

**7:27A-3.9 Civil administrative penalty for failure to provide information or test data or to maintain a permanent record of information or test data**

(a) The Department may assess a civil administrative penalty against each violator who fails to provide the Department with or who fails to maintain a permanent record of information regarding smoke, opacity, or emission data; any other stack or test data; or any other records or information required by the Department pursuant to the Act or any rule, administrative order, operating certificate, registration requirement or permit issued pursuant thereto.

(b) Each day smoke, opacity or emission data; any other stack or test data; or any other records or information required by the Department pursuant to the Act or any rule, administrative order, operating certificate, registration requirement or permit issued pursuant thereto is not provided after it is due, or is not maintained, shall constitute an additional, separate and distinct offense.

(c) Except as provided in N.J.A.C. 7:27A-3.10, the amount of the civil administrative penalty for offenses described in this section shall be as provided at (c)1 through 3 below. The grace period for these minor violations, if applicable in accordance with N.J.A.C. 7:27A-3.10(q) through (t), is 30 days.

1. For the nonsubmittal of or the failure to maintain records of any smoke, opacity or emission data:

- i. \$2,000 for the first offense;
- ii. \$4,000 for the second offense;
- iii. \$10,000 for the third offense; and
- iv. \$30,000 for the fourth and each subsequent offense.

**7:27A-3.10 Civil administrative penalties for violations of rules adopted pursuant to the Act**

(a) The Department may assess a civil administrative penalty of not more than \$10,000 for the first offense, not more than \$25,000 for the second offense, and not more than \$50,000 for the third and each subsequent offense for each violation of the Act or of any rule promulgated pursuant to the Act listed in (m) and (n) below.

(b) Each violation of each provision of the Act, or any rule promulgated pursuant thereto, shall constitute a separate and distinct offense.

(c) Each day during which the violation continues shall constitute an additional, separate, and distinct offense.

(d) Except as provided for in (e) and (f) below, the Department may, in its discretion, treat an offense as a first offense solely for civil administrative penalty determination purposes, if the violator has not committed the same offense in the five years immediately preceding the date of the pending offense.

(e) For violations of N.J.A.C. 7:27-8.3(e) and N.J.A.C. 7:27-22.3(c) or (e) indicated by a continuous monitoring system, the Department shall calculate penalties in accordance with (n)1 below and may, in its discretion for purposes of determining the statutory maximum penalty for an offense, treat an offense as a first offense for civil administrative penalty determination purposes, at the beginning of each calendar quarter.

(f) For violations of N.J.A.C. 7:27-8.3(e) and N.J.A.C. 7:27-22.3(d) or (e) when a continuous monitoring system operates out of control or is out of service, the Department shall calculate penalties in accordance with (n)2 below and may, in its discretion, treat an offense as a first offense for civil administrative penalty determination purposes, if the violator has not committed the same offense in the four consecutive calendar quarters immediately preceding the first day of the calendar quarter during which the pending offense was committed.

2. For the nonsubmittal of or the failure to maintain records of any stack or test data not included in (c)1 above:

- i. \$1,000 for the first offense;
- ii. \$2,000 for the second offense;
- iii. \$5,000 for the third offense; and
- iv. \$15,000 for the fourth and each subsequent offense.

3. For the nonsubmittal of or the failure to maintain any records or information not included in (c)1 or 2 above:

- i. \$500.00 for the first offense;
- ii. \$1,000 for the second offense;
- iii. \$2,500 for the third offense; and
- iv. \$7,500 for the fourth and each subsequent offense.

(d) The Department may, in its discretion, treat an offense as a first offense solely for civil administrative penalty determination purposes, if the violator has not committed the same offense in the five years immediately preceding the date of the pending offense.

Amended by R.1995 d.5, effective January 3, 1995 (operative January 27, 1995).

See: 26 N.J.R. 3566(a), 27 N.J.R. 93(a).

Amended by R.2005 d.155, effective May 16, 2005 (operative June 17, 2005).

See: 36 N.J.R. 5293(a), 37 N.J.R. 1789(a).

Rewrote (c).

(g) Where the civil administrative penalty for a violation of the Act or of any rule promulgated pursuant to the Act may be determined by using more than one provision of this section, the Department may, in its discretion, assess the highest civil administrative penalty that corresponds to the violation, pursuant to the factors listed in N.J.A.C. 7:27A-3.5(e).

(h) The Department shall determine the amount of the civil administrative penalty for offenses described in this section on the basis of the provision violated and the frequency of the violation.

(i) (Reserved)

(j) The Department may, in its discretion prior to assessment of a civil administrative penalty, adjust the amount of any penalty determined under this section pursuant to the factors listed in N.J.A.C. 7:27A-3.5(e).

(k) For violations of N.J.A.C. 7:27-22.3(a) and (b), the Department shall calculate penalties in accordance with the Civil Administrative Penalty Schedule in (m) below by adding the penalty amounts for each source operation within a facility that is subject to N.J.A.C. 7:27-22. The daily penalty for such violations shall not exceed the amounts set forth in (a) above.

(l) Footnotes 3, 4, and 8 set forth in the Civil Administrative Penalty Schedule in (m) below are intended solely to put violators on notice that in addition to assessing a civil administrative penalty, the Department may also revoke the violator's Operating Permit, Certificate or variance. These footnotes are not intended to limit the Department's discretion in determining whether or not to revoke an Operating Permit, Certificate or variance, but merely to indicate the situation in which the Department would be most likely to seek revocation.

(m) The violations of N.J.A.C. 7:27, whether the violation is minor or non-minor in accordance with (q) through (t) below, and the civil administrative penalty amounts for each violation are as set forth in the following Civil Administrative Penalty Schedule. The numbers of the following subsections correspond to the numbers of the corresponding subchapter in N.J.A.C. 7:27. The rule summaries for the requirements set forth in the Civil Administrative Penalty Schedule in this subsection are provided for informational purposes only and have no legal effect.

