

Citation	Rule Summary	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-27.4(b)	Conduct Stack Emission Testing to Measure Mercury	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-27.4(d)1	Average Mercury Emissions					
	1. Less than 25 percent over the allowable standard	NM	\$8,000 ³	\$16,000 ³	\$40,000 ³	\$50,000 ³
	2. From 25 through 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
	3. Greater than 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.4(d)2	Conduct Stack Emission Test Hospital/Medical/Infectious Waste Incinerators	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-27.5(b)	Mercury Emissions Detected by Compliance Testing from Source Operation					
	1. Less than 25 percent over the allowable standard	NM	\$8,000 ³	\$16,000 ³	\$40,000 ³	\$50,000 ³
	2. From 25 through 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
	3. Greater than 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.5(c) or 27.5(d)	Conduct Compliance Testing to Measure Mercury	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-27.5(f)	Submit Plan	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-27.5(g)	Dispose of Properly	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.6(a)1 or 27.6(a)2	Iron or Steel Melters Mercury Emissions Detected by Compliance Testing from Source Operation					
	1. Less than 25 percent over the allowable standard	NM	\$8,000 ³	\$16,000 ³	\$40,000 ³	\$50,000 ³
	2. From 25 through 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
	3. Greater than 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.6(b)	Conduct Compliance Testing to Measure Mercury	NM	\$3,000	\$6,000	\$15,000	\$45,000
N.J.A.C. 7:27-27.6(d)	Submit Plan	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-27.6(f)	Operate According to Plan	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-27.6(h)	Maintain Plan Onsite	M	500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.7(a)1 or 27.7(a)2	Coal-fired Boilers					
	Mercury Emissions Detected by Compliance Testing from Source Operation					
	1. Less than 25 percent over the allowable standard	NM	\$8,000 ³	\$16,000 ³	\$40,000 ³	\$50,000 ³
	2. From 25 through 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
	3. Greater than 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.7(b)	Conduct Compliance Testing to Measure Mercury	NM	\$3,000	\$6,000	\$15,000	\$45,000
	Comply with Approved Averaging Plan					
	1. Less than 25 percent over the allowable standard	NM	\$8,000 ³	\$16,000 ³	\$40,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.7(f)	2. From 25 through 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
	3. Greater than 50 percent over the allowable standard	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.7(i)	Maintain Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.7(j)	Submit Reports	M	\$500	\$1,000	\$2,500	\$7,500

Citation	Rule Summary	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-27.7(k)	Operate in accordance with approved plan	NM	\$10,000 ³	\$20,000 ³	\$50,000 ³	\$50,000 ³
N.J.A.C. 7:27-27.8(a)	Submit Stack Emission Test Protocol	M	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-27.8(d)1	Conduct Optimization Tests	NM	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-27.8(d)3	Submit Optimized Reagent Injection Rate	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.8(d)4	Operate at Optimized Reagent Injection Rate	NM	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-27.8(e)	Submit Application for Preconstruction Permit	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27-27.9(a)	Submit Compliance Testing Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.9(b)	Submit Optimization Test Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.9(c)	Submit Report	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.9(d)	Certify Compliance Testing Report	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-27.9(e)	Maintain Records	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-27.9(f)	Certify Compliance Testing Report	M	\$300	\$600	\$1,500	\$4,500
N.J.A.C. 7:27-27.9(g)	Make Records Readily Available	M	\$500	\$1,000	\$2,500	\$7,500

³ Revoke Certificate to Operate Under N.J.A.C. 7:27-8 or Revoke Operating Permit Under N.J.A.C. 7:27-22 (if applicable).

