



NJDEP Southern Bureau of Water Compliance & Enforcement

2 Riverside Drive Suite 201
Camden, New Jersey 08103

Phone: (856) 614-3655

Fax: (856) 614-3608

CONFIDENTIALITY NOTICE

THIS TRANSMISSION IS FOR OFFICIAL USE ONLY. The information contained herein may be privileged and/or confidential information from the Department of Environmental Protection and is intended for the sole use of the persons named on this cover sheet. If you are not the intended recipient of this transmission, the dissemination, distribution, copying or use of this information is strictly prohibited. If you have received this transmission in error, please call the sender immediately to arrange for the return of this information.

TO: Township Clerk Chesterfield Twp.

FROM: Charles Bwire

DATE: 5/1/23 NUMBER OF PAGES (incl. cover): 10

COMMENTS: _____



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER COMPLIANCE & ENFORCEMENT
SOUTHERN REGIONAL OFFICE

One Port Center
2 Riverside Drive, Suite 201
Camden, New Jersey 08103
Tel. (856) 614-3655 • Fax. (856) 614-3608

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

May 1, 2023

Dave Wheeler, General Manager
Old York Country Club
228 Old York Rd
Chesterfield, NJ 08515

RE: Incident Investigation, Incident No. 861602
Old York Country Club
PROGRAM INTEREST ID # 47557 & 2466P; PROGRAM: Water Quality
Compliance Activity # INV230001
NJ0105392 - DGW
Chesterfield Twp, Burlington County

Dear Mr. Wheeler:

Due to a complaint (Incident No. 861602) received by the New Jersey Department of Environmental Protection's Environmental Hotline, an investigation of your facility was conducted on April 20th 2023. Please address any items or concerns noted on the comments section of the attached report. In addition, for your information and review please find attached the report for Incident No. 861602.

The items noted in the attached report with a compliance status of "OC" and the Notice(s) of Violation (copies attached) issued during the investigation have placed your facility in violation of the New Jersey Water Pollution Control Act and the New Jersey Water Supply Management Act.

If you have any questions concerning the attached report, contact me at (856) 614-3655.

Very truly yours,

Charles
B. Siracusa
for

Robert Siracusa
Environmental Specialist 2

Attachment:

Cc: Scott Quigley, Senior Project Manager, Active Acquisitions
Peter Madden, Active Acquisitions
Township Clerk, Township Administrator, Chesterfield Township

Date Printed: 5/1/23

Compliance Evaluation Summary

Activity: INV 230001 Incident Investigation (47557)

Title Description: 4/20/23 Incident Investigation

Start Date/Time: 04/20/2023 12:30 PM **End Date/Time:** 04/20/2023 02:00 PM

Lead Investigator: Siracusa, Robert

Other Investigators: Bliese, Charles
Dave Wheeler, General Manager, Old York Country Club

Persons Interviewed: Scott Quigley, Senior Project Manager, Active Acquisitions
Peter Madden, Active Acquisitions
Thomas Sahol, Chesterfield Township Administrator

Witnesses:

Program Interest Location: OLD YORK COUNTRY CLUB
47557 (NJPDES)
228 OLD YORK RD,
CHESTERFIELD, BURLINGTON
County

Program Interest Mailing Location: 228 OLD YORK RD,
CHESTERFIELD, NJ 08515

Responsible Entity(s): OLD YORK COUNTRY CLUB

Other PIs Included: OLDE YORK COUNTRY CLUB
2466P (WATER ALLOCATION)
OLD YORK COUNTRY CLUB
47557 (NJPDES)

Block and Lot: Block 701 Lot 2.01

General Comments

As reported by the representatives of Old York County Club ("Old York") and confirmed by the Department representatives ("Department"), Old York was pumping out one of the irrigation ponds and discharging the water onto the ground surface into the adjacent woods ("operation").

The operation began about 9:00 am, Monday 4/17/2023 and ceased on or about 10:45 am Thursday, 4/20/2023.

The Pump rating was determined to be 2,290 gallons per minute based on manufacturers placard posted on the Pump. However, the actual discharge rate could not be determined.

Old York also reported to the Department they (Old York) had land applied soil/sediment from the pond from their property adjacent to the pond.

Two Notices of Violation were issued to Old York. One for violating the NJ Water Pollution Control Act and one for violating the NJ Water Supply Management Act.

