west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
Phone: (304) 926-0470
Fax: (304) 926-0488

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

CONSENT ORDER
ISSUED UNDER THE
WATER POLLUTION CONTROL ACT
WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 11

TO: City of Kenova
Honorable Ric Griffith, Mayor
P.O. Box 268
Kenova, WV 25530

DATE: May 1, 2015

ORDER NO.: 8201

INTRODUCTION

This Consent Order is issued by the Director of the Division of Water and Waste Management (hereinafter "Director"), under the authority of West Virginia Code, Chapter 22, Article 11, Section 1 et seq. to City of Kenova (hereinafter "Kenova").

FINDINGS OF FACT

In support of this Order, the Director hereby finds the following:

1. Kenova operates a combined wastewater collection system located in Kenova, Wayne County, West Virginia. Kenova was reissued WV/NPDES Water Pollution Control Permit No. WV0035912 on July 29, 2009. The WV/NPDES permit expired on July 28, 2014. The wastewater collection system contains two (2) identified combined sewer overflow (CSO) relief points, which discharge untreated sewage and contaminated stormwater during wet weather events when the flow exceeds the conveyance capacity of the system.

2. On November 6, 2006, the United States Environmental Protection Agency (EPA) and Kenova entered into Consent Order Docket No. CWA-03-2006-0269 DW. The Consent Order was issued in response to Kenova's failure to implement its CSO Long Term Control Plan (LTCP), a violation of section D.4 of its WV/NPDES permit. The Consent Order included, but was not limited to, a requirement that Kenova to provide an updated copy of its LTCP within two hundred seventy (270) days and, upon approval,

immediately begin implementation of the LTCP. Kenova failed to comply with the terms and conditions of the Order.

3. On July 29, 2009, West Virginia Department of Environmental Protection (WVDEP) issued Order No. 6719 to Kenova. Paragraph No. Four (4) of the Order for Compliance section of the Order required that, on or before January 29, 2010, Kenova submit all information required for completion of WVDEP's final review and approval of Kenova's LTCP.

4. On January 14, 2010, in an email to Kenova, Ghosh Engineering, and Steptoe & Johnson, WVDEP personnel provided a checklist to summarize the items that still needed to be addressed before finalization of Kenova's CSO LTCP could occur. WVDEP personnel requested that the updated CSO LTCP be received on or before February 15, 2010.

5. On February 19, 2010, WVDEP personnel received a CSO LTCP from Kenova, and an initial review was subsequently completed.

6. On February 26, 2010, in an email to Ghosh Engineering, WVDEP personnel requested that Kenova review the acceptance status of the CSO LTCP and initiate contact to discuss remaining items that needed to be addressed.

7. On April 26, 2010, in an email to Ghosh Engineering, WVDEP personnel stated that Kenova's response, as requested on February 26, 2010, had not been received. In addition, WVDEP personnel requested that Kenova submit a proposed date when the final draft of the CSO LTCP would be submitted.

8. On August 17, 2010, in an email to Ghosh Engineering, WVDEP personnel requested information regarding Kenova's CSO LTCP finalization.

9. On June 16, 2011, in an email to Kenova, WVDEP personnel again requested a status update regarding Kenova's CSO LTCP.

10. On July 27, 2011, in an email to Kenova, WVDEP personnel stated that Kenova's CSO LTCP had not been approved, because Kenova did not submit adequate information.

11. On August 8, 2013, WVDEP personnel conducted an inspection of the facility. During the inspection, violations of the following sections of Kenova's WV/NPDES permit and WV Legislative Rule were observed and documented:

    a. 47CSR11 Section 9 - The marker for Outfall C001 was in poor repair and illegible.

12. On February 3, 2014, Kenova reapplied for WV/NPDES permit coverage.

13. On July 10, 2014, WVDEP personnel conducted a River Monitoring Evaluation. During the inspection, a violation of the following section of WV Legislative Rule was observed and documented:

a. 47CSR11 Section 9 - Kenova failed to clearly label the marker for Outfall C001 with the facility name, outfall number, and permit number. The marker was not clearly visible from the river.

14. On October 17, 2014, WVDEP personnel conducted a record review and determined that Kenova violated the following section of WV State Code:

a. 22-11-1 et seq. - Kenova failed to submit all information requested and required for completion of WVDEP's final review and approval of Kenova's CSO LTCP. Therefore, Kenova failed to comply with Paragraph No. Four (4) of the Order for Compliance section of Order No. 6719.

15. On January 13, 2015, WVDEP personnel and representatives of Kenova met to discuss the terms and conditions of this Order.

