreement with Penalty in the amount of \$8,000.

Total Number of Violations: 4

5. **Fina Oil and Chemical Company**
NJPDES No. NJ0089168
Block 14, Lot 69, Main Street
Washington Township, Mercer County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to Big Bear Brook to Fina Oil and Chemical Company (Fina) on July 22, 1994. Discharge monitoring reports for the monitoring periods of February and April 1998 indicated violations for Zinc at outfall number 001A.

Follow-up and action:

On April 14, 1999 DEP and Fina executed a Settlement Agreement with Penalty in the amount of \$6,000.

Total Number of Violations: 2

6. **Grimes Aerospace Company**
NJPDES No. NJ0100161
Block 170, Lot 3, 100 Cleveland Avenue
Highland Park, Middlesex County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Raritan River to Grimes Aerospace Company (Grimes) on March 17, 1995. Discharge monitoring reports (DMR) for the monitoring periods of August and September 1998 indicated violations for Chronic Toxicity at outfall number 001A. The DMR for the January 1999 monitoring period indicated that the facility did not sample for Chronic Toxicity at outfall number 001A.

Follow-up and action:

On August 12, 1999 DEP and Grimes executed a Settlement Agreement with Penalty in the amount of \$9,950.

Total Number of Violations: 3

7. **IMTT Bayonne**
NJPDES No. NJ0003361
Block 481, Lot 3, 250 East 22nd Street
Bayonne, Hudson County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Kill Van Kull to IMTT Bayonne (IMTT) on September 16, 1998. Discharge monitoring reports for the monitoring periods of December 1998 and March 1999 indicated violations for Acute Toxicity.

Follow-up and action:

On September 8, 1999 DEP and IMTT executed a Settlement Agreement with Penalty in the amount of \$6,000.

Total Number of Violations: 2

8. **Kearfott Guidance and Navigation Corporation**
NJPDES No. NJ0021270
Blocks 91-96, 107, 115-117, 122, 126, Lots 1, 1.01, 2, 17, 1150 McBride Avenue
West Paterson Borough, Passaic County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Peckman River to Singer Company-Kearfott Division (now Kearfott Guidance and Navigation Corporation) ("Kearfott") on January 28, 1986. Discharge monitoring reports for the monitoring periods of September 1991 through May 1993 indicated monitoring violations for Chemical Oxygen Demand, Total Suspended Solids, Petroleum Hydrocarbons, pH, and Temperature.

Follow-up and action:

On April 8, 1999 DEP issued Kearfott an Administrative Order and Notice of Civil Administrative Penalty Assessment in the amount of \$167,321.

Total Number of Violations: 55

9. Kearfott Guidance and Navigation Corporation

NJPDES No. NJ0021288

Blocks 91-96, 107, 115-117, 122, 126, Lots 1, 1.01, 2, 17, 1150 McBride Avenue
West Paterson Borough, Passaic County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Passaic River to Singer Company-Kearfott Division (now Kearfott Guidance and Navigation Corporation) ("Kearfott") on February 10, 1987. Discharge monitoring reports for the monitoring periods of September 1991 through February 1993 indicated monitoring violations for Chemical Oxygen Demand, Total Suspended Solids, Petroleum Hydrocarbons, pH, and Temperature.

Follow-up and action:

On April 8, 1999 DEP issued Kearfott an Administrative Order and Notice of Civil Administrative Penalty Assessment in the amount of \$197,743.

Total Number of Violations: 65

10. Kere Associates - Big N Shopping Center Sewage Treatment Plant

NJPDES No. NJ0024163

Block 3501, Lot 30.03, U.S. Route 206
Hampton Township, Sussex County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to an unnamed tributary of the Paulinskill River to Kere Associates on February 28, 1995. A discharge monitoring report for the monitoring period of July 1996 indicated a violation for Total Phosphorus (TP). In addition, monitoring conducted by the Sussex County Health Department and the DEP indicated violations in July 1996 for Fecal Coliform (FC) and Total Suspended Solids (TSS), in August 1996 for TSS, in September 1996 for TP, in October 1996 for Chlorine Produced Oxidants (CPO), TP and TSS, in November 1996 for CPO and TSS, in December 1996 for CPO, in January 1997 for TSS, in March 1997 for Oil and Grease, in July 1997 for TP and TSS and in March 1998 for Biochemical Oxygen Demand, FC and TSS.

Follow-up and action:

On June 25, 1999, DEP issued an Administrative Order and Notice of Civil Administrative Penalty Assessment in the amount of \$192,000.

Total Number of Violations: 18

11. Logan Township Municipal Utilities Authority

NJPDES No. NJ0027545

Block 39B, Lot 8.01, Jefferson Road

Logan Township, Gloucester County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination Systems Permit to discharge to the Delaware River to the Logan Township Municipal Utilities Authority (LTMUA) on March 31, 1994. Discharge monitoring reports for the monitoring periods of November and December 1998 indicated violations for Chlorine Produced Oxidants (CPO). LTMUA also failed to monitor for CPO during the monitoring period of March 1 to April 22, 1999.

Follow-up and action:

On August 19, 1999 DEP and LTMUA executed a Settlement Agreement with Penalty in the amount of \$22,202.

Total Number of Violations: 7

12. Meredith Farms Corporation d/b/a Kettle-Cooked Chicken and Paul E. Waters, Jr., CEO

NJPDES No. NJ0076848

Block 6805, Lots 11, 12, 13, 14, 15, 18, 19 and 25, 301 Harding Highway

Franklin Township, Gloucester County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Significant Indirect User Permit to Meredith Farms Corporation (Meredith) to discharge to Landis Sewerage Authority on December 31, 1998. Discharge monitoring reports (DMR) for the monitoring period of June 1999 indicated violations for five-day Biochemical Oxygen Demand. Also, Meredith failed to submit DMRs for the monitoring periods of April and May 1999.

Follow-up and action:

On September 8, 1999 DEP issued an Administrative Order and Notice of Civil Administrative Penalty Assessment (AO/NCAPA) to Meredith Farms Corporation in the amount of \$31,708 and issued an AO/NCAPA to Paul E. Waters in the amount of \$31,500.

Total Number of Violations: 4

- 13. P. F. Laboratories, Incorporated**
NJPDES No. NJ0035572
Block 180, Lot 5, 700 Union Boulevard
Totowa Borough, Passaic County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Passaic River to P.F. Laboratories, Incorporated (P.F.) on December 29, 1994. Discharge monitoring reports for the monitoring periods of December 1998 through February 1999 indicated violations for Chemical Oxygen Demand.

Follow-up and action:

On September 10, 1999 DEP and P.F. executed a Settlement Agreement with Penalty in the amount of \$6,000.

Total Number of Violations: 2

- 14. Philips Electronics North America Corporation**
NJPDES No. NJ0132489
Block 220, Lot 24.01, 675 Central Avenue
New Providence, Union County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination Permit to discharge to an unnamed tributary to the Passaic River to Philips Electronics North America Corporation (Philips) on September 1, 1998. Discharge monitoring reports for the monitoring periods of October 1998 through February 1999 indicated that the facility did not sample for Total Organic Carbon, Total Suspended Solids, Petroleum Hydrocarbon, pH, and Volatile Organics at outfall number 002A.

Follow-up and action:

On August 5, 1999 DEP and Philips executed a Settlement Agreement with Penalty in the amount of \$75,114.

Total Number of Violations: 22

- 15. Rich Products Corporation and Casa DiBertacchi**
NJPDES No. NJ0101206
Block 50, Lot 9, 1910 Gallagher Drive
Vineland City, Cumberland County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Significant Indirect User Permit to discharge to Landis Sewerage Authority to Rich Products Corporation (Rich) on July 1, 1994. Discharge monitoring reports for the monitoring periods of August through November 1999 indicated violations for Total Suspended Solids.

Follow-up and action:

On December 29, 1999 DEP issued an Administrative Order and Notice of Civil Administrative Penalty Assessment in the amount of \$25,000 to Rich and the facility operator, Casa DiBertacchi, requiring that they discharge pollutants only in conformity with the permit and the New Jersey Water Pollution Control Act.

Total Number of Violations: 5

- 16. Southeast Morris County MUA**
Clyde Potts Water Treatment Plant
NJPDES No. NJ0098540
Block 118, Lot 9, Woodland and Cold Hill Roads
Mendham Township, Morris County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to Southeast Morris County MUA to discharge to Harmony Brook with an effective date of September 1, 1984. Discharge Monitoring Reports for the monitoring periods of June 1992 through September 1993 indicated violations for Total Suspended Solids.

Follow-up and action:

On November 8, 1999, DEP and Southeast Morris County MUA executed a Settlement Agreement with penalty in the amount of \$12,000.

Total Number of Violations: 4

- 17. Spartan Village, Incorporated**
NJPDES No. NJ0027596
Block 601, Lot 7, Sykesville Road
North Hanover Township, Burlington County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to North Run to Spartan Village, Incorporated on June 16, 1998. Discharge monitoring reports for the monitoring periods of December 1998 and March 1999 indicated violations for Nitrate.

Follow-up and action:

On August 19, 1999 DEP and Spartan Village, Incorporated executed a Settlement Agreement with Penalty in the amount of \$6,000.

Total Number of Violations: 2

- 18. TR-Metro Chemicals, Incorporated**
NJPDES No. NJ0031500
Block 3805, Lot 10, Hudson Avenue
Ridgefield, Bergen County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to Wolf Creek, to TR-Metro, Incorporated (TR-Metro) on August 27, 1998. Discharge monitoring reports for the monitoring periods of October 1998 through April 1999 indicated violations for Iron.

Follow-up and action:

On December 22, 1999 DEP and TR-Metro executed a Settlement Agreement with Penalty in the amount of \$26,000.

Total Number of Violations: 6

- 19. Tuscan Dairy Farms, Incorporated**
NJPDES No. NJ0034266
Block 2005, Lot 1, 750 Union Avenue
Union Township, Union County

This permittee is contesting the designation of a significant noncomplier.

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the Elizabeth River to Tuscan Dairy Farms, Incorporated (Tuscan) on April 12, 1995. Tuscan failed to submit a discharge monitoring report (DMR) for the monitoring period of August 1998 for outfall number 004A and did not report monitoring data for pH for outfall number 001A. Also, the DMR for the monitoring period of January 1999 for outfall number 004A was submitted 58 days late.

Follow-up and action:

On November 9, 1999 DEP issued an Administrative Order and Notice of Civil Administrative Penalty Assessment (AO/NOCAPA) in the amount of \$29,071 requiring Tuscan to discharge pollutants, monitor and report only in conformity with its permit and the New Jersey Water Pollution Control Act. By letter dated December 6, 1999 Tuscan requested an Adjudicatory Hearing on the AO/NOCAPA.

Total Number of Violations: 3

- 20. Washington Township Municipal Utilities Authority**
Long Valley Village Wastewater Treatment Plant
NJPDES No. NJ0109061
Block 28, Lot 19, 46 East Mill Road
Washington Township, Morris County

Description and date of violations:

DEP issued a New Jersey Pollutant Discharge Elimination System Permit to discharge to the South Branch of the Raritan River to the Washington Township Municipal Utilities Authority on February 2, 1998. Discharge monitoring reports for the monitoring periods of May 1999 and June 1999 indicated violations for Ammonia-Nitrogen.

Follow-up and action:

On December 9, 1999, DEP and Washington Township Municipal Utilities Authority executed a Settlement Agreement with Penalty in the amount of \$6,000.

Total Number of Violations: 2

APPENDIX IV-A

DLA – SUMMARY OF RESPONSES

This appendix contains a copy of the CWEA Annual Report required to be completed and Submitted by the twenty-three delegated local agencies as well as a summary of their Responses to each of the questions within the report.

POTW PRETREATMENT PROGRAM
CLEAN WATER ENFORCEMENT ACT
ANNUAL REPORT
GUIDELINES

This report must be submitted to the
NJDEP no later than
February 1st

PREPARED FOR THE CALENDAR YEAR 1999 ANNUAL REPORT





INTRODUCTION

The New Jersey Department of Environmental Protection (Department) is responsible for overseeing the development, implementation, and continued effectiveness of local delegated pretreatment programs. One of the requirements of a local agency with a State-approved industrial pretreatment program (i.e., a delegated local agency, DLA), pursuant to the New Jersey Water Pollution Control Act under N.J.S.A. 58:10A-14.3, is that the DLA submit a Clean Water Enforcement Act (CWEA) Annual Report for the period of January to December. This report is required for preparation of the Department's Annual Report to the Governor.

These guidelines are provided for use in preparation of the required Clean Water Enforcement Act Annual Report. **Two Copies** of the CWEA Annual Report must be submitted on standard-size 8½ x 11 inch paper. Use of legal size paper or large-size computer printouts is discouraged. Submission of computer printouts reduced to standard size is satisfactory. Forms may be altered or adapted to fit any word processing capabilities of the DLA, as long as the same information is included.

The CWEA Annual Report must be submitted to the Department no later than **February 1** of each year. Failure to comply with this submission requirement is a violation of the New Jersey Water Pollution Control Act and subjects the permittee to civil administrative penalties.

Should you have any questions regarding the content of the CWEA Annual Report Guidelines, you may contact Mr. Jim Murphy or Mr. Valentin Kouame, Bureau of Pretreatment and Residuals, at (609) 633-3823.

When completed, please submit the report to:

State of New Jersey
Department of Environmental Protection
Division of Water Quality
Bureau of Pretreatment and Residuals
P.O. Box 029
Trenton, New Jersey 08625-0029



CLEAN WATER ENFORCEMENT ACT ANNUAL REPORT GUIDELINES

- I. **General Information Page:** This standard page provides basic information on the delegated local agency (DLA) submitting the Clean Water Enforcement Act (CWEA) Annual Report, including the person to contact regarding information contained in the report. The official signing the certification on this page must be the Executive Director or General Manager of the DLA, or a person of equivalent or higher position.
- II. **Report Contents:** The CWEA Report is a short report. This Report, in tabulated form, is a concise summary highlighting the main points (i.e., industrial user permit actions, industrial user violations, and enforcement actions initiated by the DLA) covered by the CWEA Annual Report.

For clarification, the following terms are defined:

- *Cat/Sig/Maj* - means categorical/significant/major indirect user as defined by the DLA
- *Enforcement Actions* - means administrative actions (i.e., notices of violations, issuance of compliance schedule, IU control mechanism modification, IU control mechanism revocation, or other), and legal/judicial actions (i.e., show cause hearing, orders, injunction, civil actions, penalty including summons, criminal prosecution, or other).
- *Enforcement Costs* - means reasonable costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, reasonable costs of preparing and litigating the case, compensatory damages for any loss or destruction of wildlife, fish or aquatic life, or other natural resources, and for any other actual damages caused by an authorized discharge, and total amount of any economic benefits accruing to the violator from a violation. Please note economic benefits may include the amount of any savings realized from avoided capital or noncapital costs resulting from the violation; the return earned or that may be earned on the amount of avoided costs; any benefits accruing to the violator as a result of a competitive market advantage enjoyed by reason of the violation; or any other benefits resulting from the violation.
- *Hazardous Pollutant* means:
 1. Any toxic pollutant;
 2. Any hazardous substance as defined by the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11; or
 3. Any substance regulated as a pesticide under the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 136 et seq.; or



4. Any substance the use or manufacture of which is prohibited under the Federal Toxic Substances Control Act, 15 U.S.C. 2601 et seq.; or
 5. Any substance identified as a known carcinogen by the International Agency for Research on Cancer; or
 6. Any hazardous waste designated pursuant to the New Jersey Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. or the Federal Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq.
- *Other Reg.* - means other regulated indirect user as defined by the DLA. Such a user is not a categorical, significant, or major indirect user but is nonetheless regulated by the DLA through a control mechanism.
 - *Pass Through* - means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NJPDES permit (including an increase in the magnitude or duration of a violation).
 - *Serious Violation* - means an exceedance, as set forth in a permit, administrative order, or administrative consent agreement, including interim enforcement limits, as follows:
 1. For effluent limitations for pollutants that are measured by concentration or mass, except for whole effluent toxicity;
 - i. Violations of an effluent limitation that is expressed as a monthly average;
 - (1) By 20 percent or more for a hazardous pollutant; and
 - (2) By 40 percent or more for a nonhazardous pollutant;
 - ii. Violations of an effluent limitation that is expressed as a daily maximum or daily minimum without a monthly average;
 - (1) By 20 percent or more of the average of all of the daily maximum or minimum values for hazardous pollutant; and
 - (2) By 40 percent or more of the average of all of the daily maximum or minimum values for a nonhazardous pollutant;
 2. The greatest violation of pH effluent range in any one calendar day which violation deviates from the midpoint of the range by at least 40 percent of the midpoint of the range excluding the excursions specifically excepted by a NJPDES permit with continuous pH monitoring. For example:

Assuming that a permittee's effluent limitation range for pH is 6.0 to 9.0, the midpoint would be 7.5.