Compliance Evaluation Report

Start Date: 4/20/2023

Activity: INV230001 Incident Investigation

Lead Investigator: Siracusa, Robert

47557 OLD YORK COUNTRY CLUB, Chesterfield Twp (NJPDES)

Permit No.	Permit Type	Permit Status	Permit Expiration Date

Subject Item: WUS1 - Water - Unpermitted Surface Water Discharge

Operating Status: No status specified.

Comments: No comments added.

Were there any discharges of pollutants to the surface waters of the State not authorized by a valid NJPDES permit?. [N.J.A.C. 7:14A- 2.1((d))]

OC Discharging pollutants to the ground surface where it can flow or drain to the waters of the State without a valid NJPDES permit issued by the Department.
 Rules
T

Subject Item: WSWA74419 - 2466P WA PERMIT - ALL DIVERSION SOURCES

Operating Status: No status specified.

Comments: No comments added.

Did the registrant divert water only from the approved well at the maximum rate specified in the permit?

OC The Permittee diverted water not in accordance with Water Allocation Permit No. 2466P.
 WAP160001
52
T

IC - In Compliance
 PV - Potential Violation
 DC - Data Collection

ND - Compliance Not Determined
 NC - No Obvious Concern
 WN - Warning

OC - Out of Compliance
 ON - Out of Compliance, Non-referred

NA - Not Applicable
 Y - Yes

NI - Not Inspected
 N - No

Report of Incident/Complaint

Incident Date: 4/19/2023

Incident Id: 861602

Program: Water Quality

Incident Type Desc: Unpermitted Discharge

Recd Date Time: 4/19/2023 19:57:47

DEP Region: Southern

Incident Status Desc: Continuous

Incid Link ID#: 358817

Trenton Dispatch Num: 23-04-19-1957-47

Substances Involved

Incident Description

Caller reporting a black liquid in the creek, no odors, doesn't mix with the water. ***UPDATE*** David Docherty from Burlington County Health Dept requesting call back. @ 22:29 TR, 73

Substance	CAS Number	Quantity	Units
UNKNOWN LIQUID		0	unknown
Impacts To:	Water	Waterbody:	

Incident Location

Follow-Up Priority: Low

Blacks Creek behind

Previously listed as incident source: Unknown, NJ.

Addr: 228 Old York Rd

Municipality: Chesterfield Twp

County: Burlington

Block, Lot:

Incident Source/Responsible Party

Name: OLD YORK COUNTRY CLUB

Phone #:

Verified: N

Addr: 228 OLD YORK RD

Munic: Chesterfield Twp

County: Burlington

State: NJ

Permit/Case#:

Reported By:

Addr:

Phone #: [REDACTED]

Name: Brett Anderson

Confidential:

Municipality: Chesterfield Twp

County: Burlington

Case Status: Closed, Inv-w/viol

as of: 4/25/2023

Lead DEP Investigator/Contact: Siracusa, Robert

Action/Activity

Task	Assigned Staff	Due Date	Completed Date	Hrs Spent	Incident Action Comments	Organization	User ID Last Updt	Dt/Time Last Updt
Notification - Phone			4/19/23			ER - South	denise.brons	4/20/23 10:41
Notification - Email			4/19/23			ER - South	denise.brons	4/20/23 10:41
Notification - Email			4/19/23			Water - South	denise.brons	4/20/23 10:41
Notification - Email	Bisee, Charles		4/25/23			Water - South	charles.bisee	4/25/23 11:42
Site Visit	Siracusa, Robert		4/21/23	6	On April 20, 2023 at ~2:07PM Department representatives ("Department") proceeded to 102 Georgetown Road, the location of the reported spill. During this site visit the Department did not observe any evidentiary support of the claim that a spill had occurred. Specifically, no sludge, oil, grease or any pollutant was observed in the area of concern.	Water - South	charles.bisee	4/25/23 10:44
Notification - A310			4/19/23			CHESTERFIELD TWP	denise.brons	4/20/23 10:41
Notification - Email			4/19/23			F&W - Central	denise.brons	4/20/23 10:41