28. (Reserved)

29. The violations of N.J.A.C. 7:27-29, Low Emission Vehicle Program, and the civil administrative penalty amounts for each violation, per vehicle, 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. 7:27-29.3(a)	Delivery of Non-Certified Vehicle	NM	\$2,500	\$5,000	\$12,500	\$30,000
N.J.A.C. 7:27-29.5(a)	Failure to meet fleet-wide average	NM	\$5,000	\$10,000	\$25,000	\$50,000
N.J.A.C. 7:27-29.6(a)	Failure to meet ZEV sales requirement	NM	\$5,000	\$10,000	\$25,000	\$50,000
N.J.A.C. 7:27-15.7(b)	Open account in the ZEV credit bank	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-15.7(m) and (n)	Report ZEV credits and transactions	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-15.8(a)3	Report production numbers	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-15.9(a), (b), (c), and (d)	Provide reports upon request	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-15.10(b)	Provide reports upon request	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-15.11(a) and (b)	Submit report	M	\$500	\$1,000	\$2,500	\$7,500

30. Violations of N.J.A.C. 7:27-30, CAIR NO_x Trading Program, and the civil administrative penalty amounts for each violation, are as set forth in the following table:

Citation	Rule Summary	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-30.6	Reporting requirements	M	\$1,000	\$2,000	\$5,000	\$10,000

31. The violations of N.J.A.C. 7:27-31, and the civil administrative penalty amounts for each violation, are as set forth as follows:

i. Violation of N.J.A.C. 7:27-31.3(i) shall be considered a non-minor violation, not subject to a grace period. The penalty amounts for violation of N.J.A.C. 7:27-31.3(i), which requires a minimum number of allowances to be held in a budget source's compliance account as of the allowance transfer deadline, are set forth in the following table, directly dependent on the number of tons of shortfall (each ton of excess emissions is a separate violation):

Amount of Shortfall (in tons)	Civil Administrative Penalty Amounts (per ton)
1-100	\$ 2,000
11-200	\$ 4,000
21-500	\$10,000
51-100	\$30,000
over 1000	\$50,000

ii. The base penalty amount as calculated in (m)31i above shall be limited by the statutory maximum penalty calculated as follows:

(1) For first offense levels (see N.J.A.C. 7:27A-3.5(f) for an explanation of determining offense levels), the penalty shall not exceed \$10,000 per day for each day of violation within the control period (\$10,000 per day x 153 days = \$1,530,000);

(2) For second offense levels (see N.J.A.C. 7:27A-3.5(f) for an explanation of determining offense levels), the penalty shall not exceed \$25,000 per day for each day of violation within the control period (\$25,000 per day x 153 days = \$3,825,000);

(3) For third and subsequent offense levels (see N.J.A.C. 7:27A-3.5(f) for an explanation of determining offense levels), the penalty shall not exceed \$50,000 per day for each day of violation within the control period (\$50,000 per day x 153 days = \$7,650,000); and

(4) If the authorized account representative of the budget source can prove that the number of days of violation in the control period is less than 153 days, then the maximum penalty as calculated in (m)31ii(1) through (3) above shall be adjusted accordingly.

iii. The violations of other provisions at N.J.A.C. 7:27-31, and the civil administrative penalty amounts for each violation, are set forth in the following table:

Citation	Rule Summary	Type of Violation	First Offense	Second Offense	Third Offense	Fourth and Each Subsequent Offense
N.J.A.C. 7:27-31.13(g)	Designate AAR	M	\$500	\$1,000	\$2,500	\$7,500
N.J.A.C. 7:27-31.14(b)	Submit Monitoring Plan	M	\$1,000	\$2,000	\$5,000	\$15,000
N.J.A.C. 7:27-31.14(c)	Install/Operate Monitoring System	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27-31.14(c)	Certify Monitoring System	NM	\$1,000	\$2,000	\$5,000	\$15,000

<u>Citation</u>	<u>Class</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. 7:27C-5.2(c)2	Establish a general account	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-5.4(d)	Provide on-site access to records	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-5.4(d)	Provide false or misleading information	NM	\$500,000 ¹	Not Applicable ¹	Not Applicable ¹	Not Applicable ¹
N.J.A.C. 7:27C-5.12(g)	Provide false or misleading information	NM	\$2,000	\$4,000	\$10,000	\$30,000

¹ The facility referenced in the sworn affidavit shall not be eligible to be certified as a dispatch agreement facility. In addition to these penalties, the court may assess against the violator the amount of any economic benefit accruing to the violator from the violation.