If the five separate readings of pH during a given day were 4.3, 5.8, 6.5, 6.0, and 6.5, the reading of 4.3 would be a serious violation as follows:

$$\frac{7.5 \text{ (midpoint)} - 4.3 \text{ (greatest exceedance)} \times 100}{7.5 \text{ (midpoint)}} = 42.6\%$$

For example: Using the same information as above. Forty percent of 7.5 is 3; therefore, if the greatest violation of a pH effluent range for any calendar day has a pH of 4.5 or less or a pH of 10.5 or greater, the violation would be a "serious violation."

- *Significant Noncomplier* or "SNC" - means any person, except a local agency for an exceedance of an effluent limitation for flow, who commits any of the violations described below, unless the Department uses, on a case-by-case basis, a more stringent frequency or factor of exceedance to determine a significant noncomplier and the Department states the specific reasons therefor, which may include the potential for harm to human health or the environment. Violations which cause a person to become or remain an SNC include:
 1. A serious violation for the same pollutant, at the same discharge point source, in any two months of any consecutive six month period;
 2. Exceedance of an effluent limitation expressed as a monthly average, for the same pollutant, at the same discharge point source, by any amount in any four months of any consecutive six month period;
 3. If there is not an effluent limitation for a particular pollutant expressed as a monthly average, exceedance of the monthly average of the daily maximums for the effluent limitation, for the same pollutant, at the same discharge point source, by any amount in any four months of any consecutive six month period; or
 4. Any exceedance of an effluent limitation for pH by any amount, excluding the excursions specifically excepted by a NJPDES permit with continuous pH monitoring, at the same discharge point source in any four months of any consecutive six month period; or
 5. Failure to submit a completed discharge monitoring report in any two months of any consecutive six month period.



Additional instructions and information for completing the CWEA Annual Report tables:

<u>Question #</u>	<u>Comment</u>
1.	The total number of permitted industries currently discharging to the DLA's treatment works.
2.	This number represents the total number of industrial users which are currently discharging into the DLA's system and <i>should</i> have a permit from the DLA but have not yet been issued a permit or control mechanism.
3.	Total number of new discharge permits issued by the DLA during calendar year 1999.
4.	Total number of permits which were renewed by the DLA during calendar year 1999.
5.	Total number of permit modification <i>completed</i> by the DLA during calendar year 1999.
6.	Total number of permits contested by interested parties during calendar year 1999.
7.	Total number of compliance schedules that <i>relax</i> local limits specified in the permit. This number should represent the number of schedules issued as <i>final</i> , and <u>should not</u> include any draft compliance schedules that may have been issued.
8.	This number must represent the total number of facilities which were both sampled AND inspected during calendar year 1999. Do not include in this number those facilities which were subject to only one of the required actions (e.g., only inspected and not sampled, or vice-versa).
9.	This number represents the number of pass throughs of pollutants which occurred at the DLA's treatment facility (or facilities) <i>which can be attributed to an industrial user discharge</i> . The definition of "pass through" is noted on Page iii.
10.	This is the total number of industrial user permit violations broken down by reporting violations, and effluent violations for hazardous and non-hazardous pollutants.

Reporting violations include, but are not limited to, late, incomplete, or non-submission of self-monitoring reports (SMRs), progress reports, spill reports, etc.

Hazardous pollutants are those pollutants which meet the definition under N.J.S.A. 59:10A-3.u, which is noted on Page ii.

Non-Hazardous pollutants are those pollutants which are not defined as hazardous pollutants.



Additional instructions and information, continued.

<u>Question #</u>	<u>Comment</u>
11.	This number represents the total number of discharge violations which meet the <i>serious violation</i> definition, as indicated on Page iii.
12.	This number must represent the total number of defenses <i>granted</i> . An affirmative defense is a claim by a permittee that a violation of an effluent discharge limitation was caused by a treatment bypass, a treatment upset, or a testing or laboratory error.
13.	This is the total number of industrial users which have met or meet the <u>State</u> definition of SNC, as indicated on Page iv. This number should include only those facilities which met or meet the State definition, and <u>not</u> those facilities which met or meet the federal SNC definition. <i>The number of facilities listed here must match the number of facilities listed in Attachment A.</i>
14.	No explanation needed.
15.	This is the total number of violations of compliance schedule milestones that are out of compliance by <i>90 days or more</i> .
16a.	This is the number of industrial users, a subset of those listed in question 13 above, which had met the State SNC criteria during 1999, but have achieved compliance prior to the end of calendar year 1999.
16b.	This is the number of industrial users which had met the State SNC criteria during calendar year 1998, but have achieved consistent compliance during calendar year 1999.
17.	This number represents enforcement actions which resulted from inspection and/or sampling events conducted by the DLA. "Enforcement actions" are defined on Page ii.
18.	This is the total number of violations for which civil or civil administrative penalties have been assessed. Since one civil penalty or civil administrative penalty may address several violations, the number noted under this question may be much greater than the total number of penalties issued.
19.	This is the <i>dollar amount</i> of all civil and civil administrative penalties <i>assessed</i> during calendar year 1999.
20.	This is the <i>dollar amount</i> of all civil and civil administrative penalties <i>collected</i> during calendar year 1999. This amount includes partial payments which the DLA has received pursuant to a payment schedule and collection from previous years' assessments of penalties.

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Additional instructions and information, continued.

<u>Question #</u>	<u>Comment</u>
21.	This dollar amount represents the enforcement costs <i>recovered</i> in a civil action or civil administrative action. This money must have been paid to and received by DLA during the calendar year. "Enforcement costs" are defined on Page ii.
22.	This is the total number of criminal actions filed by the Attorney General or county prosecutor during calendar year 1999. This number may coorelate with the response to question number 25.
23.	Permittees which have met or currently meet the State SNC criteria must be listed in Attachment A. This list must also include information relative to the IU (address and permit number), as well as information relative to the IU's noncompliance status, such as a description and date of each violation, date the violation was resolved, and the total number of violations. The number of industries listed in this Attachment must be the same as the response to question number 13. If no permittees met the State SNC criteria, indicate "None" as a response.
24.	Permittees which are six months behind in the construction phase of a compliance schedule must be listed in Attachment B. If no permittees meet this criteria, indicate "None" as a response. Please be sure that this question is answered.
25.	Permittees convicted of criminal conduct must be listed in Attachment C. If no permittees meet this criteria, indicate "None" as a response. This response may coorelate with the response to question 22. Please be sure that this question is answered.
26.	If no money had been collected during the year, indicate "Not Applicable" as a response. Please be sure that this question is answered.

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**INDUSTRIAL PRETREATMENT PROGRAM
CLEAN WATER ENFORCEMENT ACT
ANNUAL REPORT**

Control Authority: _____

Report Date: _____

Period Covered by this Report: January 1, 1999 to December 31, 1999

Wastewater Treatment Plant(s)	NJPDES Permit Number
_____	_____
_____	_____
_____	_____
_____	_____

Person to contact concerning information in this report:

Name: _____

Title: _____

Mailing Address: _____

Telephone Number: _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Date

Signature of Official

Title

SECTION I: CONTROL MECHANISMS

FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 1999

- | | | |
|----|--|--|
| 1. | Total number of permitted industries: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 2. | Total number of unpermitted discharges: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 3. | Total number of new permits: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 4. | Total number of renewed permits: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 5. | Total number of permit modifications: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 6. | Total number of permits contested by interested parties: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 7. | Total number of compliance schedules issued through Administrative Order or Administrative Consent Order involving interim limits that RELAX local limits specified in the permit: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 8. | Total number of facilities inspected AND sampled at least once: | Cat/Sig/Maj: _____
Other Reg. : _____ |

SECTION II: VIOLATIONS

FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 1999

- | | | |
|-----|---|--|
| 9. | Total number of pass throughs of pollutants: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 10. | Total number of permit violations: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| | <u>Reporting violations:</u>
(includes, but is not limited to late, incomplete, or non-submission of Self-Monitoring reports (SMRs) progress reports, spill reports, etc.) | Cat/Sig/Maj: _____
Other Reg. : _____ |
| | <u>Effluent violations for hazardous pollutants:</u> | Cat/Sig/Maj: _____
Other Reg. : _____ |
| | <u>Effluent violations for non-hazardous pollutants:</u> | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 11. | Total number of effluent violations constituting <i>serious violations</i> , including violations that are being contested: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 12. | Total number of defenses for upsets, bypasses, testing, or laboratory errors granted that involve serious violations: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 13. | Total number of IUs qualifying as <i>significant noncompliers</i> , including permittees contesting such designation: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 14. | Total number of violations of administrative orders or administrative consent orders, including violations of interim limits, or of compliance schedule milestones for starting or completing construction, or for failing to attain full compliance: | Cat/Sig/Maj: _____
Other Reg. : _____ |
| 15. | Total number of violations of compliance schedule milestones for starting or completing construction, or attaining full compliance, that are out of compliance by 90 days or more from the scheduled date: | Cat/Sig/Maj: _____
Other Reg. : _____ |

SECTION III: ENFORCEMENT ACTIONS

FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 1999

- 16a. Of the number of IUs identified in question #13 above, how many, at the close of the reporting period, are no longer in SNC status: Cat/Sig/Maj: _____
Other Reg. : _____
- 16b. The number of IUs which were listed as SNCs under question #13 in the 1998 CWEA Annual Report which have achieved compliance during 1999: Cat/Sig/Maj: _____
Other Reg. : _____
17. Total number of enforcement actions resulting from POTW inspection/sampling: Cat/Sig/Maj: _____
Other Reg. : _____
18. Total number of violations for which civil penalties or civil administrative penalties have been assessed: Cat/Sig/Maj: _____
Other Reg. : _____
19. Total dollar amount of all assessed civil penalties and civil administrative penalties: Cat/Sig/Maj: \$ _____
Other Reg. : \$ _____
20. Total dollar amount of civil administrative penalties and civil penalties collected, including penalties for which a penalty schedule has been agreed to by the violator: Cat/Sig/Maj: \$ _____
Other Reg. : \$ _____
21. Total dollar amount of enforcement costs recovered in a civil action or civil administrative action from a violator: Cat/Sig/Maj: \$ _____
Other Reg. : \$ _____
22. Total number of criminal actions filed by the Attorney General or county prosecutors pursuant to section 10 of P.L.1977, c.74 (C.58:10A-10) Cat/Sig/Maj: _____
Other Reg. : _____
23. Attach a list of permittees qualifying as significant noncompliers, including address, permit number, brief description and date of each violation, date that the violation was resolved, and total number of violations. Mark as "**Attachment A.**"
24. Attach a list of permittees at least six months behind in the construction phase of a compliance schedule at the close of the reporting period, including address, permit number, brief description of the conditions violated, the cause of delay, and the current compliance status. Mark as "**Attachment B.**"
25. Attach a list of permittees convicted of criminal conduct, including brief description and date of the violation or violations for which convicted. Mark as "**Attachment C.**"
26. Note the specific purposes for which penalty monies collected have been expended, displayed in line-item format by type of expenditure and including, but not limited to, position numbers and titles funded in whole or in part from these penalty monies. Mark as "**Attachment D.**"

APPENDIX IV - A Question 1
TOTAL NUMBER OF PERMITTED INDUSTRIES IN DLAs SERVICE AREA
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	3	1	4
BERGEN COUNTY UTILITIES AUTHORITY	53	105	158
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	57	49	106
EWING-LAWRENCE SEWERAGE AUTHORITY	5	4	9
GLOUCESTER COUNTY UTILITIES AUTHORITY	15	4	19
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	3	17	20
HANOVER SEWERAGE AUTHORITY	5	4	9
JOINT MEETING OF ESSEX AND UNION COUNTIES	44	18	62
MIDDLESEX COUNTY UTILITIES AUTHORITY	113	0	113
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	5	8	13
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	6	0	6
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	9	36	45
PASSAIC VALLEY SEWERAGE COMMISSIONERS	183	111	294
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	6	18	24
RAHWAY VALLEY SEWERAGE AUTHORITY	21	23	44
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	9	13	22
STONY BROOK REGIONAL SEWERAGE AUTHORITY	5	0	5
THE LINDEN ROSELLE SEWERAGE AUTHORITY	21	0	21
THE OCEAN COUNTY UTILITIES AUTHORITY	27	18	45
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	18	4	22
TOWNSHIP OF MORRIS	3	2	5
TRENTON SEWER UTILITY	3	1	4
WAYNE TOWNSHIP	8	0	8
Total:	622	436	1058
Count	23		

APPENDIX IV-A Question 2
TOTAL NUMBER OF UNPERMITTED DISCHARGES IN DLAs SERVICE AREA
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	1	6	7
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	3	11	14
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	4	17	21
Count	23		

APPENDIX IV-A Question 3
TOTAL NUMBER OF NEW INDIRECT USER PERMITS ISSUED
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	5	0	5
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	2	1	3
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	3	3
HANOVER SEWERAGE AUTHORITY	1	0	1
JOINT MEETING OF ESSEX AND UNION COUNTIES	4	4	8
MIDDLESEX COUNTY UTILITIES AUTHORITY	4	0	4
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	2	2
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	3	3
PASSAIC VALLEY SEWERAGE COMMISSIONERS	8	12	20
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	1	0	1
RAHWAY VALLEY SEWERAGE AUTHORITY	0	1	1
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	1	1	2
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	1	0	1
THE OCEAN COUNTY UTILITIES AUTHORITY	1	1	2
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	1	0	1
TOWNSHIP OF MORRIS	1	0	1
TRENTON SEWER UTILITY	1	0	1
WAYNE TOWNSHIP	0	0	0
Total:	31	28	59
Count	23		

APPENDIX IV-A Question 4
TOTAL NUMBER OF RENEWED INDIRECT USER PERMITS ISSUED
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	48	105	153
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	1	2	3
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	2	2
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	20	7	27
MIDDLESEX COUNTY UTILITIES AUTHORITY	20	0	20
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	1	2	3
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	9	33	42
PASSAIC VALLEY SEWERAGE COMMISSIONERS	20	10	30
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	5	11	16
RAHWAY VALLEY SEWERAGE AUTHORITY	2	0	2
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	1	2	3
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	7	0	7
THE OCEAN COUNTY UTILITIES AUTHORITY	11	1	12
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	2	2	4
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total: Count	23	147	177
			324

APPENDIX IV-A Question 5
TOTAL NUMBER OF INDIRECT USER PERMIT MODIFICATIONS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	3	0	3
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	5	5	10
EWING-LAWRENCE SEWERAGE AUTHORITY	8	5	13
GLOUCESTER COUNTY UTILITIES AUTHORITY	3	0	3
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	1	1
HANOVER SEWERAGE AUTHORITY	3	2	5
JOINT MEETING OF ESSEX AND UNION COUNTIES	5	1	6
MIDDLESEX COUNTY UTILITIES AUTHORITY	12	0	12
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	2	2
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	12	3	15
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	1	1
RAHWAY VALLEY SEWERAGE AUTHORITY	2	0	2
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	9	11	20
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	3	0	3
THE OCEAN COUNTY UTILITIES AUTHORITY	6	1	7
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	5	0	5
TOWNSHIP OF MORRIS	2	2	4
TRENTON SEWER UTILITY	3	0	3
WAYNE TOWNSHIP	0	0	0
Total: Count	81	34	115