#### CIVIL ADMINISTRATIVE PENALTY SCHEDULE

1. (Reserved)

2. The violations of N.J.A.C. 7:27-2, Control and Prohibition of Open Burning, and the civil administrative penalty amounts for each violation are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-2.2	Small scale (up to 55 gallon drum or equivalent)	NM	\$300	\$600	\$1,500	\$4,500
	Large Scale	NM	\$2,000	\$4,000	\$10,000	\$30,000
	Material containing pesticides, dangerous materials and solvents	NM	\$5,000	\$10,000	\$25,000	\$50,000
N.J.A.C. 7:27-2.3(a)	Small scale (up to 55 gallon drum or equivalent)	NM	\$200	\$400	\$1,000	\$3,000
	Large scale	NM	\$2,000	\$4,000	\$10,000	\$30,000
	Material containing pesticides, dangerous materials and solvents	NM	\$5,000	\$10,000	\$25,000	\$50,000
N.J.A.C. 7:27-2.3(b)	Residential	NM	\$100	\$200	\$500	\$1,500
	Commercial	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-2.3(c)	Residential	NM	\$100	\$200	\$500	\$1,500
	Commercial	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-2.4	Not acting in accordance with permit	NM	\$1,000	\$2,000	\$5,000	\$15,000

3. The violations of N.J.A.C. 7:27-3, Control and Prohibition of Smoke from Combustion of Fuel, and the civil administrative penalty amounts for each violation, per source, are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
	Commercial Vehicle Registration	M	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-15.7(a)1	Owner of four or fewer vehicles	NM	\$400	\$800	\$2,000	\$6,000
	Owner of five or more vehicles	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-15.7(a)2	Passenger Vehicle Registration	NM	\$500	\$1,000	\$2,500	\$7,500
	Commercial Vehicle Registration	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-15.7(a)3	Sale/Offer for Sale; Lease/Offer for Lease by owner of four or fewer vehicles	NM	\$1,000	\$2,000	\$5,000	\$15,000
	Sale/Offer for Sale; Lease/Offer for Lease by owner of five or more vehicles	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-15.7(a)4	Offer for Sale/Sale of Device/Component	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-15.8(a)	Passenger Vehicle Registration	NM	\$100	\$200	\$500	\$1,500
	Commercial Vehicle Registration	NM	\$200	\$400	\$1,000	\$3,000

16. The violations of N.J.A.C. 7:27-16, Control and Prohibition of Air Pollution by Volatile Organic Compounds (VOC), and the civil administrative penalty amounts for each violation, per source, are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.2(b)	External Surface	NM	\$1,000 <sup>3</sup>	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(b)	Control Apparatus	NM	\$1,000 <sup>3</sup>	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(c)	Vapor Control System	NM	\$1,000 <sup>3</sup>	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(d)	Gauging/Sampling	NM	\$500 <sup>3</sup>	\$1,000	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.2(g)	Floating Roof	NM	\$2,000 <sup>3</sup>	\$4,000	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(h)	Seal-Envelope	NM	\$2,000 <sup>3</sup>	\$4,000	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(i)	Roof Openings	NM	\$600 <sup>3</sup>	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.2(k)	Records	M	\$500 <sup>3</sup>	\$1,000	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.3(c)	Submerged Fill (Gasoline)	NM	\$600 <sup>3</sup>	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(d)	Transfer of Gasoline	NM	\$600 <sup>3</sup>	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(e)	Transfer of Gasoline (Delivery)	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.3(i)1	Testing	M	\$500 <sup>3</sup>	\$1,000 <sup>3</sup>	\$2,500 <sup>3</sup>	\$7,500
N.J.A.C. 7:27-16.3(i)2 or (i)3	Records	M	\$100 <sup>3</sup>	\$200 <sup>3</sup>	\$500 <sup>3</sup>	\$1,500 <sup>3</sup>
N.J.A.C. 7:27-16.3(j)	Transfer Pressure	NM	\$600 <sup>3</sup>	\$1,200 <sup>3</sup>	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(l)	Vapor-Tight Delivery Vessel (Gasoline)	NM	\$600 <sup>3</sup>	\$1,200 <sup>3</sup>	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(m)	Transfer of Gasoline (Delivery)	NM	\$600	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(n)1	Loading 15,000 gallons or less per day	NM	\$1,000	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(n)2	Loading more than 15,000 gallons per day	NM	\$5,000	\$10,000	\$25,000 <sup>3</sup>	\$50,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(o)1	Leak	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.3(o)2	Component	NM	\$800	\$1,600	\$4,000	\$12,000
N.J.A.C. 7:27-16.3(o)3	Spill	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.3(p)	Recertify	M	\$200	\$400	\$1,000	\$3,000
N.J.A.C. 7:27-16.3(q)	Gasoline Loading Facility	NM	\$600	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.3(s)	Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.4(b)	Submerged Fill (VOC)	NM	\$600	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.4(c)	Transfer of VOC	NM	\$600	\$1,200	\$3,000 <sup>3</sup>	\$9,000 <sup>3</sup>
N.J.A.C. 7:27-16.4(f)	Transfer of VOC (Delivery)	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.4(i)	Pressure Testing	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.4(i)	Certification Display	M	\$100	\$200	\$500	\$1,500
N.J.A.C. 7:27-16.4(j)	Transfer Pressure	M	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.4(k)	Component	NM	\$800	\$1,600	\$4,000	\$12,000
N.J.A.C. 7:27-16.4(k)1	Leak	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.4(k)2	Spill	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.4(l)	Vapor-Tight Delivery Vessel (VOC)	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.4(m)	Recertify	M	\$200	\$400	\$1,000	\$3,000
N.J.A.C. 7:27-16.4(o)	Records	M	\$500	\$1,000	\$2,500	\$7,500

