



COMPLIANCE ADVISORY **WARNING**

Making You Aware of Emerging Patterns of Non-Compliance

Compliance & Enforcement

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#2010-10

Failure to Notify the Department Regarding Incident with Potential Off-site Impact

The Department has noticed that some facilities are unaware of their responsibility under the Air Pollution Control Act to immediately notify the Department if they have a release which may have off site impacts. The information below is the legal citation and procedure to help you avoid the most common transgressions.

1. A person who causes a release of air contaminants in a quantity or concentration which poses a potential threat to public health, welfare or the environment or which might reasonably result in citizen complaints is **required** to immediately notify the Department.
2. The facility representative or responsible person **must immediately call** the Department's Hotline at **1-877-WARN DEP (1-877-927-6337)** to report the release of air contaminants which pose a potential threat to the public health, welfare or the environment or which might result in citizen complaints.
3. The facility representative or responsible person should communicate all pertinent incident information to the DEP Hotline Operator and obtain a case number for future reference.
4. The legal obligation to notify the Department is not satisfied because local officials tell you don't have to call. **It is the responsibility of the facility to notify the Department**, not local police, fire, or emergency responders.

Who should I contact with questions?

You may call the regional field office that corresponds to your geographical area:

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| Northern Regional Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Union and Warren) | 973-656-4444 |
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| Central Regional Office (Burlington, Mercer, Middlesex, Monmouth and Ocean) | 609-292-3187 |
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| Southern Regional Office (Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem) | 856-614-3601 |
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**Call in Notifications concerning Air Releases to the Environment to the
DEP's 24 Hour Toll-Free Environmental Hotline at 1-877 WARN DEP
(1-877-927-6337)**

Where can I get more information?

Visit the following Web sites for additional information regarding this advisory:

Air Pollution Control Act: http://www.nj.gov/dep/rules/rules/njsa26_2c.html

Air Administrative Procedures and Penalties: <http://www.state.nj.us/dep/aqm/27A.pdf>

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

Please note 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.