23

APPENDIX IV-A Question 6
TOTAL NUMBER OF PERMITS CONTESTED BY INTERESTED PARTIES
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	0	0
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	8	2	10
MIDDLESEX COUNTY UTILITIES AUTHORITY	1	0	1
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total: Count	9	2	11

23

APPENDIX IV-A Question 7
NUMBER OF AO/ACO COMPLIANCE SCHEDULES W/INTERIM LIMITS RELAXING LOCAL LIMITS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	0	0
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	2	0	2
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	1	1	2
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	3	1	4
Count	23		

APPENDIX IV-A Question 8
TOTAL NUMBER OF FACILITIES INSPECTED AND SAMPLED AT LEAST ONCE
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	3	1	4
BERGEN COUNTY UTILITIES AUTHORITY	49	103	152
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	50	46	96
EWING-LAWRENCE SEWERAGE AUTHORITY	5	4	9
GLOUCESTER COUNTY UTILITIES AUTHORITY	15	4	19
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	4	17	21
HANOVER SEWERAGE AUTHORITY	4	5	9
JOINT MEETING OF ESSEX AND UNION COUNTIES	44	27	71
MIDDLESEX COUNTY UTILITIES AUTHORITY	100	0	100
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	5	7	12
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	6	0	6
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	9	36	45
PASSAIC VALLEY SEWERAGE COMMISSIONERS	183	111	294
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	6	5	11
RAHWAY VALLEY SEWERAGE AUTHORITY	21	20	41
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	9	12	21
STONY BROOK REGIONAL SEWERAGE AUTHORITY	5	0	5
THE LINDEN ROSELLE SEWERAGE AUTHORITY	18	1	19
THE OCEAN COUNTY UTILITIES AUTHORITY	27	18	45
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	18	4	22
TOWNSHIP OF MORRIS	3	2	5
TRENTON SEWER UTILITY	3	1	4
WAYNE TOWNSHIP	8	0	8
Total: Count	595	424	1019

23

APPENDIX IV-A Question 9
TOTAL NUMBER OF PASS THROUGH POLLUTANTS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	0	0
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	0	0	0
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	0	0	0
Count	23		

APPENDIX IV-A Question 10
TOTAL NUMBER OF INDIRECT USER PERMIT VIOLATIONS
CWEA Annual Report Summary - 1999

Authority Name	a CSM	a OR	a Item Total	b CSM	b OR	b Item Total	c CSM	c OR	c Item Total	TOTAL VIOLS 0a+b+c
BAYSHORE REGIONAL SEWERAGE AU	2	1	3	0	0	0	0	1	1	4
BERGEN COUNTY UTILITIES AUTHORIT	2	9	11	24	4	28	11	15	26	65
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	24	20	44	7	18	25	55	50	105	174
EWING-LAWRENCE SEWERAGE AUTH	6	1	7	0	0	0	4	0	4	11
GLOUCESTER COUNTY UTILITIES AUTH	0	0	0	4	0	4	3	3	6	10
HAMILTON TOWNSHIP DEPARTMENT O WATER POLLUTION CONTROL	0	25	25	0	10	10	2	26	28	63
HANOVER SEWERAGE AUTHORITY	3	1	4	0	5	5	0	10	10	19
JOINT MEETING OF ESSEX AND UNION COUNTIES	99	48	147	38	2	40	135	17	152	339
MIDDLESEX COUNTY UTILITIES AUTHO	6	0	6	112	0	112	31	0	31	149
MOUNT HOLLY MUNICIPAL UTILITIES A	7	2	9	0	1	1	15	0	15	25
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	12	0	12	0	0	0	20	0	20	32
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	2	2	1	0	1	1	1	2	5
PASSAIC VALLEY SEWERAGE COMMIS	118	42	160	270	142	412	0	0	0	572
PEQUANNOCK, LINCOLN PARK & FAIRFI SEWERAGE AUTHORITY	2	0	2	3	0	3	0	0	0	5
RAHWAY VALLEY SEWERAGE AUTHOR	18	19	37	11	23	34	32	23	55	126
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	9	3	12	0	14	14	2	5	7	33
STONY BROOK REGIONAL SEWERAGE AUTHORITY	11	0	11	1	0	1	3	0	3	15
THE LINDEN ROSELLE SEWERAGE AUT	0	0	0	3	0	3	8	0	8	11
THE OCEAN COUNTY UTILITIES AUTHO	20	4	24	2	0	2	21	6	27	53
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	3	1	4	1	0	1	4	0	4	9
TOWNSHIP OF MORRIS	0	0	0	1	0	1	1	0	1	2
TRENTON SEWER UTILITY	0	0	0	3	0	3	0	0	0	3
WAYNE TOWNSHIP	0	0	0	0	0	0	2	0	2	2
Total: Count	342	178	520	481	219	700	350	157	507	1727

a = Reporting Violations
b = Effluent Violations for Hazardous Pollutants
c = Effluent Violations for Non-Hazardous Pollutants

APPENDIX IV-A Question 11
 EFFLUENT VIOLATIONS CONSTITUTING SERIOUS VIOLATIONS (incl. those contested)
 CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	29	12	41
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	29	41	70
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	3	1	4
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	1	25	26
HANOVER SEWERAGE AUTHORITY	0	1	1
JOINT MEETING OF ESSEX AND UNION COUNTIES	63	4	67
MIDDLESEX COUNTY UTILITIES AUTHORITY	93	0	93
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	1	1
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	2	0	2
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	1	1	2
PASSAIC VALLEY SEWERAGE COMMISSIONERS	93	26	119
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	2	0	2
RAHWAY VALLEY SEWERAGE AUTHORITY	26	37	63
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	1	0	1
STONY BROOK REGIONAL SEWERAGE AUTHORITY	3	0	3
THE LINDEN ROSELLE SEWERAGE AUTHORITY	1	0	1
THE OCEAN COUNTY UTILITIES AUTHORITY	3	1	4
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	2	0	2
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	3	0	3
WAYNE TOWNSHIP	0	0	0
Total: Count	355	150	505

23

APPENDIX IV-A Question 12

AFFIRMATIVE DEFENSES GRANTED (FOR UPSETS, BYPASSES, ETC.) INVOLVING SERIOUS VIOLATIONS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	8	4	12
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	4	9	13
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	2	2
JOINT MEETING OF ESSEX AND UNION COUNTIES	0	0	0
MIDDLESEX COUNTY UTILITIES AUTHORITY	32	0	32
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	1	0	1
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	45	15	60
Count	23		

APPENDIX IV-A Question 13
TOTAL NUMBER OF INDIRECT USERS QUALIFYING AS SIGNIFICANT NONCOMPLIERS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	3	1	4
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	3	8	11
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	1	0	1
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	5	5
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	10	0	10
MIDDLESEX COUNTY UTILITIES AUTHORITY	14	0	14
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	1	0	1
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	11	3	14
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	3	0	3
RAHWAY VALLEY SEWERAGE AUTHORITY	2	2	4
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	1	0	1
STONY BROOK REGIONAL SEWERAGE AUTHORITY	1	0	1
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	4	0	4
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	1	0	1
WAYNE TOWNSHIP	0	0	0
Total: Count	55	19	74

23

APPENDIX IV-A Question 14
TOTAL NUMBER OF VIOLATIONS OF AO/ACOs
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	10	10
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	4	0	4
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total: Count	4	10	14

23

APPENDIX IV-A Question 15
TOTAL VIOLATIONS OF COMPLIANCE MILESTONES OUT BY 90 DAYS OR MORE
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	0	0
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	0	0	0
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	0	0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	1	1
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	0	1	1
Count	23		

APPENDIX IV-A Question 16a
AS OF 12/99, INDIRECT USERS FROM Q.13 NO LONGER IN SNC STATUS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	1	6	7
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	3	3
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	4	0	4
MIDDLESEX COUNTY UTILITIES AUTHORITY	5	0	5
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	1	0	1
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	4	1	5
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	3	0	3
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	1	0	1
STONY BROOK REGIONAL SEWERAGE AUTHORITY	1	0	1
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	3	0	3
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	1	0	1
WAYNE TOWNSHIP	0	0	0
Total: Count	24	10	34

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APPENDIX IV-A Question 16b
1998 SNC INDIRECT USERS WHICH ACHIEVED COMPLIANCE IN 1999
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	2	1	3
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	5	8	13
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	2	2
HANOVER SEWERAGE AUTHORITY	2	0	2
JOINT MEETING OF ESSEX AND UNION COUNTIES	7	1	8
MIDDLESEX COUNTY UTILITIES AUTHORITY	12	0	12
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	1	0	1
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	2	0	2
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	1	0	1
PASSAIC VALLEY SEWERAGE COMMISSIONERS	10	5	15
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	2	2	4
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	2	0	2
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	1	0	1
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	1	0	1
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	48	19	67
Count	23		

APPENDIX IV-A Question 17

TOTAL NUMBER OF ENFORCEMENT ACTIONS RESULTING FROM DLA INSPECTIONS/SAMPLING
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	1	1
BERGEN COUNTY UTILITIES AUTHORITY	9	9	18
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	6	18	24
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	1	7	8
HANOVER SEWERAGE AUTHORITY	0	2	2
JOINT MEETING OF ESSEX AND UNION COUNTIES	136	15	151
MIDDLESEX COUNTY UTILITIES AUTHORITY	12	0	12
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	1	1
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	8	0	8
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	17	13	30
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	1	0	1
RAHWAY VALLEY SEWERAGE AUTHORITY	41	57	98
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	1	0	1
THE LINDEN ROSELLE SEWERAGE AUTHORITY	18	0	18
THE OCEAN COUNTY UTILITIES AUTHORITY	4	3	7
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	2	0	2
WAYNE TOWNSHIP	0	0	0
Total: Count	256	126	382

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APPENDIX IV-A Question 18
TOTAL NUMBER OF VIOLATIONS FOR WHICH PENALTIES HAVE BEEN ASSESSED
CWEA Annual Report Summary - 1999

Authority Name	CSM	Reg.	Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	14	7	21
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	35	80	115
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	1	1
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	11	11
HANOVER SEWERAGE AUTHORITY	0	1	1
JOINT MEETING OF ESSEX AND UNION COUNTIES	284	0	284
MIDDLESEX COUNTY UTILITIES AUTHORITY	104	0	104
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	1	1	2
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	16	0	16
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	1	1	2
PASSAIC VALLEY SEWERAGE COMMISSIONERS	46	19	65
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	2	0	2
RAHWAY VALLEY SEWERAGE AUTHORITY	10	13	23
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	3	0	3
THE OCEAN COUNTY UTILITIES AUTHORITY	5	2	7
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	2	1	3
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	1	0	1
Total:	524	137	661
Count	23		

APPENDIX IV-A Question 19
TOTAL AMOUNT OF ALL ASSESSED PENALTIES
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
BERGEN COUNTY UTILITIES AUTHORITY	\$38,000	\$11,000	\$49,000
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	\$81,896	\$124,913	\$206,809
EWING-LAWRENCE SEWERAGE AUTHORITY	\$0	\$0	\$0
GLOUCESTER COUNTY UTILITIES AUTHORITY	\$0	\$2,625	\$2,625
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	\$0	\$41,000	\$41,000
HANOVER SEWERAGE AUTHORITY	\$0	\$1,000	\$1,000
JOINT MEETING OF ESSEX AND UNION COUNTIES	\$351,188	\$0	\$351,188
MIDDLESEX COUNTY UTILITIES AUTHORITY	\$138,500	\$0	\$138,500
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	\$200	\$1,000	\$1,200
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	\$24,350	\$0	\$24,350
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	\$4,000	\$1,500	\$5,500
PASSAIC VALLEY SEWERAGE COMMISSIONERS	\$67,500	\$215,000	\$282,500
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	\$7,000	\$0	\$7,000
RAHWAY VALLEY SEWERAGE AUTHORITY	\$41,000	\$61,000	\$102,000
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	\$11,000	\$0	\$11,000
THE OCEAN COUNTY UTILITIES AUTHORITY	\$34,500	\$650	\$35,150
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	\$2,000	\$500	\$2,500
TOWNSHIP OF MORRIS	\$0	\$0	\$0
TRENTON SEWER UTILITY	\$0	\$0	\$0
WAYNE TOWNSHIP	\$1,000	\$0	\$1,000
Total:	\$802,134	\$460,188	\$1,262,322
Count	23		

APPENDIX IV-A Question 20
TOTAL AMOUNT OF PENALTIES COLLECTED
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
BERGEN COUNTY UTILITIES AUTHORITY	\$34,000	\$5,000	\$39,000
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	\$79,875	\$157,773	\$237,648
EWING-LAWRENCE SEWERAGE AUTHORITY	\$0	\$0	\$0
GLOUCESTER COUNTY UTILITIES AUTHORITY	\$10,000	\$0	\$10,000
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	\$0	\$21,500	\$21,500
HANOVER SEWERAGE AUTHORITY	\$0	\$1,000	\$1,000
JOINT MEETING OF ESSEX AND UNION COUNTIES	\$388,375	\$0	\$388,375
MIDDLESEX COUNTY UTILITIES AUTHORITY	\$22,950	\$0	\$22,950
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	\$200	\$0	\$200
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	\$2,350	\$0	\$2,350
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	\$4,000	\$1,500	\$5,500
PASSAIC VALLEY SEWERAGE COMMISSIONERS	\$114,000	\$234,400	\$348,400
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	\$7,000	\$0	\$7,000
RAHWAY VALLEY SEWERAGE AUTHORITY	\$13,000	\$42,000	\$55,000
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	\$12,000	\$0	\$12,000
THE OCEAN COUNTY UTILITIES AUTHORITY	\$20,500	\$650	\$21,150
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	\$4,268	\$500	\$4,768
TOWNSHIP OF MORRIS	\$0	\$0	\$0
TRENTON SEWER UTILITY	\$0	\$0	\$0
WAYNE TOWNSHIP	\$1,000	\$0	\$1,000
Total:	\$713,518	\$464,323	\$1,177,841
Count	23		

APPENDIX IV-A Question 21
 ENFORCEMENT COSTS RECOVERED, FROM VIOLATORS, IN AN ENFORCEMENT ACTION
 CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
BERGEN COUNTY UTILITIES AUTHORITY	\$0	\$0	\$0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	\$0	\$0	\$0
EWING-LAWRENCE SEWERAGE AUTHORITY	\$0	\$0	\$0
GLOUCESTER COUNTY UTILITIES AUTHORITY	\$0	\$0	\$0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	\$0	\$0	\$0
HANOVER SEWERAGE AUTHORITY	\$0	\$0	\$0
JOINT MEETING OF ESSEX AND UNION COUNTIES	\$30,000	\$0	\$30,000
MIDDLESEX COUNTY UTILITIES AUTHORITY	\$0	\$0	\$0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	\$0	\$0	\$0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	\$0	\$0	\$0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	\$0	\$500	\$500
PASSAIC VALLEY SEWERAGE COMMISSIONERS	\$0	\$0	\$0
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	\$0	\$0	\$0
RAHWAY VALLEY SEWERAGE AUTHORITY	\$0	\$0	\$0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	\$0	\$0	\$0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	\$0	\$0	\$0
THE OCEAN COUNTY UTILITIES AUTHORITY	\$0	\$0	\$0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	\$0	\$0	\$0
TOWNSHIP OF MORRIS	\$0	\$0	\$0
TRENTON SEWER UTILITY	\$0	\$0	\$0
WAYNE TOWNSHIP	\$0	\$0	\$0
Total:	\$30,000	\$500	\$30,500
Count	23		