ORDER FOR COMPLIANCE

Now, therefore, in accordance with Chapter 22, Article 11, Section 1 et seq. of the West Virginia Code, it is hereby agreed between the parties, and ORDERED by the Director:

1. Kenova shall immediately take all measures to initiate compliance with all terms and conditions of Order No. 6719 and all pertinent laws and rules.

2. On or before June 30, 2016, Kenova shall submit to WVDEP DWWM Permitting Section an administratively complete CSO LTCP for the aforementioned system. The CSO LTCP shall be submitted in its entirety and shall include, but not be limited to, an implementation schedule with ultimate compliance/completion dates. The CSO LTCP shall be developed and implemented in accordance with WVDEP's CSO Long-Term Control Plan and Implementation Policy (attached). Any questions regarding the submittal process shall be directed to WVDEP DWWM Permitting Section at (304) 926-0495. A copy of the plan shall be submitted to:

WVDEP Environmental Inspector Supervisor
SW Regional Environmental Enforcement Office
PO Box 662
Teays, WV 25569

A copy of the plan shall also be submitted to:

Chief Inspector
Environmental Enforcement - Mail Code #031328
WVDEP
601 57th Street SE
Charleston, WV 25304

3. Kenova agrees to the following daily stipulated penalties for failure to submit an administratively complete CSO LTCP, as described in Paragraph No. Two (2).

Stipulated penalties shall be paid automatically, without demand, to WVDEP for deposit in the Water Quality Management Fund within thirty (30) days of failing to submit an administratively complete CSO LTCP:

One (1) to thirty (30) days – Five hundred dollars ($500) per day
Thirty-one (31) to sixty (60) days – Seven hundred fifty dollars ($750) per day
Greater than sixty (60) days – One thousand dollars ($1,000) per day

Stipulated penalties shall begin immediately on July 1, 2016, and shall continue until Kenova submits an administratively complete CSO LTCP. Payments made pursuant to this paragraph are not tax-deductible for purposes of State or federal law. Payment shall be mailed to:

Chief Inspector
Environmental Enforcement - Mail Code #031328
WV-DEP
601 57th Street SE
Charleston, WV 25304

4. Within thirty (30) days of the effective date of this Order, Kenova shall submit for approval a proposed plan of corrective action and schedule, outlining action items and completion dates for how and when Kenova will achieve compliance with all terms and conditions of Order No. 6719 and pertinent laws and rules. The plan of corrective action shall make reference to WV/NPDES Permit No. WV0035912 and Order No. 8201. The plan of corrective action shall be submitted to:

WVDEP Environmental Inspector Supervisor
SW Regional Environmental Enforcement Office
PO Box 662
Teays, WV 25569

A copy of this plan shall be submitted to:

Chief Inspector
Environmental Enforcement - Mail Code #031328
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Upon approval, the plan of corrective action and schedule shall be incorporated into and become part of this Order, as if fully set forth herein. Failure to submit an approvable plan of corrective action and schedule or failure to adhere to the approved schedule is a violation of this Order.

5. Because of Kenova's West Virginia Code violation, Kenova shall be assessed a civil administrative penalty of three thousand five hundred ten dollars ($3,510) to be paid to the West Virginia Department of Environmental Protection for deposit in the Water Quality Management Fund within thirty (30) days of the effective date of this Order.

Payments made pursuant to this paragraph are not tax-deductible for purposes of State or federal law. **Payment shall include a reference to the Order No. and shall be mailed to:**

Chief Inspector
Environmental Enforcement - Mail Code #031328
WV-DEP
601 57th Street SE
Charleston, WV 25304

OTHER PROVISIONS

1. Kenova hereby waives its right to appeal this Order under the provisions of Chapter 22, Article 11, Section 21 of the Code of West Virginia. Under this Order, Kenova agrees to take all actions required by the terms and conditions of this Order and consents to and will not contest the Director's jurisdiction regarding this Order. However, Kenova does not admit to any factual and legal determinations made by the Director and reserves all rights and defenses available regarding liability or responsibility in any proceedings regarding Kenova other than proceedings, administrative or civil, to enforce this Order.

2. The Director reserves the right to take further action if compliance with the terms and conditions of this Order does not adequately address the violations noted herein and reserves all rights and defenses which he may have pursuant to any legal authority, as well as the right to raise, as a basis for supporting such legal authority or defenses, facts other than those contained in the Findings of Fact.