Report of Incident/Complaint

Task	Assigned Staff	Due Date	Completed Date	Hrs Spent	Incident Action Comments	Organization	User ID Last Updt	Dt/Time Last Updt
Notification - Email			4/19/23			NJSP-ROIC	denise.brons	4/20/23 10:41
Site Visit	Siracusa, Robert		4/21/23	6	<p>As reported by representatives of Old York Country Club ("Old York") and confirmed by the Department representatives ("Department"), Old York was pumping out one of their irrigation ponds and discharging the water onto the ground surface into the adjacent woods ("operation").</p> <p>The operation began on or about 9:00am, Monday 4/17/2023 and ceased on or about 10:45 am Thursday, 4/20/2023.</p> <p>The Pump rating was determined to be 2,290 gallons per minute based on the manufacturers placard posted on the Pump. However, the actual discharge rate could not be confirmed.</p> <p>Old York also reported to the Department they (Old York) had land applied soil/sediment from the pond onto their property adjacent to the pond.</p> <p>Two Notices of Violation were issued to Old York. One for violating the NJ Water Pollution Control Act and one for violating the NJ Water Supply Management Act.</p>	Water - South	charles.bises	4/25/23 10:44
Assigned	Siracusa, Robert		4/20/23			Water - South	charles.bises	4/21/23 6:27

Reporter Comments

Reviewed by JK60

New Jersey Department of Environmental Protection
Water Compliance and Enforcement
NOTICE OF VIOLATION

File #
Date

Site Name:
Municipality:
Property Owner:
Responsible Entity (if other than Property Owner):
R.E. City:
Site Address:
Block:
Lot:
County:
Zip:
Prop. Owner's Address:
Phone:
R.E. Address:
State:
Zip:
Phone:

On 5/1/23 a representative from the NJDEP Water Compliance and Enforcement (W-C&E) conducted an investigation into this site/matter. This NOTICE is issued based on facts observed by or known to the Department's representative issuing this NOTICE, to warn you that a violation(s) of the Statutes and Rules checked below has been found:

- New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.
New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq.
New Jersey Water Supply Management Act, N.J.S.A. 58:1A-1 et seq.
New Jersey Water Supply and Waste Operations Licensing Act, N.J.S.A. 58:11-64 et seq.

EXPLANATION OF THIS NOTICE - Violation with citation(s) to the specific Rule(s) found under the above checked Statute(s)

Blank lines for providing the explanation of the violation(s) and the specific Rule(s) cited.

Violation above corrected at time of issuance
See additional () page(s) of EXPLANATION OF THIS NOTICE

PURPOSE OF THIS NOTICE - This is intended to serve as a NOTICE to you to warn you of the above violations. In order to provide you with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation(s) and (2) identify those violations and time periods, pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where your voluntary action can prevent formal enforcement orders and penalties issued by the Department (see violations marked with an asterisk above). This NOTICE does not constitute a formal enforcement order, a final agency action or a final legal determination that a violation has occurred. Therefore, this NOTICE may not be appealed or contested.

Neither the issuance of this NOTICE nor any corrective actions taken by you to address the violation(s) cited, precludes the State of New Jersey or any of its agencies from initiating future enforcement action (including issuance of a formal enforcement order and the assessment of penalties) with respect to the violations listed above or for any other violations. In the event the Department determines to pursue future formal enforcement action, you will then be provided with an opportunity to appeal or contest such action.

RESPONDING TO THIS NOTICE - Voluntary corrective actions taken in response to this NOTICE can affect the Department's determination on the need for or severity of any potential future enforcement action in this matter. In accordance with the Grace Period Law, the Department will not assess a penalty against you for the violations marked with an asterisk above, if you take voluntary action to address and correct these violations at the time of issuance, or within the time periods indicated in this NOTICE. For violations identified in this NOTICE that are not subject to the Grace Period Law, the Department may consider any voluntary actions you take in response to this NOTICE as part of its determination on whether to initiate future formal enforcement action for this same matter and, 2) on the amount of any penalty that may be assessed in future enforcement actions. Please see items checked below regarding actions you may voluntarily undertake to address violations identified in this NOTICE:

CORRECTIVE ACTION PAGE(S) - The Corrective Action Page(s) outlines the timeframes pursuant to the Grace Period Law during which you may voluntarily take action to come into compliance. Depending on the nature of violations cited in this NOTICE, corrective action or compliance assistance recommendations for violations that are not subject to the Grace Period Law may also be outlined on this form.

Not Provided for this Notice
See additional () attached page(s)

COMPLIANCE RESPONSE FORM - Submission of a Compliance Response Form if checked below is voluntary. Completed forms should be sent to the Department contact indicated at the bottom of this NOTICE.

Not Applicable
If received within days of receipt it will preserve your protection from penalty under Grace Period Law.
If received within days of receipt it will be considered in potential future Department action regarding the violation(s) cited.