APPENDIX IV-A Question 22

CRIMINAL ACTIONS FILED BY THE ATTORNEY GENERAL OR COUNTY PROSECUTORS
CWEA Annual Report Summary - 1999

Authority Name	CSM	Other Reg.	Item Total
BAYSHORE REGIONAL SEWERAGE AUTHORITY	0	0	0
BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	0	0	0
EWING-LAWRENCE SEWERAGE AUTHORITY	0	0	0
GLOUCESTER COUNTY UTILITIES AUTHORITY	0	0	0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	0	0	0
HANOVER SEWERAGE AUTHORITY	0	0	0
JOINT MEETING OF ESSEX AND UNION COUNTIES	0	0	0
MIDDLESEX COUNTY UTILITIES AUTHORITY	0	0	0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	0	0	0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	0	0	0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	0	1	1
PEQUANNOCK, LINCOLN PARK, & FAIRFIELD SEWERAGE AUTHORITY	0	0	0
RAHWAY VALLEY SEWERAGE AUTHORITY	0	0	0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	0	0	0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	0	0	0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	0	0	0
THE OCEAN COUNTY UTILITIES AUTHORITY	0	0	0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	0	0	0
TOWNSHIP OF MORRIS	0	0	0
TRENTON SEWER UTILITY	0	0	0
WAYNE TOWNSHIP	0	0	0
Total:	0	1	1
Count			

23

APPENDIX IV-A Question 23-26
YES/NO SUMMARY OF EXISTING SUPPLEMENTAL LISTS
CWEA Annual Report Summary - 1999

Authority Name	#23 Y/N	#23 Count	#24 Y/N	#24 Count	#25 Y/N	#25 Count	#26 Y/N	#26 Count
BAYSHORE REGIONAL SEWERAGE AUTHORITY	N	0	N	0	N	0	N	\$0
BERGEN COUNTY UTILITIES AUTHORITY	Y	4	N	0	N	0	Y	\$0
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY	Y	11	N	0	N	0	Y	\$0
EWING-LAWRENCE SEWERAGE AUTHORITY	N	0	N	0	N	0	N	\$0
GLOUCESTER COUNTY UTILITIES AUTHORITY	Y	1	N	0	N	0	Y	\$0
HAMILTON TOWNSHIP DEPARTMENT OF WATER POLLUTION CONTROL	Y	5	N	0	N	0	Y	\$0
HANOVER SEWERAGE AUTHORITY	N	0	N	0	N	0	Y	\$0
JOINT MEETING OF ESSEX AND UNION COUNTIES	Y	10	N	0	N	0	Y	\$0
MIDDLESEX COUNTY UTILITIES AUTHORITY	Y	14	N	0	N	0	Y	\$0
MOUNT HOLLY MUNICIPAL UTILITIES AUTHORITY	N	0	N	0	N	0	Y	\$0
NORTH BERGEN MUNICIPAL UTILITIES AUTHORITY	N	1	N	0	N	0	Y	\$0
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY	N	0	N	0	N	0	Y	\$0
PASSAIC VALLEY SEWERAGE COMMISSIONERS	Y	14	N	0	N	0	Y	\$0
PEQUANNOCK, LINCOLN PARK & FAIRFIELD SEWERAGE AUTHORITY	Y	3	N	0	N	0	Y	\$0
RAHWAY VALLEY SEWERAGE AUTHORITY	Y	4	N	0	N	0	Y	\$0
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY	Y	1	N	0	N	0	N	\$0
STONY BROOK REGIONAL SEWERAGE AUTHORITY	Y	1	N	0	N	0	N	\$0
THE LINDEN ROSELLE SEWERAGE AUTHORITY	N	0	N	0	N	0	Y	\$0
THE OCEAN COUNTY UTILITIES AUTHORITY	Y	3	N	0	N	0	Y	\$0
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY	N	0	N	0	N	0	Y	\$0
TOWNSHIP OF MORRIS	Y	4	N	0	N	0	N	\$0
TRENTON SEWER UTILITY	Y	1	N	0	N	0	N	\$0
WAYNE TOWNSHIP	N	0	N	0	N	0	Y	\$0
Total: Count		23		0		0		\$0

APPENDIX IV-B

DLA-SIGNIFICANT NONCOMPLIERS

Delegated local agencies provided the following information as part of the 1999 Clean Water Enforcement Act Annual Report. Section 1 lists the permittees which were determined to be significant noncompliers and their corresponding control agencies. Section 2-24 contain Specific information regarding each of the significant noncompliers. These section are presented in alphabetical order by DLA name.

Section 1 – *Alphabetical Listing of Permitted Identified by DLAs as Significant Noncompliers*

Section 2 – *Bayshore Regional Sewerage Authority*

Section 3 – *Bergen County Utilities Authority*

Section 4 – *Camden County Municipal Utilities Authority*

Section 5 – *Ewing-Lawrence Sewerage Authority*

Section 6 – *Gloucester County Utilities Authority*

Section 7 – *Hamilton Township Department of Water Pollution Control*

Section 8 – *Hanover Sewerage Authority*

Section 9 – *Joint Meeting of Essex and Union Counties*

Section 10 – *Linden Roselle Sewerage Authority*

Section 11 – *Middlesex County Utilities Authority*

Section 12 – *Morris Township*

- Section 13 – *Mount Holly Municipal Utilities Authority*
- Section 14 – *North Bergen Municipal Utilities Authority*
- Section 15 – *Northwest Bergen County Utilities Authority*
- Section 16 – *Ocean County Utilities Authority*
- Section 17 – *Passaic Valley Sewerage Commissioners*
- Section 18 – *Rahway Valley Sewerage Authority*
- Section 19 – *Rockaway Valley Regional Sewerage Authority*
- Section 20 – *Somerset Raritan Valley Sewerage Authority*
- Section 21 – *Stony Brook Regional Sewerage Authority*
- Section 22 – *City of Trenton*
- Section 23 – *The Pequannock, Lincoln Park and Fairfield Sewerage Authority*
- Section 24 – *Wayne Township*

APPENDIX IV-B

DLAs – SNCs

Section 1

Alphabetical Listing of Permittees Identified by DLAs as Significant Noncompliers

APPENDIX IV-B
Section 1 – Alphabetical List of DLA SNCs
Page 1

FACILITY NAME

AUTHORITY NAME

Akzo Nobel Chemicals, Incorporated
All Metal Polishing
Allegheny Teledyne
Aramark Uniform
Barry Callebaut
Bigelow Component Corporation
Browning-Ferris Industries, Inc.
C & C Metal Products Corp.
Carfaro Ornamental Ironworks
Ciba Specialty Chemicals Inc.
Cintas Corporation
Cintas Corporation
Clean Venture, Inc.
CMF Limited, Inc.
Cognati Cheese Co.
Concord Beverage
Congoleum Corporation – Plant #1
Congoleum Corporation – Plant #2
Demag Delaval
Express Display
FRC-Electrical Industries
Frigidaire Company, Home Comfort Products
Ganes Chemicals
Garcia Uniform
Garden St. Paper
GEO Specialties
H.K. Metalcraft
Hercules Incorporated
Heterene Chemical
Howmet Corporation
ISP Van Dyk
J&J Snack Foods – Pennsauken

Middlesex County Utilities Authority
Passaic Valley Sewerage Commissioners
Bergen County Utilities Authority
Passaic Valley Sewerage Commissioners
Camden County Municipal Utilities Authority
Rahway Valley Sewerage Authority
Middlesex County Utilities Authority
Bergen County Utilities Authority
Hamilton Township Department of Water Pollution Control
Middlesex County Utilities Authority
Joint Meeting Essex & Union Counties
Middlesex County Utilities Authority
Camden County Municipal Utilities Authority
Trenton Sewer Utility
Bergen County Utilities Authority
Joint Meeting Essex & Union Counties
Hamilton Township Department of Water Pollution Control
Hamilton Township Department of Water Pollution Control
Hamilton Township Department of Water Pollution Control
Passaic Valley Sewerage Commissioners
Joint Meeting Essex & Union Counties
Middlesex County Utilities Authority
Bergen County Utilities Authority
Joint Meeting Essex & Union Counties
Passaic Valley Sewerage Commissioners
Passaic Valley Sewerage Commissioners
Passaic Valley Sewerage Commissioners
Middlesex County Utilities Authority
Passaic Valley Sewerage Commissioners
Rockaway Valley Regional Sewerage Authority
Passaic Valley Sewerage Commissioners
Camden County Municipal Utilities Authority

J&J Snack Foods-Bellmawr
 J.R. Metal Finishing
 Jiffy Lube-Berlin
 JMB Linen Management
 Johnson Matthey Pharmaceutical
 Krajack Tank Lines, Inc.
 Lily Transportation
 Magnolia Beef
 McCain Citrus, Inc.
 Merrimac Industries, Inc.
 Morton International
 National Packaging Companies
 NEO/Edgeboro LLC
 Nestle USA, Beverage Division
 New Age Metal Fabricating Company
 North Bergen Piece Dye Works
 Oasis Foods
 Organon Inc.
 Our Lady of Lourdes Medical Center
 Pan Graphics
 Papetti's Hygrade Eggs
 Phelps Dodge High Performance Conductors
 Pillsbury Baking Company
 PMC Specialties, Incorporated
 Puratos Corporation
 Quala Systems, Inc.
 Recycle Inc. East
 Rhone-Poulenc Specialty Chemicals, LP
 Rose Color
 Russell-Stanley Corporation
 Rutgers University
 Shore Plating/Shore Anodizing, Inc.
 Southern Ocean Landfill, Inc.
 St. Michael's Hospital
 Staflex Products, and Affiliate of
 C.P. Hall Company
 Texaco Refining & Marketing, Inc.
 The Medical Center at Princeton
 The Screen Place
 Turbo Braze Corp.
 Ullrich Copper, Inc.
 Union Carbide Corporation, UCAR
 Emulsion Systems
 Weyerheuser

Camden County Municipal Utilities Authority
 Passaic Valley Sewerage Commissioners
 Camden County Municipal Utilities Authority
 Rahway Valley Sewerage Authority
 Gloucester County Utilities Authority
 Middlesex County Utilities Authority
 Camden County Municipal Utilities Authority
 Joint Meeting Essex & Union Counties
 Joint Meeting Essex & Union Counties
 Pequannock, Lincoln Park, and Fairfield Sewerage Authority
 Passaic Valley Sewerage Commissioners
 Hamilton Township Department of Water Pollution Control
 Middlesex County Utilities Authority
 Ocean County Utilities Authority
 Pequannock, Lincoln Park, and Fairfield Sewerage Authority
 North Bergen Municipal Utilities Authority
 Joint Meeting of Essex & Union Counties
 Joint Meeting of Essex & Union Counties
 Camden County Municipal Utilities Authority
 Passaic Valley Sewerage Commissioners
 Joint Meeting of Essex & Union Counties
 Pequannock, Lincoln Park, and Fairfield Sewerage Authority
 Camden County Municipal Utilities Authority
 Middlesex County Utilities Authority
 Camden County Municipal Utilities Authority
 Rahway Valley Sewerage Authority
 Middlesex County Utilities Authority
 Middlesex County Utilities Authority
 Passaic Valley Sewerage Commissioners
 Middlesex County Utilities Authority
 Camden County Municipal Utilities Authority
 Ocean County Utilities Authority
 Ocean County Utilities Authority
 Passaic Valley Sewerage Commissioners
 Middlesex County Utilities Authority

 Ocean County Utilities Authority
 Stony Brook Regional Sewerage Authority
 Passaic Valley Sewerage Commissioners
 Joint Meeting of Essex & Union Counties
 Rahway Valley Sewerage Authority
 Middlesex County Utilities Authority

 Camden County Municipal Utilities Authority

APPENDIX IV-B

DLAs – SNCs

Section 2

Bayshore Regional Sewerage Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 3

Bergen County Utilities Authority

ATTACHMENT A

**BERGEN COUNTY UTILITIES AUTHORITY
COMPLIANCE DEPARTMENT
INDUSTRIAL PRETREATMENT PROGRAM**

LIST OF SIGNIFICANT NONCOMPLIERS

ALLEGHENY TELEDYNE

401 Commercial Avenue
Palisades Park, New Jersey 07074

Treated Groundwater
Discharge Permit
No. 99-0585

**General Description of
Facility Operations:**

Allegheny Teledyne is conducting a groundwater remediation of a leaking underground storage tank that contained waste machinery oil. Groundwater is pumped to a treatment system that utilizes air stripping and filtration to remove contaminants resulting in an average discharge of 225 gallons per day (gpd).

Violation(s):

Allegheny Teledyne exceeded the local discharge limit for vinyl chloride by more than 20% for the months of August and October 1999.

Enforcement:

Notices of Violation were issued on September 27, 1999 and November 24, 1999. The treatment system has been shut down to prevent further violations. A consultant has been hired to troubleshoot the system and make recommendations.

A Notice of Civil Administrative Penalty Assessment for \$5,000.00 was issued on January 4, 2000.

Total Number of Violations:

2

C & C METAL PRODUCTS CORP.

456 Nordhoff Place
Englewood, NJ 07631

Industrial Wastewater
Discharge Permit
No. 98-0009

**General Description of
Facility Operations:**

C & C Metal Products Corp is a categorical industrial user. The primary activity at this facility is metal stamping and finishing. Wastewater is generated from this activity with an average flow of approximately 37,000 gallons per day (gpd).

Violation(s):

C & C Metal Products Corp. exceeded the local discharge limit for copper by more than 20% for the months of December 1998 and January 1999. In addition, the facility exceeded the categorical limit for nickel by more than 20% for the month of January 1999.

Enforcement:

Notices of Violation were issued on January 28, 1999 and February 16, 1999. The notices required C & C Metal Products Corp. to submit an explanation as to the cause of violation and actions to be taken for the correction of the violations and prevention of future violations. The responses to the Notices of Violation indicated that the exceedances for metals were attributed to corrosion in the clarifier which took place in December 1998. Poor housekeeping was the cause of violation that occurred in January 1999.

A Notice of Civil Administrative Penalty Assessment for \$6,000.00 was issued on March 10, 1999 (\$5,000 for significant noncompliance for copper limitations, and \$1,000 for exceedance of nickel limitations).

Total Number of Violations:

3

COGNATI CHEESE CO.

205 Moonachie Avenue
Moonachie, NJ 07074

Industrial Wastewater
Discharge Permit
No. 99-1022

**General Description of
Facility Operations:**

Cognati Cheese Co. is a non-categorical facility. The primary activity at this facility is cheese processing, which results in an average wastewater flow of approximately 8,000 gallons per day (gpd).

Violation(s):

Failure to submit self-monitoring reports for the months of July and October 1999.

Enforcement:

On August 31, 1999 a Warning Notice was issued for failure to submit a self-monitoring report for the month of July 1999 as required by Cognati Cheese's Industrial Wastewater Discharge Permit. The report was due no later than August 14, 1999. No response was received.

On September 15, 1999 a Notice of Violation was issued for failure to submit the self-monitoring report for the month of July 1999. No response was received.

On December 14, 1999 a Warning Notice was issued for failure to submit a self-monitoring report for the month of October 1999 as required by Cognati Cheese's Industrial Wastewater Discharge Permit. This report was due no later than November 14, 1999. No response was received.

On January 6, 2000 a Notice of Violation was issued for failure to submit the self-monitoring report for the month of October 1999. No response was received.

On January 24, 2000 a Civil Administrative Penalty assessment was issued to Cognati Cheese in the amount of \$5,800.00 for failure to submit two self-monitoring reports. In addition, the case has been referred to BCUA's General Counsel for initiation of legal proceedings.

