



COMPLIANCE ADVISORY

ENFORCEMENT ALERT

Making You Aware of Incentives and Compliance Assistance Opportunities

Compliance & Enforcement

Issued: July 20, 2015

#2015-09

DEP Steps Up Inspection of Laboratories to Comply with Air Pollution Control Act

Who is affected by this advisory?

Any laboratory in New Jersey that owns or operates equipment and/or source operation that has the potential to emit any Group 1 or Group 2 TXS (Toxic Substances), or a combination thereof, at a rate greater than 0.1 pounds per hour (45.4 grams per hour).

Group 1 TXS means an air contaminant that is found on the list of Group 1 TXS at N.J.A.C. 7:27-17.3, which is incorporated by reference herein, together with all amendments and supplements. As of June 12, 1998, the following is the complete list of Group 1 TXS: Benzene (Benzol), Carbon tetrachloride (Tetrachloromethane), Chloroform (Trichloromethane), Dioxane (1,4-Diethylene dioxide; 1,4-Dioxane), Ethylenimine (Aziridine), Ethylene dibromide (1,2-Dibromoethane), Ethylene dichloride (1,2-Dichloroethane), 1,1,2,2-Tetrachloroethane (sym Tetrachloroethane), Tetrachloroethylene (Perchloroethylene), 1,1,2-Trichloroethane (Vinyl trichloride), and Trichloroethylene (Trichlorethene).

Group 2 TXS means an air contaminant that is found on the list of Group 2 TXS at N.J.A.C. 7:27-17.3, which is incorporated by reference herein, together with all amendments and supplements. As of June 12, 1998, the following is the complete list of Group 2 TXS: Methylene chloride (Dichloromethane), 1,1,1-Trichloroethane (Methyl chloroform).

Why is DEP issuing this advisory?

The Department has discovered that some laboratory owners and operators have operated their equipment and/or source operation in such a manner that exceeded the 0.1 pounds per hour of Group 1 or Group 2 TXS. Operating such equipment in this way is permissible only if such equipment has an approved air permit that contains conditions specifying allowable use of one or more of the Group 1 or Group 2 TXS and may include air pollution control.

What is DEP doing?

The Department will be issuing enforcement actions for all violators. Enforcement actions may include penalty assessments pursuant to N.J.A.C. 7:27A, Air Administrative Procedures and Penalties.

What should I do?

If your laboratory operates equipment and/or source operation that has the potential to emit any Group 1 or Group 2 TXS (or a combination thereof) at a rate greater than 0.1 pounds per hour (45.4 grams per hour), please call the Department's Air Quality Permitting Program at (609) 292-0834 to

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request assistance in obtaining the appropriate air permit(s). If you are not sure what to do next, call the above telephone number and request a pre-application meeting. This meeting will help determine permit applicability and, if necessary, how to obtain the appropriate air permit(s).

Who should I contact with questions?

NJDEP Air Quality Permitting	609-292-0834
Air Compliance and Enforcement - Northern Field Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren, and Union Counties)	973-656-4444
Air Compliance and Enforcement – Central Field Office (Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties)	609-292-3187
Air Compliance and Enforcement – Southern Field Office (Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)	856-614-3601

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

- Division of Air Quality Permitting Program website (for information about Air Quality Permits): <http://www.state.nj.us/dep/agpp/>
- Specific rule containing the requirements: <http://www.state.nj.us/dep/agm/Sub8v2015.pdf>
- For general NJDEP information (Contact NJDEP): <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

For more information about our Compliance Advisory program or to comment on this advisory:

NJDEP Compliance Advisories are an electronic notification service of the NJDEP Compliance & Enforcement Program providing information to subscribers notifying them of upcoming important developments involving NJDEP's Compliance & Enforcement Program and their customers including changes in regulations, training opportunities, compliance assistance information and more. We generally issue 15-20 compliance advisories annually.

In addition, the NJDEP's Compliance and Enforcement Program (C&E) is pleased to announce that we are now on [Facebook](#). Our goal is to provide our stakeholders and the regulated community a new way to connect and share relevant and useful compliance assistance topics, upcoming training, regulatory updates and recent advisories on a regular basis. Click on this link: <https://www.facebook.com/NJDEPComplianceandEnforcement> and "Like" our page to receive up-to-date information as soon as it is available.



Compliance Advisory Homepage: <http://www.nj.gov/dep/enforcement/advisories.html>

Advisory Comments may be directed to: <http://www.nj.gov/dep/enforcement/survey.html>

This advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement numbers listed above.