FOR QUESTIONS REGARDING THIS NOTICE, please contact the Department representative issuing this NOTICE at the location indicated:

Table with 3 columns: Southern Water Enforcement (Riverside Drive, Camden, NJ), Northern Water Enforcement (Ridgedale Ave, Cedar Knolls, NJ), and Central Water Enforcement (PO Box 407, Trenton, NJ). Each column includes a checkbox and contact information.

Issued by:
Date:
Signature:
Received by (print):
Date:
Signature (receipt only):

NJDEP Use Only:
Certified Mail
Date Mailed:
Article Number:



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER COMPLIANCE AND ENFORCEMENT
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Lt. Governor

One Port Center
2 Riverside Drive, Suite 201
Camden, New Jersey 08103
Tel. (856) 614-3655 • Fax (856) 614-3608

NOTICE OF VIOLATION

EA ID #: PEA230001 - 2466P

Name of violator: Old York Country Club (D/B/A 19th Hole Llc)
Location: 228 Old York Road, Chesterfield Twp, New Jersey 08515
Identifying #: 2466P
Person interviewed and title: Dave Wheeler, General Manager

You are hereby NOTIFIED that during a compliance evaluation at the above location on 04/20/2023, the following violation of the Water Supply Management Act (58:1A-1 et seq.) and the Water Supply Allocation Permits regulations (N.J.A.C. 7:19-1 et seq.) was observed.

Requirement: Pursuant to N.J.A.C. 7:19- 2.14(a)14, water may be diverted under this renewed permit for golf course irrigation, pond maintenance and public non-community supply. [N.J.A.C. 7:19- 2.14(a)14]

Description of Noncompliance: The Permittee diverted water not in accordance with Water Allocation Permit No. 2466P.

You must take the following corrective actions:

1. Divert water in accordance with Water Allocation Permit No. 2466P or other Department approved Permit / Authorization.

You indicated during the investigation this deficiency will be addressed, therefore no further action is required on your part at this time.

This Notice of Violation serves as notice that the NJDEP, Water Compliance and Enforcement, has determined that a violation has occurred. It does not constitute final agency action and may not be appealed or contested. The issuance of this Notice or compliance therewith does not preclude the State of New Jersey or any of its agencies from initiating formal administrative and/or judicial enforcement action (including assessment of penalties), with respect to the violations listed above or for any other violations. You **may** appeal or contest such formal actions. Violations of the above regulations are subject to penalties of up to \$50,000 per day/offense.

Issued by: Robert Strucosa Date: 4/20/23
Signature: Cheryl [Signature] Print Name
Sign Name FUR RS.

New Jersey Department of Environmental Protection
Water Compliance and Enforcement
NOTICE OF VIOLATION

File # _____
PL# 077-7

Site Name: _____ Site Address: _____
Municipality: _____ Block: _____ Lot: _____ County: _____ Zip: _____
Property Owner: _____ Prop. Owner's Address: _____ Phone: _____
Responsible Entity (if other than Property Owner): _____ R.E. Address: _____
R.E. City: _____ State: _____ Zip: _____ Phone: _____

On 5/1/23 a representative from the NJDEP Water Compliance and Enforcement (W/C&E) conducted an investigation into this site matter. This NOTICE is issued based on facts observed by or known to the Department's representative issuing this NOTICE, to warn you that a violation(s) of the Statutes and Rules cited below has been found:

- New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.
- New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq.
- New Jersey Water Supply Management Act, N.J.S.A. 58:14-1 et seq.
- New Jersey Water Supply and Waste Operators Licensing Act, N.J.S.A. 58:11-64 et seq.

EXPLANATION OF THIS NOTICE - Violations with citation(s) to the specific Rules issued under the above checked Statutes:

- Violation have occurred at time of issuance
- See additional _____ (____) page(s) of EXPLANATION OF THIS NOTICE

PURPOSE OF THIS NOTICE - This is intended to serve as a NOTICE to you, to warn you of the above violation(s). In order to: 1) provide you with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation(s) and 2) identify these violations and time periods pursuant to the Grace Period Law, N.J.S.A. 58:10-125 et seq. where your voluntary action can prevent formal enforcement orders and penalties issued by the Department (see violations marked with an asterisk * above). This NOTICE does not constitute a formal enforcement order, a final agency action or a final legal determination that a violation has occurred. Therefore, this NOTICE may not be appealed or contested.