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.5(b)	Control Apparatus	M	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
N.J.A.C. 7:27-16.5(c)	Submittal/Plan	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.5(e)	Ballasting	M	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
N.J.A.C. 7:27-16.5(f)1	Leak	NM	\$1,200	\$2,400	\$6,000	\$18,000
N.J.A.C. 7:27-16.5(f)2	Component	NM	\$1,600	\$3,200	\$8,000	\$24,000
N.J.A.C. 7:27-16.5(f)3	Spill	NM	\$4,000	\$8,000	\$20,000	\$50,000
N.J.A.C. 7:27-16.5(j)	Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.6(b)	Tank Lids	NM	\$500 <sup>3</sup>	\$1,000 <sup>3</sup>	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(c)	Unheated Surface Cleaner 25 square feet or less	NM	\$500 <sup>3</sup>	\$1,000 <sup>3</sup>	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(d)	Unheated Surface Cleaner greater than 25 square feet	NM	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(e)	Heated Tank	NM	\$1,000 <sup>3</sup>	2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(f)	Vapor Surface Cleaner	NM	\$1,500 <sup>3</sup>	\$3,000 <sup>3</sup>	\$7,500 <sup>3</sup>	\$22,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(g)	Unheated Conveyorized Surface Cleaner	NM	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(h)	Heated Conveyorized Surface Cleaner	NM	\$1,500 <sup>3</sup>	\$3,000 <sup>3</sup>	\$7,500 <sup>3</sup>	\$22,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(i)	Conveyorized Vapor Surface Cleaner	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(j)	Cold Cleaning Machine	NM	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(j)	Heated Cleaning Machine	NM	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-16.6(k)	Batch Vapor Cleaning Machine	NM	\$1,500 <sup>3</sup>	\$3,000 <sup>3</sup>	\$7,500 <sup>3</sup>	\$22,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(l)	In-Line Vapor Cleaning Machine	NM	\$1,500 <sup>3</sup>	\$3,000 <sup>3</sup>	\$7,500 <sup>3</sup>	\$22,500 <sup>3</sup>
N.J.A.C. 7:27-16.6(m)	Airless Cleaning Machine or Air-Tight Cleaning Machine	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(c)					
CLASS Surface Coating or Graphic Arts					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
N.J.A.C. 7:27-16.7(d)					
CLASS Surface Coating or Graphic Arts					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(g)					
CLASS Metal Furniture or Large Appliance					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(h)					
CLASS Printing					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(i)					
CLASS Tablet Coating					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(j)					
CLASS Wood Furniture					
Maximum Actual Emissions					

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.7(k)1	Permit	M	\$400	\$800	\$2,000	\$6,000
N.J.A.C. 7:27-16.7(m) or (n)	Records	M	\$500	\$1,000	\$2,500	\$7,500

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.8(b)1 or 2					
CLASS Non-utility and Utility Boilers					
Actual Emission (pounds per million BTU):					
Boiler Heat Input Capacity—Less than 100 MMBTU					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
Boiler Heat Input Capacity—From 100-250 MMBTU					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
Boiler Heat Input Capacity—Greater than 250 MMBTU					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.8(b)3 or (c)	Adjust Combustion	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.8(e)	Demonstrate Compliance	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.8(f) or (g)	Failure to Install CEM	NM	\$10,000	\$20,000	\$50,000	\$50,000

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.9(b) and (c)					
CLASS Stationary Gas Turbine					
Actual Emission (pounds per million BTU):					
3-10 MW Turbine					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
11-50 MW Turbine					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation		Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
Greater than 50 MW Turbine						
1. Less than 25 percent over the allowable standard		NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard		NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard		NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.9(e)	Demonstrate Compliance	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.9(f)	Adjust Combustion	NM	\$2,000	\$4,000	\$10,000	\$30,000

Citation		Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.10(b)						
CLASS Stationary Internal Combustion Engine						
Actual Emission (grams per horsepower hr):						
1000 Hp or less						
1. Less than 25 percent over the allowable standard		NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard		NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard		NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
Greater than 1000 Hp						
1. Less than 25 percent over the allowable standard		NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard		NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard		NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.10(d)	Demonstrate Compliance	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.10(e)	Adjust Combustion	NM	\$2,000	\$4,000	\$10,000	\$30,000

Citation		Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.11(b)						
CLASS Asphalt plants						
Maximum Actual Emissions						
1. Less than 25 percent over the allowable standard		NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard		NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard		NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.11(d)	Demonstrate Compliance	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.11(e)	Adjust Combustion	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.12(c)	Maximum VOC Content of Coatings	NM	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.12(d)	Contents of Coating	NM	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.12(e)	Documentation of VOC Content Calculations	M	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.12(f)	Coating Application Techniques	M	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.12(g)	Spray Gun Cleaning Methods	M	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.12(h)	Additional Measures	M	\$1,000 <sup>3</sup>	\$1,500 <sup>3</sup>	\$2,000 <sup>3</sup>	\$2,500 <sup>3</sup>
N.J.A.C. 7:27-16.13(a)	Flares	NM	\$1,200 <sup>3</sup>	\$2,400 <sup>3</sup>	\$6,000 <sup>3</sup>	\$18,000 <sup>3</sup>
N.J.A.C. 7:27-16.13(b)	Submittal	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.13(c)	Log	M	\$500	\$1,000	\$2,500	\$7,500



Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.16(c)					
CLASS Other Source Operations					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.16(g)	Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.17(b)1	Control Apparatus	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.17(b)2	Compliance with Alternative VOC Control Plan	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.17(c)	Compliance	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.17(d)	Submittal	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.17(e)	Submittal	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.17(n)	Submittal	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.18(c)	Leak	NM	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.18(d)	Leak	NM	\$300	\$600	\$1,500 <sup>3</sup>	\$4,500 <sup>3</sup>
N.J.A.C. 7:27-16.18(f)	Leak Detection and Repair	NM	\$3,000	\$6,000	\$15,000 <sup>3</sup>	\$45,000 <sup>3</sup>
N.J.A.C. 7:27-16.18(g)	Leak Detection and Repair	NM	\$3,000	\$6,000	\$15,000 <sup>3</sup>	\$45,000 <sup>3</sup>
N.J.A.C. 7:27-16.18(h)	Leak Detection and Repair	NM	\$3,000	\$6,000	\$15,000 <sup>3</sup>	\$45,000 <sup>3</sup>
N.J.A.C. 7:27-16.18(i)	Leak Detection and Repair	NM	\$3,000	\$6,000	\$15,000 <sup>3</sup>	\$45,000 <sup>3</sup>
N.J.A.C. 7:27-16.18(j)1	Log	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.18(j)2	Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.18(l)	Annual Testing	M	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-16.18(o)	Sealing Device	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.18(q)	Alternative Methods	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-16.19	Cutback and Emulsified Asphalt	NM	\$1,000	\$2,000	\$5,000	\$15,000

Citation	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.20(a)					
CLASS Petroleum Solvent Dry Cleaning					
Maximum Actual Emissions					
For less than 10 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$2,000 <sup>3</sup>	\$4,000 <sup>3</sup>	\$10,000 <sup>3</sup>	\$30,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$4,000 <sup>3</sup>	\$8,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
From 10 pounds through 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$6,000 <sup>3</sup>	\$12,000 <sup>3</sup>	\$30,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
For greater than 22.8 pounds per hour:					
1. Less than 25 percent over the allowable standard	NM	\$8,000 <sup>3</sup>	\$16,000 <sup>3</sup>	\$40,000 <sup>3</sup>	\$50,000 <sup>3</sup>
2. From 25 through 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>
3. Greater than 50 percent over the allowable standard	NM	\$10,000 <sup>3</sup>	\$20,000 <sup>3</sup>	\$50,000 <sup>3</sup>	\$50,000 <sup>3</sup>



Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-16.20(b)	Filtration Emissions	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.20(c)1	Leaking Equipment	NM	\$500	\$1,000	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.20(c)2	Open Containers	NM	\$500	\$1,000	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-16.20(f)	Total Emissions	NM	\$600	\$1,200	\$3,000	\$9,000
N.J.A.C. 7:27-16.20(g)	Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.21(a)	Plan	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.21(b)	Implement Plan	NM	\$4,000	\$8,000	\$20,000	\$50,000
N.J.A.C. 7:27-16.21(c)	Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.21(d)	Records Availability	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.21(e)	Revise Plan	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.22(a)	Records Availability	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-16.22(c)	Information	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-16.22(d)	Monitoring	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.22(e)	Sampling and Testing	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-16.24(a)	Adjust Combustion	M	\$2,000	\$4,000	\$10,000	\$30,000

<sup>3</sup> Revoke Certificate to Operate Under N.J.A.C. 7:27-8 (if applicable)

17. The violations of N.J.A.C. 7:27-17, Control and Prohibition of Air Pollution by Toxic Substances, and the civil administrative penalty amounts for each violation, per source, are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-17.2	Asbestos Surface Coating	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-17.3(a)	Registration	M	\$500 <sup>3</sup>	\$1,000 <sup>3</sup>	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-17.3(c)	Remedial Measures	M	\$500 <sup>3</sup>	\$1,000 <sup>3</sup>	\$2,500 <sup>3</sup>	\$7,500 <sup>3</sup>
N.J.A.C. 7:27-17.3(d)	Implementation	M	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-17.3(e)	Resubmittal	M	\$1,000 <sup>3</sup>	\$2,000 <sup>3</sup>	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-17.4(a)	Discharge Criteria	M	\$1,000	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-17.4(b)	Aerodynamic Downwash	M	\$1,000	\$2,000	\$5,000 <sup>3</sup>	\$15,000 <sup>3</sup>
N.J.A.C. 7:27-17.5(a)	Written Instructions	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-17.5(b)	Training Program	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-17.5(c)	Copies of Instructions	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-17.5(d)	Submittal	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-17.5(e)	Notification	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-17.6(a)	Tests (Asbestos)	M	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-17.6(c)1	Information (TXS)	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-17.6(c)2	Monitoring (TXS)	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-17.6(c)3	Sampling and Testing Facilities (TXS)	M	\$2,000	\$4,000	\$10,000	\$30,000

<sup>3</sup> Revoke Certificate to Operate Under N.J.A.C. 7:27-8 (if applicable)

18. (Reserved)

19. The violations of N.J.A.C. 7:27-19, Control and Prohibition of Air Pollution from Oxides of Nitrogen, and the civil administrative penalty amounts for each violation, are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-19.3(d)	Failure to Submit Application or Plan	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.4(a)	Utility Boilers					
Actual Emission (pounds per million BTU per hour):						
1.	Less than 25 percent over the allowable standard	NM	\$8,000	\$16,000	\$40,000	\$50,000
2.	From 25 through 50 percent over the allowable standard	NM	\$10,000	\$20,000	\$50,000	\$50,000
3.	Greater than 50 percent over the allowable standard	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.4(b)	All Utility Boilers Failure to Install CEM	M	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.5(a) or (b)	Stationary Gas Turbines					
Actual Emission (pounds per million BTU):						