Total Number of Violations:

2

GANES CHEMICALS

630 Broad Street
Carlstadt, NJ 07072

Industrial Wastewater
Discharge Permit
No. 99-0287

**General Description of
Facility Operations:**

Ganes Chemicals is a categorical industrial user which manufactures active pharmaceutical ingredients and intermediates. Wastewater is generated from equipment washdown, contact cooling and air scrubber discharge resulting an average flow of 37,500 gallons per day (gpd).

Violation(s):

Ganes exceeded the local discharge limit for pH by more than 40% for the months of June to October 1999.

Enforcement:

Notices of Violation were issued on July 21, August 19, September 27, October 25 and November 23, 1999.

Notices of Civil Administrative Penalty Assessment for \$5,000 were issued on August 31, 1998 and November 18, 1998.

Total Number of Violations:

5

APPENDIX IV-B

DLAs – SNCs

Section 4

Camden County Municipal Utilities Authority

"ATTACHMENT A"

Attached please find The Camden County Municipal Utilities Authority Industrial Pretreatment's "Tracking Report for 1999 Significant Non-Compliers." This report includes all the information required for "Attachment A" as stipulated in the Clean Water Enforcement Act Annual Report.

SIGNIFICANT NONCOMPLIARS

INDUSTRY NAME	CLASS	PERMIT #	VIOLATION DATE	HAZ/ NONHAZ	DESCRIPTION		SETTLEMENT OPT CAPA/DEM			
					parameter	result				
Barry Callebaut 1500 Suckle Hwy. Pennsauken, New Jersey 08110	S	2066-DII-1	11/98 AVG	NH	COD	1625	SETTLEMENT			
			03/09/99	NH	COD	1470	SETTLEMENT			
			APRIL 99 AVG	NH	COD	1630	SETTLEMENT			
			MAY 99 AVG	NH	COD	1174	SETTLEMENT			
			MAY 99 AVG	NH	OIL/GREASE	172	SETTLEMENT			
			JUNE 99 AVG	NH	COD	1395	SETTLEMENT			
			08/10/99	NH	OIL/GREASE	189	SETTLEMENT OPT			
			09/10/99	NH	COD	1230	SETTLEMENT OPT			
Clean Venture, Inc. 1800 Carmen Street Camden, New Jersey 08104	S	2992-CA-2	10/12/99	NH	COD	1910	SETTLEMENT OPT			
			11/11/99	NH	COD	2520	SETTLEMENT OPT			
			03/08/99	NH	BOD	2,790	CAPA			
			03/08/99	NH	COD	7,000	CAPA			
			04/05/99	NH	BOD	9,750	CAPA			
			04/05/99	NH	COD	53,100	CAPA			
			04/05/99	NH	pH	invalid sample	CAPA			
			APRIL 99 AVG	H	OIL/GREASE	122	CAPA			
J & J Snack Foods-Bellmawr 361 Benigno Boulevard Bellmawr, New Jersey 08009	O	2052-BTCI-1	APRIL 99 AVG	H	PHC	59.04	CAPA			
			06/29/99	NH	BOD	1,050	CAPA			
			06/29/99	NH	COD	4,150	CAPA			
			10/26/99	H	NICKEL	2.34	CAPA			
			OCTOBER 99 AVG	H	PHC	64.27	CAPA			
			12/08/98	NH	COD	1,404	SETTLEMENT			
			01/06/99	NH	COD	1,940	SETTLEMENT			
			J & J Snack Foods-Pennsauken 6000 Central Highway Pennsauken, New Jersey 08109	O	2052-DII-1	DECEMBER 1998	NH	NR COD	N/A	SETTLEMENT
JANUARY 1999	NH	NR COD				N/A	SETTLEMENT			
DECEMBER 1998 AVG	H	PHC				372.6	CAPA			
JANUARY 1999	H	PHC				486	CAPA			
Jiffy Lube-Berlin 17 S. White Horse Pike Berlin, New Jersey 08009	O	7549-CRI-1	02/09/99	H	PHC	155	CAPA			
			07/31/98	H	CADMIUM	0.0995	SETTLEMENT			
			07/31/98	H	LEAD	0.6	SETTLEMENT			
			08/31/98	H	LEAD	0.41	SETTLEMENT			
Lily Transportation 2374 W. Marlton Pike (Rt. 70) Cherry Hill, N.J. 08002	O	7513-CRI-1	SEPTEMBER 98 AVG	H	CADMIUM	0.068	SETTLEMENT			
			SEPTEMBER 98 AVG	H	LEAD	0.46	SETTLEMENT			
			SEPTEMBER 98 AVG	NH	COD	1865	SETTLEMENT			
			10/30/98	H	LEAD	0.64	SETTLEMENT			
			12/31/98	H	CADMIUM	0.078	SETTLEMENT			
			12/31/98	H	LEAD	0.8	SETTLEMENT			
			12/31/98	H	PHC	73	SETTLEMENT			
			12/31/98	NH	COD	1650	SETTLEMENT			
			01/29/99	H	CADMIUM	0.6	SETTLEMENT			
			01/29/99	H	LEAD	0.12	SETTLEMENT			
			01/29/99	H	PHC	40.2	SETTLEMENT			
			01/29/99	NH	COD	2220	SETTLEMENT			
			02/26/99	H	PHC	289	SETTLEMENT			
			02/26/99	NH	COD	1430	SETTLEMENT			
			Our Lady of Lourdes Medical Center Haddon Avenue and Vesper Boulevard Camden, New Jersey 08104	S	8082-CA-1	NOVEMBER 98 AVG	NH	COD	1,570	SETTLEMENT
						DECEMBER 1998 AVG	NH	COD	1,159	SETTLEMENT
						JANUARY 1999	NH	COD	1,209	SETTLEMENT
MAY 99 AVG	NH	COD				1,653	SETTLEMENT			
01/21/99	NH	COD				2,180	DEMAND LETTER			
Pillsbury Baking Company 1221 Little Gloucester Road Blackwood, New Jersey 08012	O	2045-BTCI-15			COD	3,560	DEMAND LETTER			
			02/17/99	NH	BOD	6,228	UNDER REVIEW			
Puratos Corporation 8030 National Highway Pennsauken, New Jersey 08110	O	2045-DII-1	02/17/99	NH	O/G	331	UNDER REVIEW			
			09/22/99	NH	BOD	2,378	UNDER REVIEW			
			09/22/99	NH	COD	3,610	UNDER REVIEW			
			OCTOBER 99 AVG	NH	COD	1,811	UNDER REVIEW			
			11/17/99	NH	COD	2,470	UNDER REVIEW			
			11/17/99	NH	BOD	1,576	UNDER REVIEW			

SIGNIFICANT NONCOMPLIARS

INDUSTRY NAME	CLASS	PERMIT #	VIOLATION DATE	HAZ/ NONHAZ	DESCRIPTION		SETTLEMENT OPT CAPA/DEM
					parameter	result	
Rutgers University 4th & Linen Streets Camden, New Jersey 08102	O	8221-Ca	6/98 AVG	H	LEAD	0.78	SETTLEMENT
			10/98 AVG	H	LEAD	0.7	SETTLEMENT
			01/20/99	H	LEAD	0.33	SETTLEMENT
			01/20/99	H	MERCURY	0.095	SETTLEMENT
			03/09/99	H	LEAD	0.78	UNDER NEGOTIATION
			04/14/99	H	LEAD	8	UNDER NEGOTIATION
			04/14/99	H	MERCURY	0.045	UNDER NEGOTIATION
			5/99 AVG	H	LEAD	0.34	UNDER NEGOTIATION
			5/99 AVG	H	MERCURY	0.03	UNDER NEGOTIATION
			06/25/99	H	MERCURY	0.04	UNDER NEGOTIATION
			JULY 99 AVG	H	LEAD	2.3	UNDER NEGOTIATION
Weyerhaeuser 100 E. Gloucester Barrington, NJ 08007	O	2653-BTCI-1	JAN 1999 AVG	NH	COD	1010	SETTLEMENT
			FEB 1999 AVG	NH	COD	1475	SETTLEMENT
			MAY 19999 AVG	NH	COD	2455	SETTLEMENT
			MAY 19999 AVG	NH	BOD	1517	SETTLEMENT
			JUNE 1999 AVG	NH	COD	3032	SETTLEMENT
			JUNE 1999 AVG	NH	BOD	1633	SETTLEMENT

APPENDIX IV-B

DLAs – SNCs

Section 5

Ewing-Lawrence Sewerage Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 6

Gloucester County Utilities Authority

**INDUSTRIAL PRETREATMENT PROGRAM
1999 NEW JERSEY CLEAN WATER ENFORCEMENT ACT ANNUAL REPORT
GLOUCESTER COUNTY UTILITIES AUTHORITY
FOR THE PERIOD OF JANUARY 1, 1999 THROUGH DECEMBER 31, 1999**

SECTION III: ENFORCEMENT ACTIONS

23	Attach a list of permittees qualifying as significant noncompliers, including address, permit number, brief description and date of each violation, date that the violation was resolved, and total number of violations. Mark as "Attachment A".	
	Permittee	Johnson Matthey Pharmaceutical
	Permittee Mailing Address	2003 Nolte Drive West Deptford, NJ 08066-1742
	Permittee Location Address	2003 Nolte Drive West Deptford, NJ 08066-1742
	GCUA Permit Number	008040198
	Description of Violation	Three serious violations in 1999 of Zinc - total.
	Date(s) of Violation(s)	11/99 SV Zinc - total 11/99 SV SNC Zinc - total 12/99 SV SNC Zinc - total
	Violation Resolution Date	Permittee currently investigating causes of violation
	Total Number of Violations	03 (1999)

APPENDIX IV-B

DLAs – SNCs

Section 7

Hamilton Township Department of Water Pollution Control

ATTACHMENT A

Permittees Qualifying as Significant Noncompliers

1. Carfaro Ornamental Ironworks
2075 East State Street
Trenton, New Jersey 08619

Permit Number 3-018

Reporting

This facility has been consistently having problems with submitting timely reports to HTWPC. The user was listed in SNC for similar issues in 1998. This year, while conducting monthly monitoring for past BOD violations, the user failed to produce a sample result for the month of April. An NOV for late reporting was issued when the data was a week late and the IU was held in significant non-compliance for missed reporting when the data still did not arrive a month later.

BOD

During compliance sampling for past BOD violations, the user incurred an exceedence in July of this reporting period. The Hamilton Township MIPP was also conducting its own sampling that same month and an average of the two BOD results was taken. The final value was a serious exceedence and HTWPC issued an NOV for permit violations. The user's monthly monitoring schedule was lengthened so that the Township could continue to monitor the facility for compliance. Four months later in September, the facility had another serious BOD exceedence and Carfaro Ornamental Ironworks was held in significant non-compliance for permit exceedences.

Zinc

During bi-annual sampling for reporting due June 15, the user incurred a serious zinc exceedence and was promptly issued an NOV and placed on a six month monitoring and compliance schedule for that parameter. During the first month of sampling in July, the user had an additional zinc exceedence. The Hamilton Township MIPP was also conducting its own sampling that same month and an average of the two zinc results was taken. The final value was a serious exceedence and HTWPC issued an NOV and held Carfaro Ornamental Ironworks in significant non-compliance for permit violations. Successive zinc exceedences continued in August and October and the user was issued a technology based compliance schedule early in the 2000 reporting period in hopes to improve concentration levels.

ATTACHMENT A - CONTINUED

Permittees Qualifying as Significant Noncompliers

Summons History

A summons in the amount of \$7,000 was assessed for 1998 reporting violations and for the missing 1999 April report. The amount collected by the Township was \$3,500.

A summons for the 1999 zinc and BOD exceedences as mentioned above was assessed early in the 2000 reporting period. It is expected that the Township will settle for an amount of \$4,500.

Violation Summary:

Total Number of Violations: 6

<u>Parameter</u>	<u>Date of Sample Collection</u>	<u>Sample Result</u>	<u>Permit Limit</u>	<u>Date Violation Resolved</u>
BOD	5/28/99	598.5 mg/l (Avg)	250 mg/l	Projected 2/00
BOD	8/31/99	460 mg/l	250 mg/l	Projected 2/00
Zinc	5/28/99	0.760 mg/l (Avg)	0.30 mg/l	Projected 6/00
Zinc	6/24/99	0.427 mg/l	0.30 mg/l	Projected 6/00
Zinc	8/31/99	0.590 mg/l	0.30 mg/l	Projected 6/00
Zinc	10/28/99	0.980 mg/l	0.30 mg/l	Projected 6/00

Reporting Violation Summary:

Total Number of Violations: 2

<u>Violation Type</u>	<u>Date of Violation</u>	<u>Date Violation Resolved</u>
Late April SMR	5/15/99	No April Sample Result Submitted
Missing Compliance SMR	5/15/99	No April Sample Result Submitted

2. Congoleum Corporation – Plant #1
861 Sloan Avenue
Trenton, New Jersey 08619

Permit Number 2-007

Reporting

The facility failed to submit a completed 3rd quarter self-monitoring report to HTWPC. Notice of significant non-compliance was filed on November 18, 1999.

Summons History

A summons for \$1,000 was assessed early in the 2000 reporting period.

ATTACHMENT A - CONTINUED

Permittees Qualifying as Significant Noncompliers

Reporting Violation Summary:

Total Number of Violations: 1

<u>Violation Type</u>	<u>Date of Violation</u>	<u>Date Violation Resolved</u>
Failure to Submit 3 rd Qtr SMR	9/15/99	No SMR Submitted

3. Congoleum Corporation – Plant #2
1945 East State Street
Trenton, New Jersey 08619

Permit Number 2-008

Reporting

The facility failed to submit a completed 3rd quarter self-monitoring report to HTWPC. Notice of significant non-compliance was filed on November 18, 1999.

Summons History

A summons for \$1,000 was assessed early in the 2000 reporting period.

Reporting Violation Summary:

Total Number of Violations: 1

<u>Violation Type</u>	<u>Date of Violation</u>	<u>Date Violation Resolved</u>
Failure to Submit 3 rd Qtr SMR	9/15/99	No SMR Submitted

4. Demag Delaval
840 Nottingham Way
Trenton, New Jersey 08638

Permit Number 2-005

BOD

During routine sampling for 4th quarter self-monitoring reporting, this user had a serious BOD exceedence. An NOV was promptly sent and Demag Delaval was placed on a six month monitoring and compliance schedule. During the first month of sampling, an additional serious BOD exceedence was reported and the user was notified of its significant non-compliance. Aside from another minor BOD violation in February, Demag Delaval completed six months of consecutive BOD compliance in October of 1999.

ATTACHMENT A - CONTINUED

Permittees Qualifying as Significant Noncompliers

Summons History

A summons for \$7,000 was assessed during the 1999 reporting period for the violations mentioned above plus Total Suspended Solids exceedences from the 1998 reporting period. The amount collected by the Township was \$3,500.

Violation Summary:

Total Number of Violations: 2

<u>Parameter</u>	<u>Date of Sample Collection</u>	<u>Sample Result</u>	<u>Permit Limit</u>	<u>Date Violation Resolved</u>
BOD	11/24/99	1100 mg/l	250 mg/l	10/99
BOD	12/25/99	420 mg/l	250 mg/l	10/99

5. National Packaging Companies
1400 East State Street
Trenton, New Jersey 08609

Permit Number 2-017

Reporting

The facility failed to submit a completed 1st quarter self-monitoring report to HTWPC. Notice of significant non-compliance was filed on May 5, 1999.

Summons History

A summons for \$25,000 was assessed during the 1999 reporting period for 1998 ammonia and BOD exceedences and 1998 and 1999 reporting violations. The amount collected was \$12,500.