6. The violations of N.J.A.C. 7:27C-6, CO₂ Allowance Tracking System, and the civil administrative penalty amounts for each violation are as set forth in the following table:

<u>Citation</u>	<u>Class</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. 7:27C-6.5(d)	Submit a revised application	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-6.9(e)	Transfer required allowances	M	\$2,000	\$4,000	\$10,000	\$30,000

7. (Reserved)

8. The violations of N.J.A.C. 7:27C-8, Monitoring and Reporting, and the civil administrative penalty amounts for each violation are as set forth in the following table:

<u>Citation</u>	<u>Class</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. 7:27C-8.1(a) and (d)	Monitoring requirements	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27C-8.1(e) and (f)	Monitor, record and report data	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27C-8.2(g)	Submit dates of certification	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.2(h)	Submit certification application	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.2(o)	Substitute data	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27C-8.2(q)	Alternate Monitoring system	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27C-8.3(a)	Substitute data	NM	\$10,000	\$20,000	\$50,000	\$50,000
N.J.A.C. 7:27C-8.4	Written notice	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.5(a), (b), (c) and (d)	Recordkeeping and reporting	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.7(a) and (b)	Submit report	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.8(a), (b), (c), (d), (e) and (f)	Submit additional data	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.8(g)	Quality control activities	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.8(h)	Retain data	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-8.8(i)	Submit annual report	M	\$2,000	\$4,000	\$10,000	\$30,000

9. (Reserved)

10. The violations of N.J.A.C. 7:27C-10, CO₂ Emissions Offset Projects, and the civil administrative penalty amounts for each violation are as set forth in the following table:

<u>Citation</u>	<u>Class</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. 7:27C-10.3(j)	Access agreement	M	\$2,000	\$4,000	\$10,000	\$30,000
N.J.A.C. 7:27C-10.11(e)	Submit monitoring and verification report	M	\$2,000	\$4,000	\$10,000	\$30,000

- 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(I) 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).
 Amended by R.2005 d.343, effective October 17, 2005 (operative date of November 7, 2005).
 See: 36 N.J.R. 4228(a), 37 N.J.R. 3976(a).
 Rewrote tables in (m)16 and 19.
 Amended by R.2006 d.34, effective January 17, 2006 (operative January 27, 2006).
 See: 37 N.J.R. 2762(a), 38 N.J.R. 497(b).
 Added (m)29.
 Amended by R.2006 d.309, effective September 5, 2006 (operative November 4, 2006).
 See: 37 N.J.R. 2783(a), 38 N.J.R. 3572(a).
 In (m)27, added entry "N.J.A.C. 7:27-27.7(k)".
 Amended by R.2007 d.201, effective July 2, 2007.
 See: 38 N.J.R. 3728(b), 39 N.J.R. 2531(a).
 In the table in (m)14, added entries "School Bus Owner" and "School District, if the School District Does not Own the Bus ¹" and the corresponding note; and in the entries "Commercial Vehicle Registration" and "Property Owner", substituted "\$250" for "\$200" in the "First Offense" column, "\$500" for "\$400" in the "Second Offense" column and "\$1,000" for "\$3,000" in the "Fourth and Each Subsequent Offense" column.
 Amended by R.2007 d.223, effective July 16, 2007 (operative August 17, 2007).
 See: 39 N.J.R. 300(a), 39 N.J.R. 2637(a).
 Added (m)30.
 Amended by R.2007 d.235, effective August 6, 2007 (operative September 8, 2007).
 See: 38 N.J.R. 5244(a), 39 N.J.R. 3352(a).
 In (I), added the last two sentences; rewrote (m)14; and added (m)32.
 Amended by R.2008 d.338, effective November 17, 2008 (operative December 9, 2008).
 See: 40 N.J.R. 3792(a), 40 N.J.R. 6541(b).
 Added (u).
 Amended by R.2008 d.366, effective December 1, 2008 (operative December 29, 2008).
 See: 39 N.J.R. 4492(a), 40 N.J.R. 6769(a).
 In the Civil Administrative Penalty Schedule, rewrote (m)24, and added (m)26 and (m)34.