

PENALTY CALCULATION FOR DISCHARGE VIOLATIONS

DEVIATION FROM REQUIREMENT
minor, mod., major

**DAYS
(and / or)
GALLONS
OF DISCHARGE**

X

**STATUTORY
MAXIMUM
PENALTY
(\$ per day / gallon)**

X

**PER DAY
(and / or)
PER GALLON
ASSESSMENT
(Tables 1 & 2)**

X

**VIOLATOR'S
CONDUCT
FACTORS**

=

**TOTAL
BASE
LIABILITY**

PER DAY ADJUSTMENT
Multiple Instances
& Multiple Days
of the Same Violations

PER GALLON ADJUSTMENT
High Volume Discharges

CULPABILITY
0.75 to 1.5
(Table 4)

CLEANUP &
COOPERATION
0.75 to 1.5
(Table 4)

HISTORY OF
VIOLATIONS
1.0 or ≥1.1
(Table 4)

FACTOR 1
Type of
Discharge
0 to 4

+

FACTOR 2
Threat to
Beneficial Uses
0 to 5

+

FACTOR 3
Susceptible to
Cleanup
0 or 1

=

**POTENTIAL
FOR HARM**

OTHER
FACTORS
TO BE
CONSIDERED

**FINAL
LIABILITY**

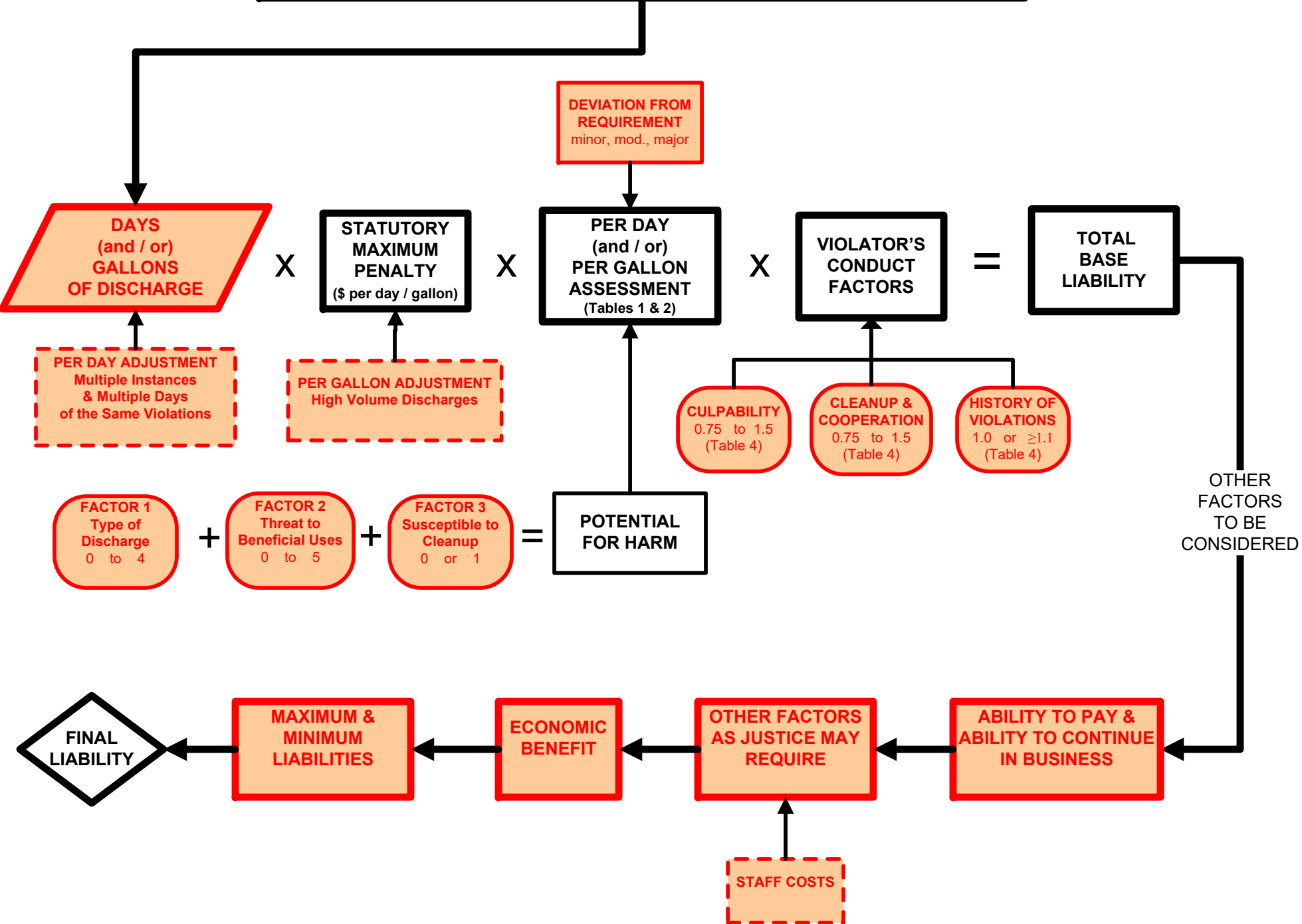
**MAXIMUM &
MINIMUM
LIABILITIES**

**ECONOMIC
BENEFIT**

**OTHER FACTORS
AS JUSTICE MAY
REQUIRE**

**ABILITY TO PAY &
ABILITY TO CONTINUE
IN BUSINESS**

STAFF COSTS



PENALTY CALCULATION FOR NON-DISCHARGE VIOLATIONS