Reporting Violation Summary:

Total Number of Violations: 1

<u>Violation Type</u>	<u>Date of Violation</u>	<u>Date Violation Resolved</u>
Failure to Submit 1 st Qtr SMR	3/15/99	No SMR Submitted

APPENDIX IV-B

DLAs – SNCs

Section 8

Hanover Sewerage Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 9

Joint Meeting of Essex and Union Counties

Attachment A

26-Jan-00

Criteria for Permittees Qualifying as Significant Noncompliers

<u>Industry</u>	<u>Parameter</u>	<u>Date</u>	<u>IU #</u>	<u>Industry</u>	<u>Parameter</u>	<u>Date</u>	<u>IU #</u>
Turbo Braze Corp.			7167	McCain Citrus, Inc.			1032
687 Lehigh Ave.				1-11 Montgomery Road			
Union				Hillside			
	Cadmium	07/99			pH	07/99	
		10/99				08/99	
	Copper	10/99				09/99	
		11/99		Magnolia Beef			0078
	Oil & Grease	10/99		1070 Magnolia Ave.			
	Pet Hyd	10/99		Elizabeth			
	Zinc	07/99			Oil & Grease	02/99	
		08/99				09/99	
		10/99			Pet Hyd	02/99	
		11/99		Garcia Uniform			0062
Papetti's Hygrade Eggs			0100	232-234 First St.			
847 North Ave.				Elizabeth			
Elizabeth					pH	08/99	
	Oil & Grease	10/99				09/99	
						11/99	
Organon Inc.			8030	FRC-Electrical Industries			5015
375 Mt. Pleasant Ave.				705 Central Ave.			
West Orange				Murray Hill			
	pH	09/99			Total Cyanide	07/99	
		10/99		Concord Beverage			0030
		11/99		535 Dowd Ave.			
Oasis Foods			1054	Elizabeth			
465 Hillside Avenue					pH	08/99	
Hillside						09/99	
	Oil & Grease	01/99				10/99	
		02/99		Cintas Corporation			2060
		03/99		56 Woolsey Avenue			
		04/99		Irvington			
		05/99			Oil & Grease	01/99	
		06/99					
		07/99					
		08/99					
		09/99					
	pH	06/99					
		07/99					
		08/99					
		09/99					

APPENDIX IV-B

DLAs – SNCs

Section 10

Linden Roselle Sewerage Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 11

Middlesex County Utilities Authority

CLEAN WATER ENFORCEMENT ACT ANNUAL REPORT

JANUARY 1, 1999 TO DECEMBER 31, 1999

MIDDLESEX COUNTY UTILITIES AUTHORITY

LIST OF SIGNIFICANT NON-COMPLIERS

(ATTACHMENT A)

COMPANY: Akzo Nobel Chemicals, Incorporated

ADDRESS: 340 Meadow Road
Edison, NJ 08817

MCUA Permit No.: 05037

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
pH Excursion, Pt. 001	2/99	10/99
pH Excursion, Pt. 001	3/99	10/99
Total Toxic Organics, Serious Violation, Pt. 001GW	4/99	10/99
pH Excursion, Pt. 001	7/99	10/99

Comments: The facility has finalized pretreatment upgrades and is now in compliance. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 4

COMPANY: Browning-Ferris Industries, Inc.

ADDRESS: Spotswood- Gravel Hill Road
Cranbury, NJ 08512

MCUA Permit No.: 13036

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Total Toxic Organics, Serious Violation	5/99	
Total Toxic Organics, Serious Violation	9/99	

Comments: The facility is finalizing pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 2

COMPANY: Ciba Specialty Chemicals Inc.
ADDRESS: Old Waterworks Road
Old Bridge, NJ 08857

MCUA Permit No.: 17076

VIOLATIONS:

<u>Brief</u> <u>Description</u>	<u>Date</u> <u>Sampled</u>	<u>Date</u> <u>Resolved</u>
Total Lead, Pt. 001GW, Serious Violation *	1/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	1/99	8/99
pH Excursion, Pt. 001GW	1/99	8/99
Bis (2-ethylhexyl) Phthalate, Pt. 001, Serious Violation	6/98	8/99
Total Zinc, Pt. 001GW, Serious Violation *	2/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	3/99	8/99
pH Excursion, Pt. 001GW	3/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	4/99	8/99
Various organic chemicals, Pt. 001, Serious Violations **	5/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	5/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	6/99	8/99
pH Excursion, Pt. 001GW	6/99	8/99
Total Zinc, Pt. 001GW, Serious Violation *	7/99	8/99
pH Excursion, Pt. 001GW	7/99	8/99
pH Excursion, Pt. 001GW	8/99	8/99
Methyl Chloride, Pt 001, Serious Violation	11/99	
Total Zinc, Pt. 001, Monthly Average Violation*	11/99	

Comments: * Facility claims that contamination is due to neighboring company. The facility is now in compliance. Specific details on file.

** Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences.

TOTAL NUMBER OF VIOLATIONS: 17

COMPANY: Cintas Corporation
ADDRESS: 51 New England Avenue
Piscataway, NJ 08854

MCUA Permit No.: 18102

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	1/99	
Total Toxic Organics, Serious Violation	1/99	
Total Petroleum Hydrocarbons, Serious Violation	5/99	

Comments: The facility has finalized pretreatment upgrades and is now in compliance. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 3

COMPANY: Frigidaire Company, Home Comfort Products
ADDRESS: 2170 Highway No. 27
Edison, NJ 08818

MCUA Permit No.: 05020

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	2/99	
Total Petroleum Hydrocarbons, Serious Violation	7/99	
Total Petroleum Hydrocarbons, Serious Violation	11/99	

Comments: The facility is finalizing pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 3

COMPANY: Hercules Incorporated
ADDRESS: 50 South Minisink Avenue
Parlin, NJ 08859

MCUA Permit No.: 20075

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
pH Excursion, Pt. 003	5/99	9/99
pH Excursion, Pt. 003	7/99	9/99
pH Excursion, Pt. 003	8/99	9/99

Comments: The facility has finalized pretreatment upgrades and is now in compliance. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 3

COMPANY: Krajack Tank Lines, Inc.
ADDRESS: 155 Smith Street
Keasbey, NJ 08832

MCUA Permit No.: 28101

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	1/99	
Total Toxic Organics, Serious Violation	1/99	
Total Petroleum Hydrocarbons, Serious Violation	2/99	
Total Toxic Organics, Serious Violation	2/99	
Total Toxic Organics, Serious Violation	4/99	
Total Petroleum Hydrocarbons, Serious Violation	7/99	
Total Toxic Organics, Serious Violation	7/99	
Total Petroleum Hydrocarbons, Daily Maximum Violation	8/99	
Total Toxic Organics, Serious Violation	9/99	

Comments: Facility is nearing the completion of pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 9

COMPANY: NEO/Edgeboro LLC
ADDRESS: 3 Brick Plant Road
East Brunswick, NJ 08816

MCUA Permit No.: 04155

VIOLATIONS:

<u>Brief</u> <u>Description</u>	<u>Date</u> <u>Sampled</u>	<u>Date</u> <u>Resolved</u>
pH Excursion, Pt. B-1	1/99	8/99
Total PCBs, Serious Violation, Pt. B-1	1/99	8/99
Various organic chemicals, Serious Violations *	1/99	8/99
Total PCBs, Serious Violation, Pt. B-4	1/99	8/99
pH Excursion, Pt. B-1	2/99	8/99
Total PCBs, Serious Violation, Pt. B-1	2/99	8/99
Total PCBs, Serious Violation, Pt. B-4	2/99	8/99
pH Excursion, Pt. B-1	3/99	8/99
Total PCBs, Serious Violation, Pt. B-1	3/99	8/99
Total PCBs, Serious Violation, Pt. B-4	3/99	8/99
pH Excursion, Pt. B-1	4/99	8/99
Pyridine, Daily Maximum Violation, Pt. B-1	4/99	8/99
Total PCBs, Serious Violation, Pt. B-1	4/99	8/99
Total PCBs, Serious Violation, Pt. B-4	4/99	8/99
pH Excursion, Pt. B-1	5/99	8/99
Pyridine, Serious Violation, Pt. B-1	5/99	8/99
Total PCBs, Serious Violation, Pt. B-1	5/99	8/99
Total PCBs, Serious Violation, Pt. B-4	5/99	8/99
pH Excursion, Pt. B-1	6/99	8/99
Total PCBs, Serious Violation, Pt. B-1	6/99	8/99
Total PCBs, Serious Violation, Pt. B-4	6/99	8/99
pH Excursion, Pt. B-1	7/99	8/99
Total PCBs, Serious Violation, Pt. B-1	7/99	8/99
Total PCBs, Serious Violation, Pt. B-4	7/99	8/99
pH Excursion, Pt. B-1	8/99	8/99

The facility has finalized pretreatment upgrades and is now in compliance. Specific details on file.

* Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences.

TOTAL NUMBER OF VIOLATIONS: 25

COMPANY: PMC Specialties, Incorporated
ADDRESS: 20 Industrial Avenue
Fords, NJ 08863

MCUA Permit No.: 28072

VIOLATIONS:

<u>Brief</u> <u>Description</u>	<u>Date</u> <u>Sampled</u>	<u>Date</u> <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	1/99	
Bis (2-ethylhexyl) Phthalate, Serious Violation	1/99	
Dimethyl Phthalate, Serious Violation	1/99	
Total Petroleum Hydrocarbons, Serious Violation	3/99	
Bis (2-ethylhexyl) Phthalate, Serious Violation	3/99	
Various organic chemicals, Serious Violations *	3/99	
Total Petroleum Hydrocarbons, Serious Violation	9/99	
Bis (2-ethylhexyl) Phthalate, Serious Violation	9/99	

Comments: * Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences.

TOTAL NUMBER OF VIOLATIONS: 8

COMPANY: Recycle Inc. East
ADDRESS: 20A Harmich Road
South Plainfield, NJ 07080

MCUA Permit No.: 24149

VIOLATIONS:

<u>Brief</u> <u>Description</u>	<u>Date</u> <u>Sampled</u>	<u>Date</u> <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	1/99	
Lead, Serious Violation	1/99	
Zinc, Serious Violation	1/99	
Total Petroleum Hydrocarbons, Serious Violation	2/99	
Lead, Serious Violation	2/99	
Zinc, Serious Violation	2/99	
Lead, Serious Violation	4/99	
Zinc, Monthly Average Violation	4/99	
Total Petroleum Hydrocarbons, Serious Violation	5/99	
Lead, Serious Violation	5/99	
Zinc, Serious Violation	5/99	
Total Toxic Organics, Serious Violation	5/99	
Total Petroleum Hydrocarbons, Serious Violation	6/99	
Lead, Serious Violation	6/99	
Total Toxic Organics, Serious Violation	6/99	
Total Petroleum Hydrocarbons, Serious Violation	7/99	
Total Petroleum Hydrocarbons, Serious Violation	8/99	
Cadmium, Monthly Average Violation	8/99	
Chromium (T), Serious Violation	8/99	
Copper, Serious Violation	8/99	
Lead, Serious Violation	8/99	
Nickel, Serious Violation	8/99	
Zinc, Serious Violation	8/99	
Zinc, Serious Violation	9/99	
Total Petroleum Hydrocarbons, Daily Maximum Violation	10/99	
Lead, Monthly Average Violation	10/99	
Zinc, Serious Violation	10/99	
Total Toxic Organics, Daily Maximum Violation	10/99	
Zinc, Serious Violation	11/99	

Comments: Facility is nearing the completion of pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 29

COMPANY: Rhone-Poulenc Specialty Chemicals, LP
ADDRESS: 298 Jersey Ave.
New Brunswick, NJ 08901

MCUA Permit No.: 14078

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Toluene, Serious Violation	1/99	
Various organic chemicals, Serious Violations *	1/99	
Various organic chemicals, Serious Violations *	3/99	
Various organic chemicals, Serious Violations *	4/99	
Various organic chemicals, Serious Violations *	7/99	

Comments: * Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences.

TOTAL NUMBER OF VIOLATIONS: 5

COMPANY: Russell-Stanley Corporation
ADDRESS: 14 Convery Boulevard
Edison, NJ 08818

MCUA Permit No.: 28146

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Total Petroleum Hydrocarbons, Serious Violation	6/99	
Total Petroleum Hydrocarbons, Serious Violation	8/99	
Total Petroleum Hydrocarbons, Serious Violation	11/99	

Comments: The facility is finalizing pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 3

COMPANY: Staflex Products, an affiliate of the C.P. Hall Company

ADDRESS: 50 Middlesex Avenue
Carteret, NJ 07008

MCUA Permit No.: 29144

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Various organic chemicals, Serious Violations *	3/99	
Various organic chemicals, Serious Violations *	4/99	
Di-n-butyl Phthalate, Serious Violation **	7/99	
Various organic chemicals, Serious Violations *	8/99	

Comments: * Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences. ** Facility claims that violations are due to Sampling/Laboratory Errors. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 4

COMPANY: Union Carbide Corporation, UCAR Emulsion Systems

ADDRESS: 40 Veronica Ave.
Franklin Township, NJ 08873

MCUA Permit No.: 07077

VIOLATIONS:

Brief <u>Description</u>	Date <u>Sampled</u>	Date <u>Resolved</u>
Various organic chemicals, Serious Violations *	1/99	
Various organic chemicals, Serious Violations *	2/99	
Various organic chemicals, Serious Violations *	3/99	
Various organic chemicals, Serious Violations *	4/99	
Various organic chemicals, Serious Violations *	6/99	
Various organic chemicals, Serious Violations *	7/99	
Various organic chemicals, Serious Violations *	8/99	
Various organic chemicals, Serious Violations *	9/99	
Methyl Chloride, Serious Violation	10/99	
Various organic chemicals, Serious Violations *	10/99	
Various organic chemicals, Serious Violations *	11/99	

Comments: * Specific chemical violations are on file and are due to High Analytical Detection Limits resulting from Matrix Interferences. The facility is finalizing pretreatment upgrades. Specific details on file.

TOTAL NUMBER OF VIOLATIONS: 11

APPENDIX IV-B

DLAs – SNCs

Section 12

Morris Township

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 13

Mount Holly Municipal Utilities Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 14

North Bergen Municipal Utilities Authority

Attachment A

**North Bergen Municipal Utilities Authority
Industrial Pretreatment Program
1999 CWEA Annual Report
*List of Significant Non-Compliers***

1. North Bergen Piece Dye Works
1701-75th Street
North Bergen, N.J. 07047
Permit number NB9603

Description: North Bergen Piece Dye Works is involved in the commission of dying and finishing of fabrics and lace. The sanitary and process wastewater's discharge to the Central Treatment Plant.

Violation (s): A review of the Discharge Monitoring Reports submitted for 1998 & 1999 indicate that North Bergen Piece Dye Works exceeded its' discharge limit for oil & grease for a total of 3 times during the months of December 1998 and April 1999. Due to serious violations in March and July of 1998, the discharger was categorized as Significant Non-Complier (SNC). Subsequent violations in December of 1998, and April of 1999, continued their status as "SNC" into 1999. Since April 1999, they have not had any violations. North Bergen Piece Dye Works has had a total of three (3) oil & grease violations for this monitoring period:

12/13/98	Oil & Grease
12/15/98	Oil & Grease
04/06/99	Oil & Grease

Enforcement Action: Penalties were assessed against North Bergen Piece Dye Works for the continual discharge in violation of their permit limit for oil & grease. The North Bergen Municipal Utilities Authority and North Bergen Piece Dye Works is in the process, through both attorneys, of signing an Administrative Consent Order, with interim limits and a compliance schedule intended to bring the facility into compliance.

APPENDIX IV-B

DLAs – SNCs

Section 15

Northwest Bergen County Utilities Authority

**NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
INDUSTRIAL PRETREATMENT PROGRAM**

CLEAN WATER ENFORCEMENT ACT ANNUAL REPORT

ATTACHMENT A

**Item No. 23
Attachment A.**

List of Industrial Users which have been classified in
Significant Non-Compliance during the 1999 report period.

No Industrial Users have been classified in Significant Non-Compliance during the 1999 report period.