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
3-10 MW Turbine						
1. Less than 25 percent over the allowable standard		NM	\$2,000	\$4,000	\$10,000	\$30,000
2. From 25 through 50 percent over the allowable standard		NM	\$4,000	\$8,000	\$20,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
11-50 MW Turbine						
1. Less than 25 percent over the allowable standard		NM	\$6,000	\$12,000	\$30,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
Greater than 50 MW Turbine						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.5(c)5	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.5(c)5	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.5(c)6	Adjust Combustion Process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.6(d)1 and 2	Emissions Averaging					
Actual Emission (pounds per million BTU):						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. Twenty-five percent or greater percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.6(f)1 or 2	Record Keeping of Compliance Demonstration	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.6(g)	Log	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.6(h)	Quarterly Reports	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.6(i)	Notice of Noncompliance	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.6(j)1	Provide Notice of Ceased Operations	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.7(a)	Adjust combustion process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.7(b) or (c)	Non-Utility boilers and other indirect heat exchangers					
Actual Emission (pounds per million BTU):						
Less than 25 MMBTU per hour						
1. Less than 25 percent over the allowable standard		NM	\$2,000	\$4,000	\$10,000	\$30,000
2. From 25 through 50 percent over the allowable standard		NM	\$4,000	\$8,000	\$20,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
25-50 MMBTU per hour						
1. Less than 25 percent over the allowable standard		NM	\$6,000	\$12,000	\$30,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
Greater than 50 MMBTU per hour						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.7(d)	Heat input rate of 250 MMBTU per hour or greater					
	Failure to install CEM	NM	\$10,000	\$20,000	\$50,000	\$50,000
	Heat input rate of 50 MMBTU to less than 250 MMBTU per hour					
	Adjust combustion process or install CEM	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.8(a), (b) or (c)	Stationary Internal Combustion Engines					
Actual Emission (grams per horsepower hour):						
1000 Hp or less						
1. Less than 25 percent over the allowable standard		NM	\$6,000	\$12,000	\$30,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
Greater than 1000 Hp						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.9(a)	Asphalt Plants					
Maximum Actual Emissions						

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
1. Less than 25 percent over the allowable standard		NM	\$2,000	\$4,000	\$10,000	\$30,000
2. From 25 through 50 percent over the allowable standard		NM	\$4,000	\$8,000	\$20,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
N.J.A.C. 7:27-19.9(b)	Adjust combustion process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.10(a) or (b)	Glass Manufacturing Furnaces					
Maximum Actual Emissions						
For less than 10 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$2,000	\$4,000	\$10,000	\$30,000
2. From 25 through 50 percent over the allowable standard		NM	\$4,000	\$8,000	\$20,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
From 10 pounds through 22.8 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$6,000	\$12,000	\$30,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
From greater than 22.8 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.10(c)1	Determine baseline NO <sub>x</sub> emission rate	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.10(c)2	Submit Emission Reduction Plan	M	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.10(c)3	Implement Emission Reduction Plan	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.10(c)4	Reduce Emissions 30%					
Maximum Actual Emissions						
For less than 10 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$2,000	\$4,000	\$10,000	\$30,000
2. From 25 through 50 percent over the allowable standard		NM	\$4,000	\$8,000	\$20,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
From 10 pounds through 22.8 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$6,000	\$12,000	\$30,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
For greater than 22.8 pounds per hour:						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. From 25 through 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
3. Greater than 50 percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.10(e)	Adjust combustion process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.13(j)	Modify NO <sub>x</sub> Control Plan for alterations	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.13(n)	Implement NO <sub>x</sub> Control Plan	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.15(c)	Demonstrate Compliance	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.16(c)	Log	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.17(a)1	Conduct Stack Tests	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.17(a)2, 3 or 4	Information	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-19.17(b)	Sampling and Testing Facilities	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.17(e)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.18(a)2, 3, 4 or 5	Monitoring	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.18(h)	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.18(h)	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.19(a) or (b)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.19(d)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.19(e)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.19(f)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.19(g)1 or 2	Submit Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.20(d)	Compliance with Maximum Annual Emission Rate					
Actual Emissions (pounds per million BTU)						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. Twenty-five percent or greater percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.20(g)1	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-19.20(g)1	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.20(g)2	Combust Cleaner Fuel	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.20(g)3	Compliance with Maximum Allowable Emission Rate					
Actual Emissions (pounds per million BTU)						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. Twenty-five percent or greater percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.20(g)4	Compliance with Maximum Allowable Emission Rate					
	Class: Utility Boilers	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.4(a).				
	Class: Stationary Gas Turbines	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.5(a) or (b).				
	Class: Nonutility Boilers and Other Indirect Heat Exchangers	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.7(b) or (c).				
	Class: Stationary Internal Combustion Engines	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.8(a), (b) or (c).				
	Class: Asphalt Plants	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.9(a).				
	Class: Glass Manufacturing Furnaces	See N.J.A.C. 7:27A-3.10(m)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.10(a) or (b).				
N.J.A.C. 7:27-19.20(g)5	Compliance with Maximum Annual Emission Rate					
Actual Emissions (pounds per million BTU)						
1. Less than 25 percent over the allowable standard		NM	\$8,000	\$16,000	\$40,000	\$50,000
2. Twenty-five percent or greater percent over the allowable standard		NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.20(i)1, 2 or 3	Maintain Emission Calculations	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.21(e)1	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.21(e)1	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.21(e)2	Compliance Milestones— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.21(e)2	Compliance Milestones—Emission Increase	NM				
N.J.A.C. 7:27-19.21(e)4	Determine Actual NO <sub>x</sub> Emissions	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.21(e)5	Adjust combustion process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.21(e)6	Recordkeeping and Reporting	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.21(e)7	Notification	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.21(e)9	Compliance with Maximum Allowable Emission Rate					
	Class: Utility Boilers	See N.J.A.C. 7:27A-3.10(l)19 for the calculation of civil administrative penalties for violations of N.J.A.C. 7:27-19.5(a) or (b).				
N.J.A.C. 7:27-19.21(e)10	Cease Operating	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.22(g)1	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.22(g)1	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.22(g)2	Compliance Milestones— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.22(g)2	Compliance Milestones— Emission Increase	NM				
N.J.A.C. 7:27-19.22(g)3	Notification	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.22(g)4	Control Emissions	NM	\$2,000	\$4,000	\$10,000	\$30,000

