

**TABLE III
CONTROL AUTHORITY
ENFORCEMENT RESPONSE PLAN**

UNAUTHORIZED DISCHARGES					
Noncompliance	Nature of the Violation	Enforcement Response	Response Time Frame	Personnel	Type of violation & grace period (if any)
1) Unpermitted Discharge (permit required)	No harm to POTW / environment	Notice of Violation (NOV) with application form if needed	60 days	Dir. of O. & M. or his designee	NM
	Harm to POTW / environment (IU in SNC criteria under 40 CFR Part 403.8(f)(2)(viii))	NOV with application form Take action to halt activity; Public Notice	2 days; public notice-annually, but no later than 60 days after 403 annual report submitted to NJDEP	Executive Director or his designee	NM
	Noncompliance with order to submit application.	Seek Penalty	6 months	Executive Director or his designee	NM 30 days
2) Failure to renew	Failure to submit application prior to 180 days of expiration of current permit	NOV	60 days	Dir. of O. & M. or his designee	NM
	Failure to apply continues after notice by the POTW	Seek penalty	6 months	Executive Director or his designee	M 30 days
3) Discharge outside scope of application/permit	Failure to notify in advance of new introductions of pollutants or significant change in existing pollutants	NOV with permit application to be modified	60 days	Dir. of O. & M. or his designee	NM
DISCHARGE LIMIT VIOLATION					
1) Exceedance of local or Federal standard (permit limit)	Individual or monthly non-serious violation	NOV; compliance response/corrective action plan, if needed	60 days from receipt	Dir. of O. & M. or his designee	NM
	Serious Violation (individual or monthly)	NOV, seek at least mandatory minimum penalty of not less than \$1,000.00 in accordance with N.J.A.C. 7:14-8.16	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
	Significant Noncompliance (IU meets SNC criteria under 40 CFR Part 403)	Public Notice	Annually, but within 60 days after 403 Annual Report submitted to NJDEP	Dir. of O. & M. or his designee	NM
	Significant Noncompliance (IU meets SNC criteria under N.J.S. A. 58:10A-3(w))	NOV, seek at least mandatory minimum penalty of not less than \$5,000.00 in accordance with N.J.A.C. 7:14-8.16	NOV-60 days; penalty within 6 months.	Dir. of O. & M./Exec. Dir. or his designee	NM

Penalties noted in this ERP will be determined utilizing Table IV. This is defined in N.J.A.C. 7:14-8.16

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MONITORING AND REPORTING VIOLATIONS					
Noncompliance	Nature of the Violation	Enforcement Response	Response Time Frame	Personnel	Type of violation & grace period (if any)
1) Reporting Violation	Late 5 or more days after due date (but complete)	NOV, seek mandatory minimum penalty of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days or receipt of the NOV)	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
	Late 31 or more days after due date (but complete)	Public notice, NOV and seek mandatory minimum of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days of receipt of the NOV)	NOV-60 days; Public Notice in accordance with approved program. Penalty within 6 months.	Dir. of O. & M./Exec. Dir. or his designee	NM
	Incomplete for effluent parameter omission	NOV, seek mandatory minimum of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days of receipt of the NOV)	NOV-60 days; penalty within 6 months.	Dir. of O. & M./Exec. Dir. or his designee	NM
	Incomplete for data omission (IU meets SNC criteria under 40 CFR Part 403)	Public notice	Annually, but within 60 days after 403 Annual Report submitted to NJDEP	Dir. of O. & M./Exec. Dir. or his designee	NM
	Incomplete for effluent parameter omissions (IU meets SNC criteria under NJWPCA)	Public notice, NOV and seek mandatory minimum of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 and N.J.A.C. 7:14-8.16(a) (Note: penalty waived if complete report is received within 10 days of receipt of the NOV)	NOV-60 days; public notice in accordance with approved program; penalty within 6 months.	Dir. of O. & M./Exec. Dir. or his designee	NM
	Incomplete for other omissions	NOV days in accordance with N.J.A.C. 7:14-8.16	NOV-60 days	Dir. of O. & M. or his designee	NM
	Incomplete for other omissions (IU meets SNC criteria under NJWPCA)	Public notice, NOV and seek mandatory minimum penalty (Note: penalty waived if complete report is received within 10 days of receipt of the NOV)	NOV-60 days; public notice in accordance with approved program. Penalty within 6 months.	Dir. of O. & M./Exec. Dir. or his designee	NM

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MAY 2010-STREAMLINING

**TABLE III
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MONITORING AND REPORTING VIOLATIONS (CONTINUED)					
Noncompliance	Nature of the Violation	Enforcement Response	Response Time Frame	Personnel	Type of violation & grace period (if any)
	Falsification	NOV, Seek penalty & refer to county prosecutor	60 days	Dir. of O. & M./Exec. Dir. or his designee	NM
2) Failure to adhere to compliance schedule (in control document, permit, AO/ACO, or letter of agreement)	Missed milestone by less than 30 days	NOV, seek penalty (note: penalty may be waived if final compliance is met by due date)	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
	Missed milestone by more than 30 days (IU meets SNC criteria under 40 CFR Part 403)	NOV, seek penalty, public notice (note: penalty may be waived if final compliance is met by due date)	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
	Failure to meet final compliance date	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
3) Failure to notify	Failure to report spill or change discharge	NOV; seek penalty where necessary	NOV w/in 60 days of discovery; penalty no later than 6 months of discovery	Dir. of O. & M./Exec. Dir. or his designee	NM
4) Failure to monitor correctly	Incorrect sample location, incorrect sample type, incorrect sample collection techniques or incorrect sample analysis.	NOV, with proper resampling, including sample analysis	60 days	Dir. of O. & M. or his designee	NM
5) Failure to report additional monitoring	POTW inspection finds additional files	NOV with request to submit additional monitoring data	60 days	Dir. of O. & M. or his designee	NM
OTHER PERMIT VIOLATIONS					
1) Wastestreams are diluted to achieve discharge limits	Dilution (falsification under N.J.S.A. 58:10 A-1, <u>et seq.</u>)	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
2) Continuing failure to halt or prevent a discharge which caused or causes imminent endangerment to human health, welfare, or the environment or has resulted in the POTW's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B)	Refusal to discontinue activity upon notification	Take physical (effective) action or seek court order to halt discharge	2 days max.	Executive Director or his designee	NM

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OTHER PERMIT VIOLATIONS (CONTINUED)					
Noncompliance	Nature of the Violation	Enforcement Response	Response Time Frame	Personnel	Type of violation & grace period (if any)
3) Failure to maintain in good working order and properly operate, any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.	Violations of operating requirements	NOV	60 days	Dir. of O. & M. or his designee	NM
4) Entry denial	Entry denied or consent withdrawn. Copies of records denied.	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O. & M./Exec. Dir. or his designee	NM
5) Inadequate record keeping	POTW inspector finds files incomplete or missing	NOV	60 days	Dir. of O. & M. or his designee	NM

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