APPENDIX IV-B

DLAs – SNCs

Section 16

Ocean County Utilities Authority

Attachment A**List of Permittees qualifying as SNC**

Nestle USA, Beverage Division
61 Jerseyville Ave.
Freehold, NJ 07728

Facility address:
61 Jerseyville Ave.
Freehold, NJ 07728

OCUA Permit #: NM-38-1985-010

Nestle USA had violations for flow, COD, and oil & grease.

1. Exceeded the permitted Flow Daily Max. Limit on 2/20, 2/21, & 2/22/99, as reported in their Self-Monitoring Report. NOV sent.
2. Exceeded the permitted Flow Daily Max. Limit on 7/5/99. Failed to sample for oil & grease, and COD for the month of July 1999. NOV sent.
3. Failed to test for oil & grease for the month of October 1999. NOV sent and penalty assessed.

Nestle resumed testing for COD on August 31, 1999 as submitted in their August SMR. Nestle resumed testing for oil & grease on November 30, 1999 as submitted in their November SMR.

Shore Plating / Shore Anodizing, Inc.
2 East Fifth Street
Lakewood, NJ 08701

Facility address:
2 East Fifth Street
Lakewood, NJ 08701

OCUA Permit #: N-15-1985-002

Shore Plating had violations for Copper and Zinc.

1. Exceeded the permit / local limit for copper and zinc on 1/4/99, as reported in their January SMR. NOV sent.
2. Exceeded the permit / local limit for copper on 2/2/99, as reported in their February SMR. NOV sent.

They were in compliance for the March 1999 sampling.

Attachment A (cont.)

Southern Ocean Landfill, Inc.
PO Box 296
Beachwood, NJ 08722

Facility Address:

Route 532 at Brookville Rd.
Waretown, NJ 08758

OCUA Permit #: C-21-1990-005

Southern Ocean Landfill, Inc. failed to submit Self-Monitoring Reports from March 1999 through the end of the year. We have continued to send NOV's.

Texaco Refining & Marketing, Inc.
12700 Northborough
Houston, TX 77067

Facility Address:

Rt 70 & Cedar Bridge Rd
Brick, NJ 08723

OCUA Permit #: N-06-1993-009

Texaco violated the pH limit in their permit for each month from January to May 1999.

1. Violated lower pH limit on 1/11/99, as submitted in their January SMR. NOV sent.
2. Violated lower pH limit on 2/24/99, as submitted in their February SMR. NOV sent.
3. Violated lower pH limit on 3/1/99, as submitted in their March SMR. NOV sent.
4. Violated lower pH limit on 4/1/99, as submitted in their April SMR. NOV sent. Penalty assessed.

Texaco ceased discharge from the groundwater remediation site until such time as the pH situation can be corrected. They have not discharged for the balance of the year.

APPENDIX IV-B

DLAs – SNCs

Section 17

Passaic Valley Sewerage Commissioners

Attachment A - Permittees Qualifying as Significant Non-Compliers - Calendar Year 1999
The SNC's appearing on this list are those referred to in Question # 13.

Discharge Violations

1. All Metal Polishing – #20404440 23 George St., Newark, N.J. 07105

The company was not in compliance with the local heavy metal limit for nickel. A Complaint was filed on 8/31/99. They are in the process of settling this matter with PVSC, and will be fined.

2. Aramark Uniform – #21402972 740 Frelinghuysen Ave., Newark, N.J. 07114

The company was not in compliance with the local total petroleum hydrocarbons limit. A Complaint was filed on 03/02/99. A Judicial Consent Order was signed on 12/07/99, and the company was fined. The compliance date was 12/01/99. They are now in compliance.

3. Express Display – # 20408120 105 Avenue L, Newark, N.J. 07105

The company was not in compliance with the local heavy metal limit for copper. A Settlement Agreement was reached on 06/29/99, and the company was fined. However, the company exceeded the copper limit after the settlement date, and a new Complaint will be filed.

4. Garden St. Paper – #09402322 950 River Drive, Garfield, N.J. 07026

The company was not in compliance with the local total petroleum hydrocarbons limit. A Complaint was filed on 07/07/99. A Settlement Agreement was reached on 11/04/99, and the company was fined. They are now in compliance.

5. GEO Specialties – #13407690 First & Essex Streets, Harrison, N.J. 07029

The company was not in compliance with the local total petroleum hydrocarbons limit. A Complaint was filed on 12/07/99. They are in the process of settling this matter with PVSC, and will be fined.

6. H.K. Metalcraft – #17402062 35 Industrial Road, Lodi, N.J. 07644

The company was not in compliance with the local total petroleum hydrocarbons limit. A Complaint was filed on 12/10/99. They are in the process of settling this matter with PVSC, and will be fined.

7. Heterene Chemical – #27405452 295 Vreeland Avenue, Paterson, N.J. 07543

The company was not in compliance with 40 CFR 414 limits. A Complaint was filed on 06/30/99. They are in the process of settling this matter with PVSC, and will be fined.

8. ISP Van Dyk – #01407090 11 William^{As-103} Street, Belleville, N.J. 07109

The company was not in compliance with 40 CFR 414 limits. A Complaint was filed on 06/11/99. They are in the process of settling this matter with PVSC, and will be fined.

9. Morton International – #27406210 335 McLean Blvd., Paterson, N.J. 07504

The company was not in compliance with 40 CFR 414 limits. They entered into a Judicial Consent Order on 02/17/98, with a compliance date of 08/01/99. The compliance date was extended to 12/01/99.

10. Pan Graphics – #09403062 45 Hartmann Avenue, Garfield, N.J. 07026

The company was not in compliance with the local heavy metal limit for copper. A Complaint was filed on 12/20/99. They are in the process of settling this matter with PVSC, and will be fined.

11. Rose Color – #20406092 170 Blanchard Street, Newark, N.J. 07105

The company was not in compliance with 40 CFR 414 limits. They entered into a Judicial Consent Order (JCO) on 12/09/97, with a compliance date of 09/30/98. Since they incurred violations after this date, the company incurred additional fines stipulated by the JCO. Had the company achieved compliance, those fines would have been waived. The compliance date has since been extended to 02/01/00.

12. The Screen Place – #26407872 90 Dayton Avenue, 4th Fl., Bldg. 7D, Passaic, N.J. 07055

The company was not in compliance with the local heavy metal limit for zinc. A Complaint was filed on 10/22/99. They are in the process of settling this matter with PVSC, and will be fined.

Reporting Violations

1. J.R. Metal Finishing – #20408142 175 Christie Street, Newark, N.J. 07105

This facility did not submit their local limits and categorical Baseline Monitoring Reports by 30 days after the due date, making them a Significant Non-Complier. A Complaint was filed on 11/15/99. PVSC also procured and served a court Order on the company on 01/13/00 for not submitting the required reports in a timely manner or in completed fashion. As a result of the Order, PVSC stopped their discharge from 01/13/00 to 01/14/00. The company completed all required data submissions by 01/14/00. The matter is in the process of being settled, and the company will be fined. However, an amended Complaint will be filed to include recent 40 CFR 433 nickel serious violations.

2. St. Michael's Hospital – #20403280 268 Dr. M.L. King Blvd., Newark, N.J. 07102

This facility submitted two user charge reports late; both were more than three weeks late. Additionally, they failed to sample for local limit metals during three months in 1999. A Complaint was filed on 09/09/99. They are in the process of settling this matter with PVSC, and will be fined.

APPENDIX IV-B

DLAs – SNCs

Section 18

Rahway Valley Sewerage Authority

Rahway Valley Sewerage Authority
1050 East Hazelwood Avenue
Rahway, NJ 07065

**Clean Water Enforcement Act Annual Report
Attachment A**

Permit Number	Industry Name/Address	Parameter	Date	Result	Total # of Violations	Comments
004	Ulrich Copper, Inc. (Site 05) 2 Mark Road Kenilworth, NJ 07033 (Site 03)	Copper	SV 1/99	13.2 mg/l	2	The industry has ceased discharging from site 05 and has not a copper violation since June 1999.
		pH	01/21/1999	10.3 mg/l		
		Copper	SV 4/99	18.3 mg/l	4	
		Copper	SV 5/99	16.8 mg/l		
		Copper	SV 6/99	7.33 mg/l		
		Oil/Grease	MA 8/99	63.8 mg/l		
		Oil/Grease				
014	Quala Systems, Inc. 1045 E. Hazelwood Avenue Rahway, NJ 07065	pH	01/07/1999	12.4 s.u.	10	The industry has bee issued a compliance schedule from an administrative order.
		Cadmium	SV 11/99	1.39 mg/l		
		Zinc	SV 3/99	4.1 mg/l		
		Oil/Grease	SV 1/99	5450 mg/l		
		Oil/Grease	SV 2/99	1280 mg/l		
		Oil/Grease	SV 3/99	1020 mg/l		
		Oil/Grease	SV 4/99	216 mg/l		
		Oil/Grease	SV 5/99	2550 mg/l		
		Oil/Grease	SV 6/99	503 mg/l		
		Oil/Grease	SV 7/99	262 mg/l		

**Clean Water Enforcement Act Annual Report
Attachment A**

Permit Number	Industry Name/Address	Parameter	Date	Result	Total # of Violations	Comments
046	JMB Linen Management 276 Hamilton Street Rahway, NJ 07065	pH	01/26/1999	9.68 s.u.	18	The industry has been issued a compliance schedule.
		pH	02/17/1999	10.9 s.u.		
		pH	03/11/1999	10.9 s.u.		
		pH	04/08/1999	9.54 s.u.		
		pH	05/05/1999	9.85 s.u.		
		pH	06/22/1999	10.6 s.u.		
		pH	07/13/1999	11.1 s.u.		
		pH	08/17/1999	11.4 s.u.		
		pH	09/16/1999	11.07 s.u.		
		pH	10/21/1999	10.02 s.u.		
		pH	11/09/1999	10.58 s.u.		
		pH	12/07/1999	10.32 s.u.		
		Oil/Grease	SV 1/99	185 mg/l		
		Oil/Grease	SV 2/99	160 mg/l		
		Oil/Grease	SV 4/99	196 mg/l		
		Oil/Grease	MA 5/99	122 mg/l		
		Oil/Grease	SV 7/99	255 mg/l		
		Oil/Grease	SV 11/99	213 mg/l		

Clean Water Enforcement Act Annual Report
Attachment A

Permit Number	Industry Name/Address	Parameter	Date	Result	Total # of Violations	Comments
077	Bigelow Component Corporation 74 Diamond Road Springfield, NJ 07081	Nickel	SV 1/99	5.76 mg/l	21	The industry did not meet compliance with the its last compliance schedule. The industry is working with the Authority to be issued a new compliance schedule from an administrative order.
		Nickel	SV 3/99	2.79 mg/l		
		Nickel	SV 4/99	31.8 mg/l		
		Nickel	SV 5/99	9.64 mg/l		
		Nickel	MA 6/99	1.17 mg/l		
		Nickel	SV 7/99	3.18 mg/l		
		Nickel	SV 9/99	16.7 mg/l		
		Nickel	SV 10/99	4.2 mg/l		
		Copper	MA 4/99	3.60 mg/l		
		Copper	SV 5/99	28.8 mg/l		
		Copper	SV 6/99	4.64 mg/l		
		Copper	SV 7/99	5.46 mg/l		
		Copper	MA 9/99	3.36 mg/l		
		pH	05/18/1999	9.94 s.u.		
		pH	11/16/1999	9.65 s.u.		
		Zinc	MA 2/99	3.08 mg/l		
		Zinc	SV 5/99	16.2 mg/l		
		Zinc	SV 10/99	3.61 mg/l		
		Chromium	SV 6/99	47.0 mg/l		
		Chromium	SV 7/99	11.8 mg/l		
		Chromium	SV 11/99	4.84 mg/l		

SV = Serious Violation

MA = Monthly Average Violation

APPENDIX IV-B

DLAs – SNCs

Section 19

Rockaway Valley Regional Sewerage Authority

ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY

INDUSTRIAL PRETREATMENT PROGRAM
CLEAN WATER ENFORCEMENT ACT
ANNUAL REPORT

ATTACHMENT A

The RVRSA has identified a significant noncomplier during this reporting period.

Howmet Corporation, a Significant Industrial User (SIU), is located at 9 Roy Street, Township of Rockaway, New Jersey, exceeded the levels of Oil/Grease for the months of April, May and June, 1999.

A non-compliance notification was sent to Howmet and the IU immediately resampled the violated parameter on June 16, 1999. The analytical result for was submitted to RVRSA within 30 days and analysis was within the limits. A draft administrative order and penalty assessment is under review by our attorney. A finalized copy will be sent to NJDEP for comments, once the review is complete.

APPENDIX IV-B

DLAs – SNCs

Section 20

Somerset Raritan Valley Sewerage Authority

ATTACHMENT A

None

APPENDIX IV-B

DLAs – SNCs

Section 21

Stony Brook Regional Sewerage Authority

Attachment A: Significant Noncompliers 1999

The Medical Center at Princeton

Address: 253 Witherspoon Street, Princeton, NJ 08540-3213

Permit #: 24-96-NC

Total # of Violations: 9 (8 for reporting, one for COD)

No reports were submitted for March and May and no annual sampling was submitted in January 1999. Additionally the monthly reports for January and April were late, and the flow data for the April and July reports were submitted late. All subsequent reports have however been submitted in a timely fashion and this facility is no longer in SNC, although it has just experienced a serious COD violation in its annual report filed December 3, 1999.

APPENDIX IV-B

DLAs – SNCs

Section 22

City of Trenton

Attachment A

Address: CMF Limited, Inc.
599 Ingham Avenue
P.O. Box 5989
Trenton, NJ 08638

Permit #: C001C

04/21/99- Permit exceedance for Zinc. Problem resolved on 7/23/99 by an extensive cleaning of the facility⁽¹⁾⁽²⁾.

08/09/99- Permit exceedance for Zinc. Problem resolved on 8/26/99 by stopping the chemical treatment of any galvanized or zinc plated materials.

09/14/99- Permit exceedance for Zinc. Problem resolved on 10/21/99 by another extensive cleaning of the facility⁽¹⁾⁽²⁾.

3 (Three) Violations Total

(1) Time between violation and resolution of problem is impacted by the turn around time for receiving sample analysis from contract laboratory.

(2) It should be noted that C.V. Hill Refrigeration utilized this facility to put a galvanized rust proof coating on their refrigeration casings. CMF Limited, Inc., unfortunately, elected to forego the use of an existing pretreatment system that was left behind when CV Hill Refrigeration moved its operation out of the City.

APPENDIX IV-B

DLAs – SNCs

Section 23

The Pequannock, Lincoln Park and Fairfield Sewerage Authority

**ATTACHMENT A - PERMITTEES QUALIFYING AS SIGNIFICANT
NONCOMPLIERS.**

Merrimac Industries, Inc.
41 Fairfield Place
West Caldwell, New Jersey 07006

Permit No. G5

Failed to submit a completed Self Monitoring Report for the first quarter of 1999.

New Age Metal Fabricating Company
26 Daniel Road West
Fairfield, New Jersey 07004

Permit D3

Failed to submit a completed Self Monitoring Report for the first quarter of 1999.

Phelps Dodge High Performance Conductors
80 Little Falls Road
Fairfield, New Jersey 07004

Permit D5

Exceeded the following limits:

- Copper – 12/2/98 sample result = 23.80 mg/L which exceeded the limit of 3.38 mg/L (Phelps re-sampled resulting in a lower concentration however, the monthly average was 12.6 mg/L exceeding the limit of 2.07 mg/L);
- Copper – Inspection sample taken by TBSA taken on January 27, 1999 resulted in 36.80 mg/L (second consecutive monthly violation);
- Silver – Inspection sample taken by TBSA on January 27, 1999 resulted in 7.68 mg/L (limit 0.43 mg/L daily maximum and 0.24 mg/L monthly average).