Neither the issuance of this NOTICE nor any corrective actions taken by you to address the violation(s) cited, precludes the State of New Jersey or any of its agencies from initiating future enforcement action (including issuance of a formal enforcement order and the assessment of penalties) with respect to the violations listed above or for any other violations. In the event the Department determines to pursue future formal enforcement action, you will then be provided with an opportunity to appeal or contest such action.

RESPONDING TO THIS NOTICE - Voluntary corrective actions taken in response to this NOTICE can affect the Department's determination on the need for or severity of any potential future enforcement action in this matter. In accordance with the Grace Period Law, the Department will not assess a penalty against you for the violations marked with an asterisk * above, if you take voluntary action to address and correct these violations at the time of issuance, or within the time periods indicated in this NOTICE. For violations identified in this NOTICE that are not subject to the Grace Period Law, the Department may consider any voluntary actions you take in response to this NOTICE as part of its determination of any violation to initiate future formal enforcement action for this site matter and 2) the amount of any penalty that may be assessed in future enforcement actions. Please see items checked below regarding actions you may voluntarily undertake to address violations identified in this NOTICE:

CORRECTIVE ACTION PAGE(S) - The Corrective Action Page(s) outlines the timeframes pursuant to the Grace Period Law during which you may voluntarily take action to come into compliance. Depending on the nature of violations cited in this NOTICE, corrective action or compliance assistance recommendations for violations that are not subject to the Grace Period Law may also be outlined on this form.

- Not Provided for this Notice
- See additional _____ (____) page(s)

COMPLIANCE RESPONSE FORM - Submission of a Compliance Response Form if checked below is voluntary. Completed forms should be sent to the Department contact indicated at the bottom of this NOTICE.

- Not Applicable
- If received within _____ days of receipt it will preserve your protection from penalty under Grace Period Law.
- If received within _____ days of receipt it will be considered in potential future Department action regarding the violations cited.

FOR QUESTIONS REGARDING THIS NOTICE, please contact the Department representative issuing this NOTICE at the location indicated:

<input type="checkbox"/> Southern Water Enforcement 2 Riverside Drive, Suite 201 Camden, New Jersey 08103 Telephone: (856) 614-3655 Fax: (856) 614-3608	<input type="checkbox"/> Northern Water Enforcement 7 Ridgedale Ave Cedar Knolls, NJ 07927 Telephone: (973) 656-4099 Fax: (973) 656-4400	<input type="checkbox"/> Central Water Enforcement PO Box 407 Trenton, NJ 08625-0407 Telephone: (609) 584-4200 Fax: (609) 584-4220
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Issued by: _____ Date: _____ Signature: _____
Received by (print): _____ Date: _____ Signature (receipt only): _____

NJDEP Use Only: Certified Mail Date Mailed: _____ Advice Number: _____



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER COMPLIANCE AND ENFORCEMENT
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NOTICE OF VIOLATION

EA ID #:PEA230001 - 47557

Name of violator: Old York Country Club
Location: 228 Old York Road, Chesterfield Twp, New Jersey 08015
Identifying #: 47557
Person interviewed and title: Dave Wheeler, General Manager

You are hereby NOTIFIED that during an Investigation at the above location on 04/20/2023, the following violation(s) of the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.) and the New Jersey Pollutant Discharge Elimination System regulations (N.J.A.C. 7:14A-1 et seq.) were observed.

Requirement: Pursuant to N.J.A.C. 7:14A- 2.1(d), it shall be unlawful for any person to discharge any pollutant except in conformity with a valid NJPDES permit issued by the Department. [N.J.A.C. 7:14A- 2.1((d))]

Description of Noncompliance: Discharging pollutants to the ground surface where it can flow or drain to the waters of the State without a valid NJPDES permit issued by the Department.

You must take the following corrective actions:

- 1. Cease the discharge: on the effective date of this document.

You indicated during the Investigation this deficiency will be addressed, therefore no further action is required on your part at this time.

This Notice of Violation serves as notice that the NJDEP, Water Compliance and Enforcement, has determined that a violation has occurred. It does not constitute final agency action and may not be appealed or contested. The issuance of this Notice or compliance therewith does not preclude the State of New Jersey or any of its agencies from initiating formal administrative and/or judicial enforcement action (including assessment of penalties), with respect to the violations listed above or for any other violations. You may appeal or contest such formal actions. Violations of the above regulations are subject to penalties of up to \$50,000 per day/offense.

Issued by: Robert Sirocusca Date: 4/20/2023
Print Name

Signature: [Handwritten Signature] For R S
Sign Name