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-19.23(e)1	Conditions of Approval— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.23(e)1	Conditions of Approval— Emission Increase	NM				
N.J.A.C. 7:27-19.23(e)2	Compliance Milestones— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.23(e)2	Compliance Milestones— Emission Increase	NM				
N.J.A.C. 7:27-19.23(e)3	Implement Innovative Control Technology— No Emission Increase	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.23(e)3	Implement Innovative Control Technology— Emission Increase	NM				
N.J.A.C. 7:27-19.23(e)4	Determine Actual NO <sub>x</sub> Emissions	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.23(e)5	Adjust combustion process	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-19.23(e)6	Recordkeeping and Reporting	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.23(e)7	Notification	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.23(e)9	Cease Operating	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-19.24(b)	Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-19.24(d)	Recordkeeping	M	\$500	\$1,000	\$2,500	\$7,500

20. The violations of N.J.A.C. 7:27-20, Used Oil Combustion, and the civil administrative penalty amounts for each violation, per source, are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-20.2(a)	Unauthorized Use	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-20.2(b)	Prohibited Commercial Use	NM	\$800	\$1,600	\$4,000	\$12,000
	Prohibited Commercial Sale	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-20.2(c)	Prohibited Residential Sale	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-20.2(d)	Registration Required, equal or less than 500,000 BTU/Hr	NM	\$200	\$400	\$1,000	\$3,000
	Permit Required, greater than 500,000 BTU/Hr	NM	\$400	\$800	\$2,000	\$6,000
N.J.A.C. 7:27-20.2(e)	Hazardous Waste Prohibited	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-20.3(a)	Authorized Use Requirements	NM	\$3,000	\$6,000	\$15,000	\$45,000

21. The violations of N.J.A.C. 7:27-21, Emission Statements, and the civil administrative penalty amounts for each violation are as set forth in the following table:

Citation	Class	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-21.3(a)	Failure to Submit	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-21.5(a)	Failure to Certify	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-21.5(a)-(i)	Omission of Required Information	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-21.7(a)	Failure to Keep Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-21.7(b)	Failure to Make Records Readily Available	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-21.7(c)	Failure to Timely Submit Copy of Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-21.3(c) and 21.10(f)	Failure to Obtain Department Approval of Claim of Non-applicability Prior to Discontinuing Submittal	M	\$100	\$200	\$500	\$1,500

22. The violations of N.J.A.C. 7:27-22, Operating Permits, and the civil administrative penalty amounts for each violation, per source operation, are set forth in the following tables:

<u>Citation</u>	<u>Rule Summary</u>	<u>Type of Violation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth and Each Subsequent Offense</u>
N.J.A.C. 7:27-22.3(a)	Obtain and Maintain Operating Permit					
Class: Estimated Potential Emission of Source Operation						
1. Less than 0.5 pound per hour		M	\$100 <sup>10</sup>	\$200 <sup>10</sup>	\$500 <sup>10</sup>	\$1,500 <sup>10</sup>
2. From 0.5 through 10 pounds per hour, or 0.5 through 2.5 pounds per hour for VOC and NO <sub>x</sub>		M	\$200 <sup>10</sup>	\$400 <sup>10</sup>	\$1,000 <sup>10</sup>	\$3,000 <sup>10</sup>
3. Greater than 10 through 22.8 pounds per hour, or greater than 2.5 through 5.7 pounds per hour for VOC and NO <sub>x</sub>		M	\$600 <sup>10</sup>	\$1,200 <sup>10</sup>	\$3,000 <sup>10</sup>	\$9,000 <sup>10</sup>
4. Greater than 22.8 pounds per hour, or greater than 5.7 pounds per hour for VOC and NO <sub>x</sub>		NM	\$1,000 <sup>10</sup>	\$2,000 <sup>10</sup>	\$5,000 <sup>10</sup>	\$15,000 <sup>10</sup>
5. Regulated pursuant to NSPS, NESHAP, PSD, EOR, TXS and HAP (Table B) <sup>6</sup>		NM	\$2,000	\$4,000	\$10,000	\$30,000

<u>Citation</u>	<u>Rule Summary</u>	<u>Type of Violation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth and Each Subsequent Offense</u>
N.J.A.C. 7:27-22.3(b)	Obtain Operating Permit Before Operation					
Class: Estimated Potential Emission of Source Operation						
1. Less than 0.5 pound per hour		M	\$100 <sup>10</sup>	\$200 <sup>10</sup>	\$500 <sup>10</sup>	\$1,500 <sup>10</sup>
2. From 0.5 through 10 pounds per hour, or 0.5 through 2.5 pounds per hour for VOC and NO <sub>x</sub>		M	\$200 <sup>10</sup>	\$400 <sup>10</sup>	\$1,000 <sup>10</sup>	\$3,000 <sup>10</sup>
3. Greater than 10 through 22.8 pounds per hour, or greater than 2.5 through 5.7 pounds per hour for VOC and NO <sub>x</sub>		M	\$600 <sup>10</sup>	\$1,200 <sup>10</sup>	\$3,000 <sup>10</sup>	\$9,000 <sup>10</sup>
4. Greater than 22.8 pounds per hour, or greater than 5.7 pounds per hour for VOC and NO <sub>x</sub>		NM	\$1,000 <sup>10</sup>	\$2,000 <sup>10</sup>	\$5,000 <sup>10</sup>	\$15,000 <sup>10</sup>
5. Regulated pursuant to NSPS, NESHAP, PSD, EOR, TXS and HAP (Table B) <sup>6</sup>		NM	\$2,000	\$4,000	\$10,000	\$30,000