Phelps Dodge successfully completed 6 months of sampling for Copper and Silver. Also a penalty was assessed and collected (see page 8 of this report).

APPENDIX IV-B

DLAs – SNCs

Section 24

Wayne Township

ATTACHMENT A

None

APPENDIX IV-C

SPECIFIC PURPOSES FOR WHICH PENALTY MONIES COLLECTED BY THE DLAs HAVE BEEN SPENT

As Per N.J.S.A. 58:10A-14.2a(21)

SPECIFIC PURPOSES FOR WHICH PENALTY MONIES COLLECTED BY THE DLAs HAVE BEEN SPENT

The following are the answers from the delegated local agencies in response to Question #26 which reads:

Note the specific purposes for which penalty monies collected have been expended, displayed in line-item format by type of expenditure and including, but not limited to, Position numbers and titles funded in whole or in part from these penalty monies.

(2) Bayshore Regional Sewerage Authority

None Spent

(3) Bergen County Utilities Authority

<u>Industrial Users</u>	<u>Collected</u>	<u>Amount</u>	<u>Dedicated To Operators Training Funds</u>	<u>Held In BCUA Bank Account</u>
Electro Ceramic	1/99	\$ 1,000	\$ 100	\$ 900
Empire Acquisition	2/99	\$10,000	\$ 1,000	\$ 9,000
Stepan Chemical	3/99	\$ 5,000	\$ 500	\$ 4,500
C & C Metal	4/99	\$ 6,000	\$ 600	\$ 5,400
Pure World Bontanicals	6/99	\$ 1,000	\$ 100	\$ 900
Ganes Chemicals	9/99	\$ 5,000	\$ 500	\$ 4,500
Metal Improvement	9/99	\$ 1,000	\$ 100	\$ 900
NJ Transit - Fairview	10/99	\$ 1,000	\$ 100	\$ 900
Allegheny Teledyne	11/99	\$ 1,000	\$ 100	\$ 900
Di Feo BMW	11/99	\$ 2,000	\$ 200	\$ 1,800
Ganes Chemical	12/99	\$ 5,000	\$ 500	\$ 4,500
Pfister Chemical	12/99	\$ 1,000	\$ 100	\$ 900
TOTAL:		^{A-122} \$39,000	\$3,900	\$35,100

LIST OF PENALTY MONIES EXPENDED DURING 1999

AMOUNT

USE

\$ 8,659.20

Gateway, Inc.
These funds were expended for the purchase of new computers for Industrial Pretreatment Program staff. Payment was made on June 30, 1999.

\$ 3,400.00

Treasurer, State of New Jersey
This figure represents 10% of penalty monies collected during the period July 1, 1998 through June 30, 1999. These funds were paid to the Treasurer, State of New Jersey, for the Wastewater Treatment Operator's Fund as required by the Clean Water Enforcement Act (N.J.S.A. 58:10A-14.5).

\$ 681.00

West Group, Inc.
These funds were expended for the purchase of the New Jersey Administrative Code, Title 7, Environmental Protection, and sections of New Jersey Statutes Annotated related to the operation of the treatment plant. Payment was made on October 4, 1999.

TOTAL: \$ 12,740.20

(4) Camden County Municipal Utilities Authority

Penalty monies are deposited directly into General Revenue. 10 percent is directed to State of New Jersey for deposit into the State of New Jersey's Operator's Training Fund.

PRETREATMENT STAFF NAME

TITLE

Robert A. Clark

Chief
Division of Regulatory Compliance

Gayle E. Pagano

A-123 Industrial Pretreatment Supervisor

Barclay Conrad

Sr. Environmental Health Specialist

	Industrial Pretreatment
Samuel M. Loperfido	Sr. Environmental Health Specialist Industrial Pretreatment
Kamlesh Patel	Sr. Environmental Health Specialist Industrial Pretreatment
Patricia M. Wright	Sr. Environmental Health Specialist Industrial Pretreatment
Edward Wharton	Environmental Health Aide Industrial Pretreatment
Coleen Nicolls	Principal Clerk Typist Industrial Pretreatment

<u>LEGAL DEPARTMENT STAFF NAME</u>	<u>TITLE</u>
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Katherine Wade-Battle	Attorney
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(5) Ewing-Lawrence Sewerage Authority

None Spent

(6) Gloucester County Utilities Authority

GCUA does not fund position numbers or titles in the GCUA budget in whole or in part from collected penalty monies. Penalty monies currently held in escrow account (\$23,045.66). Any monies to be spent will be spent on enforcement activities (samplers, pH meters, etc.).

Fiscal Year 1999

10/30/98	IPP Inspection/Sampling Vehicle	18,676.00
11/03/98	Barricades for IPP Sampling Traffic Control	117.66
11/24/98	Confined Space Gas Detector for IPP	1,467.00
12/14/98	IPP Computer System	2,845.00

(7) Hamilton Township

\$8,000 in penalty monies was paid by Carfaro Ornamental Ironworks during the 1999 reporting period for both reporting violations and zinc and BOD exceedences.

Congoleum Corporation paid a total of \$2,000 in penalty monies, \$1,000 per industry, for reporting violations during the 1999 reporting period.

The Township collected \$3,500 from Demag Delaval for permit exceedences during the 1999 reporting period.

Finally National Packaging Companies paid a total of \$12,500 for 1998 and 1999 ammonia and BOD exceedences and reporting violations in 1999.

All payments are transferred to the Hamilton Township Department of Finance, and in turn, transferred to the Hamilton Township Department of Water Pollution Control General Operating Account. The basic intent of penalty money collection is to offset the expense that accumulates when enforcing permit discharge limitations. In addition, this amount is used to supplement costs needed to operate the Industrial Pretreatment Program.

(8) Hanover Sewerage Authority

Total amount of civil administrative penalty money collected: \$1,000.00

10% of the penalty money collected was sent to the Wastewater Operators Trust Fund: \$100.00

Enforcement costs incurred reviewing, issuing, and collecting mandatory penalty \$900.00

(9) Joint Meeting of Essex and Union Counties

Expenditure of monies from the industrial pretreatment account: \$30,000.00 for legal expenses.

(10) Linden Roselle Sewerage Authority

Law prohibits fines being identified as a line item in budget. Penalty revenue is deposited in the Operating Account to be used as needed. Of penalties collected, 10% is paid to Operators Training Program as required under the Act.

(11) Middlesex County Utilities Authority

In 1999, the Middlesex County Utilities Authority collected \$22,950.00 in penalties. As of this date, none of this money has been expended. The Middlesex County Utilities Authority will use this money for enforcement purposes and/or treatment plant upgrades, pursuant to N.J.S.A. 58:11-55(b). Furthermore, ten (10) percent of this money was forwarded to the NJDEP for deposit into the Wastewater Treatment Operators Training Account.

(12) Morris Township

None Spent

(13) Mount Holly Municipal Utilities Authority

All penalties collected are deposited in Authority operating fund as miscellaneous revenues to offset entire Industrial Pretreatment Program costs and/or Authority capital expenditures.

(14) North Bergen Municipal Utilities Authority

10% of collected monies have been distributed to the operator-training fund, the additional monies have been added to a general ledger account. Disbursements from this account have been made as follows:

Industrial/Commercial inspector \$2,350.00

(15) Northwest Bergen County Utilities Authority

Penalty Monies collected during the calendar year of 1998 have been utilized in the following manner:

1. Offset costs of funding for the contracted administration of the NBCUA Industrial Pretreatment Program by Bigler Associates, Inc.
2. Offset costs of funding for the contract laboratory analysis by Garden State Laboratories, Inc. for samples collected as part of the NBCUA Industrial Pretreatment Program.
3. Offset legal costs were associated with the modification of the NBCUA Rules, Regulations, and Standards to include an Enforcement Response Plan in accordance with applicable regulations.

(16) Ocean County Utilities Authority

Seven penalties were assessed during the year totaling \$35,150.00.

Five penalties were collected during the year totaling \$21,150.00

The balance is being paid in 2000.

The monies collected are deposited in the Authority's General Fund. Ten percent of the collected penalties has been forwarded to the State of New Jersey as required.

(17) Passaic Valley Sewerage Commissioners

The PVSC User Charge System was approved by DEP and EPA in 1979 and implemented in 1980. That system collects the funds to operate all cost centers at PVSC including the Industrial and Pollution Control Department. Penalty monies such as fines are designated as miscellaneous income and reduce the overall amount of money to be collected from the user charge system. We do not attempt to collect fines and penalties and dedicate their use to fund specific Industrial Departmental functions. We would hope that a successful pretreatment program would result in lower levels of fines in time. Thus, we do not try to recover all our department costs from penalties.

Although we have not taken penalty monies collected and allocated them for specific department purposes, we can list the cost centers and line items associated with the various department functions. The items are as follows.

INDUSTRIAL AND POLLUTION CONTROL DEPARTMENT

<u>MANAGER</u>	<u>COST CENTER 81050</u>
Salaries	5010
Postage	5410
Office Supplies	5420
Other Supplies	5470
Computer Supplies	5480
Replacement Computer Parts	5710
Gasoline	5820
Telephone	6010
Gas	6040
Rent Office Equipment	6110
Auto Expense	6420
Travel Outside Service Area	6430
Miscellaneous Equipment	6590
Outside Services, Repair Maintenance	6940
Outside Service, Miscellaneous	6980
Government Mandated Items	7080
Tuition	7310
Training Programs	7320
Dues and Subscriptions	7400
Miscellaneous Expense	7810

<u>INDUSTRIAL OPERATIONS</u>	<u>COST CENTER 81100</u>
Salaries	5010
Postage	5410
Office Supplies	5420
Computer Supplies	5480
Telephone	6010
Travel Outside Service Area	6430
Tuition	7310
Miscellaneous	7810

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INDUSTRIAL MONITORING AND
SURVEILLANCE

COST CENTER 81150

Salaries	5010
Office Supplies	5420
Lab Supplies	5430
Maintenance Supplies	5440
Janitorial Supplies	5450
Printing	5460
Other Supplies	5470
Computer Supplies	5480
Replacement Electrical Supplies	5610
Replacement Plumbing	5620
Repair Meter Instruments	5650
Other Repair Parts	5690
Replacement Computer Parts	5710
Gasoline	5820
Other Materials	5870
Telephone	6010
Auto Expense	6420
Travel Outside Service Area	6430
Treatment Equipment	6570
Testing Equipment	6580
Computer Equipment	6600
Outside Services, Repair and Maintenance	6940
Tuition	7310
Training Program	7320
Miscellaneous Expense	7810

POLLUTION PREVENTION

COST CENTER 81200

Salaries	5010
Office Supplies	5420
Lab Supplies	5430
Computer Supplies	5480
Replacement Computer Parts	5710
Gasoline	5820
Telephone	6010

Auto Expense	6420
Transportation Equipment	6530
Testing Equipment	6580
Computer Equipment	6600
Government Mandated Items	7080
Tuition	7310
Training Programs	7320

LABORATORY

COST CENTER 82050

Salaries	5010
Office Supplies	5420
Lab Supplies	5430
Maintenance Supplies	5440
Other Supplies	5470
Computer Supplies	5480
Computer Software	5490
Replacement Electrical	5610
Replacement Plumbing	5620
Repair Meter, Instrument	5650
Other Repair Parts	5690
Replacement Computer Parts	5710
Gasoline	5820
Other Chemicals	5860
Telephone	6010
Auto Expense	6420
Travel Outside Service Area	6430
Lab Equipment	6550
Testing Equipment	6580
Miscellaneous Equipment	6590
Outside Services, Repair and Maintenance	6940
Outside Services, Lab Testing	6950
Outside Services, Miscellaneous	698
Government Assessments	7070
Tuition	7310
Training Program	7320
Dues and Subscription	7400
Miscellaneous Expense	7810

(18) Rahway Valley Sewerage Authority

During the 1999 reporting year, Rahway Valley Sewerage Authority collected \$55,000.00 penalty, and placed it in the Operating Account Fund. Ten percent (10%) of the \$16,000.00 (\$1,600.00) was submitted to the New Jersey Department of Environmental Protection for deposit into the Wastewater Treatment Operator Training Program account and in January 2000 ten percent (10%) of \$39,000.00 (\$3,900.00) was submitted to the New Jersey Department of Environmental Protection for deposit into the Wastewater Treatment Operator Training Program account.

(19) Rockaway Valley Regional Sewerage Authority

None Spent

(20) Somerset Raritan Valley Sewerage Authority

The penalty monies collected in 1999 have been expended in this way:

The SRVSA will submit 10% of the \$4,768.00 to the NJDEP.

The rest of the penalty monies will be appropriated to the IPP Budget – line item 01-700-6738-0 (Professional Services)

(21) Stony Brook Regional Sewerage Authority

None Spent

(22) City of Trenton

None Spent

(23) The Pequannock, Lincoln Park and Fairfield Sewerage Authority

During the 1999 Reporting Year a \$7,000 penalty was assessed for Phelps Dodge discharge violations for Copper and Silver. Collection of penalty was as follows:

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2/25/99 - NOV sent to Phelps Dodge regarding the Copper and Silver Exceedences;
4/14/99 - Letter assessing penalty sent to Phelps Dodge;

5/21/99 - Phelps requested a 30% reduction;
6/18/99 - Phelps request for reduction denied by TBSA;
7/1/99 - Phelps dodge submitted a check to TBSA for \$7,000.

Of the \$7,000 penalties collected, 10% (\$700) will be sent to the State of New Jersey as required for the Wastewater Treatment Operator Training Account. The remainder has been deposited into the authority Revenue Fund.

(24) Wayne Township

All assessed penalty dollars collected are placed into the Pretreatment Program's general account and are used to supplement the program funding.

APPENDIX VI-A

PROGRAM CATEGORY DESCRIPTIONS

Division of Law

(Department of Law and Public Safety)

The Division of Law prosecutes civil and civil administrative enforcement cases and provides other legal services to the department.

Office of Administrative Law

(Department of Treasury)

The Office of Administrative Law adjudicates contested cases arising under the WPCA.

Office of Information Technology

(Department of Treasury)

The Office of Information Technology provides the information processing services for the New Jersey Pollutant Discharge Elimination System database.

Salaries

Salaries represent the direct work hours charged to Clean Water Enforcement activities.

Fringe Benefits

The Department of Treasury's Office of Management and Budget negotiates, with the United States Department of Health and Human Services for a composite fringe benefit rate on an annual basis. This rate related to expenses for pensions, health benefits, worker compensation and temporary disability insurance. For FY99 and FY00, the fringe benefits rate is calculated as Salary x 22.75% and 26.65% respectively.

Materials and Supplies

Materials and supplies are defined as tangible consumable items used for operations, such as printing and office supplies, vehicular supplies, household and clothing, fuel and utilities, and scientific and engineering supplies.

Services Other Than Personal

Services other than personal represent the cost of purchased services which are primarily non-personal or of a contract nature. These items include travel, telephone, postage, insurance, data processing, security and professional services.

Maintenance and Fixed Charges

Maintenance and fixed charges expenditures constitute the routine repair and maintenance of buildings, property and equipment to keep them in operation and prevent deterioration. Included are preventive maintenance, maintenance contracts, repairs to equipment and replacement of component parts.

Equipment

Equipment expenditures are for the purchase of new or additional items of equipment or other property.

Indirect Costs

Indirect costs are those costs incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved.

The indirect rate is negotiated on an annual basis between the Department of Environmental Protection and the United States Environmental Protection Agency. For FY99 and FY00, the indirect is calculated as $(\text{SALARY} + \text{Fringe}) \times 27.49\%$.

APPENDIX VI-B

POSITIONS PARTIALLY FUNDED BY CWEA PENALTY MONIES

Since the Program went on-budget and penalties collected are remitted to the general fund and, thus the positions are no longer truly funded or supported by penalties, we could no longer report which position numbers and titles that are funded in whole or in part by penalty monies.