<u>Citation</u>	<u>Rule Summary</u>	<u>Type of Violation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth and Each Subsequent Offense</u>
N.J.A.C. 7:27-22.3(c)	Emissions Not Detected by Continuous Monitoring System or Stack Test					
N.J.A.C. 7:27-22.3(d)	Proper Operation					
N.J.A.C. 7:27-22.3(e)	Other Conditions					
Class: Emission of Source Operation						
1.a Less than 0.5 pound per hour—No Emission Increase		M	\$400 <sup>10</sup>	\$800 <sup>10</sup>	\$2,000 <sup>10</sup>	\$6,000 <sup>10</sup>
1.b Less than 0.5 pound per hour—Emission Increase		NM				
2.a From 0.5 through 10 pounds per hour, or 0.5 through 2.5 pounds per hour for VOC and NO <sub>x</sub> —No Emission Increase		M	\$800 <sup>10</sup>	\$1,600 <sup>10</sup>	\$4,000 <sup>10</sup>	\$12,000 <sup>10</sup>
2.b From 0.5 through 10 pounds per hour, or 0.5 through 2.5 pounds per hour for VOC and NO <sub>x</sub> —Emission Increase		NM				
3.a Greater than 10 through 22.8 pounds per hour, or greater than 2.5 through 5.7 pounds per hour for VOC and NO <sub>x</sub> —No Emission Increase		M	\$1,200 <sup>10</sup>	\$2,400 <sup>10</sup>	\$6,000 <sup>10</sup>	\$18,000 <sup>10</sup>
3.b Greater than 10 through 22.8 pounds per hour, or greater than 2.5 through 5.7 pounds per hour for VOC and NO <sub>x</sub> —Emission Increase		NM				
4.a Greater than 22.8 pounds per hour, or greater than 5.7 pounds per hour for VOC and NO <sub>x</sub> —No Emission Increase		M	\$2,000 <sup>10</sup>	\$4,000 <sup>10</sup>	\$10,000 <sup>10</sup>	\$30,000 <sup>10</sup>
4.b Greater than 22.8 pounds per hour, or greater than 5.7 pounds per hour for VOC and NO <sub>x</sub> —Emission Increase		NM				
5.a Regulated pursuant to NSPS, NESHAP, PSD, EOR, TXS and HAP (Table B) <sup>6</sup> —No Emission Increase		M	\$3,000	\$6,000	\$15,000	\$45,000
5.b Regulated pursuant to NSPS, NESHAP, PSD, EOR, TXS and HAP (Table B) <sup>6</sup> —Emission Increase		NM				

(p) For any violation of N.J.A.C. 7:27-5.2 where the emission of air contaminants is in such quantities and duration as are, or tend to be, injurious to human health or welfare, animal or plant life or property, the Department may, in its discretion, assess the maximum civil administrative penalty set forth at N.J.S.A. 26:2C-19(b) for any release of air contaminants that causes persons exposed to the release to suffer acute health effects resulting in death or serious personal injury.

(q) Each violation identified in the penalty tables at (m) and (n) above by an "M" in the Type of Violation column, for which conditions at (s) below are satisfied, is a minor violation, and is subject to a 30-day grace period.

(r) Each violation identified in the penalty tables at (m) and (n) above by an "NM" in the Type of Violation column is a non-minor violation and will not be subject to a grace period.

(s) The Department shall provide a grace period of 30 days for any violation identified as minor under this section, provided the following conditions are met:

1. The violation is not the result of the purposeful, knowing, reckless or criminally negligent conduct of the person responsible for the violation;
2. The activity or condition constituting the violation has existed for less than 12 months prior to the date of discovery by the Department or local government agency;
3. In the case of a violation that involves a permit, the person responsible for the violation has not been identified in a previous enforcement action by the Department or a local government agency as responsible for a violation of the same requirement of the same permit within the preceding 12-month period;
4. In the case of a violation that does not involve a permit, the person responsible for the violation has not been identified in a previous enforcement action by the Department or a local government agency as responsible for the same or a substantially similar violation at the same facility within the preceding 12-month period; and
5. In the case of any violation, the person responsible for the violation has not been identified by the Department or a local government agency as responsible for the same or substantially similar violations at any time that reasonably indicate a pattern of illegal conduct and not isolated incidents on the part of the person responsible.

(t) For a violation determined to be minor under (s) above, the following provisions apply:

1. The Department or local government agency shall issue a notice of violation to the person responsible for the minor violation that:
  - i. Identifies the condition or activity that constitutes the violation and the specific statutory provision or other requirement violated; and
  - ii. Specifies that a penalty may be imposed unless the minor violation is corrected and compliance is achieved within the specified grace period.
2. If the person responsible for the minor violation corrects that violation and demonstrates, in accordance with (t)3 below, that compliance has been achieved within the specified grace period, the Department or local government agency shall not impose a penalty for the violation and, in addition, shall not consider the minor violation an offense as defined in this chapter.
3. The person responsible for the minor violation shall submit to the Department or a local government agency, before the end of the specified grace period, written information, certified in accordance with N.J.A.C. 7:27-1.39, and signed by the responsible official, as defined at N.J.A.C. 7:27-1.4, detailing the corrective action taken or compliance achieved.
4. If the person responsible for the minor violation seeks additional time beyond the specified grace period to achieve compliance, the person shall request an extension of the specified grace period. The request shall be made in writing no later than one week before the expiration of the specified grace period and include the anticipated time needed to achieve compliance, the specific cause or causes of the delay, and any measures taken or to be taken to minimize the time needed to achieve compliance, and shall be certified in accordance with N.J.A.C. 7:27-1.39. The Department or local government agency may, at its discretion, approve in writing an extension which shall not exceed 90 days, to accommodate the anticipated delay in achieving compliance. In exercising its discretion to approve a request for an extension, the Department or local government agency may consider the following:
  - i. Whether the violator has taken reasonable measures to achieve compliance in a timely manner;
  - ii. Whether the delay has been caused by circumstances beyond the control of the violator;
  - iii. Whether the delay will pose a risk to the public health, safety and natural resources; and
  - iv. Whether the delay will materially or substantially undermine or impair the goals of the regulatory program.
5. If the person responsible for the minor violation fails to demonstrate to the Department or local government agency that the violation has been corrected and compliance achieved within the specified grace period, or within the approved extension, if any, the Department or local government agency may, in accordance with the provisions of this chapter, impose a penalty that is retroactive to the date on which the notice of violation under (t)1 above was issued.
6. The person responsible for a minor violation shall not request more than one extension of a grace period specified in a notice of violation.



Amended by R.1992 d.102, effective March 2, 1992 (operative March 28, 1992).

See: 24 N.J.R. 1858(b), 24 N.J.R. 792(a).

Penalties for violation of recordkeeping requirements added.

Amended by R.1992 d.382, effective October 5, 1992.

See: 24 N.J.R. 2386(a), 24 N.J.R. 3539(a).

Penalties added at (e)25.

Administrative correction to (e)25.

See: 24 N.J.R. 4524(b).

Amended by R.1993 d.128, effective March 15, 1993 (operative April 20, 1993).

See: 24 N.J.R. 2979(a), 25 N.J.R. 1254(a).

Added new (e)21 regarding Emission Statements.

Amended by R.1993 d.666, effective December 20, 1993 (operative July 26, 1994).

See: 25 N.J.R. 3339(a), 25 N.J.R. 4551(a), 25 N.J.R. 6002(a).

New Rule, R.1993 d.682, effective December 20, 1993 (operative January 23, 1994).

See: 25 N.J.R. 631(a), 25 N.J.R. 5957(a).

Amended by R.1994 d.85, effective February 22, 1994 (operative March 14, 1994).

See: 25 N.J.R. 4039(a), 26 N.J.R. 1148(a).

Amended by R.1994 d.313, effective June 20, 1994 (operative July 26, 1994).

See: 25 N.J.R. 3339(a), 26 N.J.R. 2600(a).

Amended by R.1994 d.500, effective October 3, 1994 (operative October 31, 1994).

See: 25 N.J.R. 4033(a), 26 N.J.R. 4026(a).

Amended by R.1994 d.501, effective October 3, 1994 (operative October 31, 1994).

See: 25 N.J.R. 4045(a), 25 N.J.R. 4836(a), 26 N.J.R. 4030(a).

New Rule, R.1994 d.537, effective November 7, 1994 (operative November 27, 1994).

See: 26 N.J.R. 1050(a), 26 N.J.R. 4355(a).

Amended by R.1995 d.5, effective January 3, 1995 (operative January 27, 1995).

See: 26 N.J.R. 3566(a), 27 N.J.R. 93(a).

Amended by R.1995 d.214, effective April 17, 1995 (operative May 23, 1995).

See: 26 N.J.R. 3298(a), 27 N.J.R. 1581(a).

Administrative correction.

See: 27 N.J.R. 2212(b).

Emergency amendment R.1995 d.409, effective June 29, 1995 (expires August 28, 1995).

See: 27 N.J.R. 2752(a).

Adopted concurrent proposal R.1995 d.527, effective August 28, 1995 (operative October 27, 1995).

See: 27 N.J.R. 2752(a), 27 N.J.R. 3806(a).

Amended by R.1996 d.303, effective July 1, 1996 (operative August 2, 1996).

See: 28 N.J.R. 1147(b), 28 N.J.R. 3414(a).

Amended by R.1998 d.379, effective July 20, 1998 (operative August 16, 1998).

See: 29 N.J.R. 3924(b), 30 N.J.R. 2660(a).

In (m), added a new 31.

Amended by R.1998 d.419, effective August 17, 1998 (operative September 9, 1999).

See: 29 N.J.R. 3222(a), 30 N.J.R. 3025(b), 31 N.J.R. 3087(b).

In (m)25, rewrote the table.

Amended by R.1999 d.423, effective December 6, 1999 (operative January 7, 2000).

See: 31 N.J.R. 2582(a), 31 N.J.R. 4040(a).

Made internal reference changes throughout.

Amended by R.2000 d.204, effective May 15, 2000 (operative June 6, 2000).

See: 31 N.J.R. 1671(a), 32 N.J.R. 1808(a).

Rewrote (i); and in (m), changed table references throughout, substituted a reference to N.J.A.C. 7:27A-3.10(n) for a reference to N.J.A.C. 7:27A-3.10(m), and inserted a reference to N.J.A.C. 7:27-8.3(l) in 8, inserted a reference to N.J.A.C. 7:27-22.3(uu) and substituted a reference to \$12,000 for a reference to \$12,500 in 22, and rewrote 30.

Amended by R.2000 d.351, effective August 21, 2000 (operative September 29, 2000).

See: 31 N.J.R. 2100(a), 32 N.J.R. 3119(a).

Rewrote (m)31.

Amended by R.2003 d.86, effective February 18, 2003 (operative March 24, 2003).

See: 34 N.J.R. 695(a), 35 N.J.R. 1059(a).

Amended the tables in (m) and (n).

Amended by R.2002 d.224, effective June 2, 2003 (operative June 29, 2003).

See: 34 N.J.R. 2489(a), 35 N.J.R. 2509(a).

In (m)16, amended the tables.

Administrative correction.

See: 35 N.J.R. 3840(a).

Amended by R.2004 d.129, effective April 5, 2004 (operative April 25, 2004).

See: 35 N.J.R. 3486(a), 36 N.J.R. 1791(a).

Reserved (i); rewrote (m).

Amended by R.2004 d.182, effective May 3, 2004 (operative June 6, 2004).

See: 35 N.J.R. 4241(b), 36 N.J.R. 2218(a).

Added (m)24.

Amended by R.2004 d.236, effective June 21, 2004 (operative July 20, 2004).

See: 35 N.J.R. 2983(a), 35 N.J.R. 4241(a), 36 N.J.R. 3078(a).

Rewrote (m)23.

Administrative correction.

See: 36 N.J.R. 5442(a).

Amended by R.2004 d.443, effective December 6, 2004 (operative January 3, 2005).

See: 36 N.J.R. 123(a), 36 N.J.R. 5406(a).

In (m), rewrote 27.

Amended by R.2005 d.155, effective May 16, 2005 (operative June 17, 2005).

See: 36 N.J.R. 5293(a), 37 N.J.R. 1789(a).

Rewrote (m) and (n); added (q) through (t).