3. If any event occurs which causes delay in the achievement of the requirements of this Order, Kenova shall have the burden of proving that the delay was caused by circumstances beyond its reasonable control which could not have been overcome by due diligence (i.e., force majeure). Force majeure shall not include delays caused or contributed to by the lack of sufficient funding. Within three (3) working days after Kenova becomes aware of such a delay, notification shall be provided to the Director/Chief Inspector and Kenova shall, within ten (10) working days of initial notification, submit a detailed written explanation of the anticipated length and cause of the delay, the measures taken and/or to be taken to prevent or minimize the delay, and a timetable by which Kenova intends to implement these measures. If the Director agrees that the delay has been or will be caused by circumstances beyond the reasonable control of Kenova (i.e., force majeure), the time for performance hereunder shall be extended for a period of time equal to the delay resulting from such circumstances. A force majeure amendment granted by the Director shall be considered a binding extension of this Order and of the requirements herein. The determination of the Director shall be final and not subject to appeal.

4. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving Kenova of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and

conditions of this Order may subject Kenova to additional penalties and injunctive relief in accordance with the applicable law.

5. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.

6. This Order is binding on Kenova, its successors and assigns.

7. This Order shall terminate upon Kenova's notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.

Richard W Griffith

Honorable Ric Griffith, Mayor
City of Kenova

5-7-15
Date

Public Notice begin:

Date

Public Notice end:

Date

Scott G. Mandirola, Director
Division of Water and Waste Management

Date

revised March 2013

RECEIVED

MAY 11 2015

ENVIRONMENTAL
ENFORCEMENT

August 8, 2013
Kenova

Illegible public warning sign for Outfall C001.

west virginia department of environmental protection

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CSO Long-Term Control Plan and Implementation Policy

Finalized 5/4/2006

This policy shall not supersede the 1994 USEPA Combined Sewer Overflow (CSO) Control Policy or other USEPA guidance documents concerning CSO control. This policy is intended to provide guidance to WV/NPDES permittee's with CSOs and WV/NPDES permitting authorities, including Water Quality Standards (WQS) and enforcement authorities. The purpose of this Policy is to coordinate the planning, selection, design and implementation of CSO management practices and controls to meet the requirements of the Clean Water Act (CWA) and to involve the public fully during the decision making process.

All of West Virginia's CSO communities have populations of 75,000 or less and are therefore defined by USEPA as small systems. The WV/NPDES Permitting Program shall have some discretion in how small CSO communities develop their Long-Term Control Plan (LTCP).

This Policy requires the development and implementation of a LTCP that will provide a range of CSO control alternatives that will be sufficient to provide for the attainment of WV WQS and the protection of the designated uses of CSO-impacted receiving streams.

The main objective of a LTCP for a CSO system is to develop and maintain an operating and maintenance program that will satisfy at least one of the following approaches from the CSO Control Policy:

A. The "Presumption " Approach – A CSO control program that meets any of the criteria listed below would be presumed to provide an adequate level of control to meet the water quality based requirements of the CWA. These criteria are provided because data and modeling of wet weather events often do not give a clear picture of the level of CSO controls necessary to protect WQS.

    1. Elimination or capture for treatment of no less than 85% by volume of the sanitary sewage collected in the combined sewer system during the precipitation events on a system wide annual average basis.
    2. Have no more than an average of six (6) CSO events per year.
    3. The elimination or removal of no less than the mass of the pollutants, identified as causing water quality impairment through the sewer system for the volumes that would be eliminated or captured for treatment under Item 1 above.

B. The "Demonstration" Approach - A permittee may demonstrate that a selected control program, though not meeting the "presumption" criteria above, is adequate for discharges to meet the water quality based requirements of the CWA and applicable WQS.

This Policy recognizes that the scope of developing a LTCP may be difficult for small communities with CSO systems. Expectations and requirements for a small community system will generally be reduced to providing the following key LTCP elements:

1. Establish a public participation program to ensure the public has the opportunity to be involved in the selection of the long-term CSO controls.
2. Give priority to control of CSOs discharging to sensitive areas. If sensitive areas are present and impacted, the LTCP should address plans for:
    a. Prohibition of new or significantly increased overflows
    b. Elimination or relocation of overflows where possible
    c. Treatment of overflows where necessary
3. Evaluate each of the possible control alternatives for its cost effectiveness:
    a. Reduce inflow/infiltration in collection system
    b. Sewer/stormwater collection system separation
    c. Increase conveyance capacity of the collection system
    d. Increase the wet-weather capacity of the wastewater treatment facility
    e. Provide surge control or storage of peak flows to reduce wet weather CSO discharges
    f. Provide offsite treatment facilities for wet weather CSO discharges
    g. Various combinations of above
4. Select the most cost effective alternative(s)
5. Develop total project cost
6. Conduct financial capability and feasibility evaluation
    a. This Policy recognizes that financial considerations are a major factor affecting the implementation of CSO controls. This Policy allows consideration of a permittee's financial capability in connection with the long-term CSO control planning efforts, with the negotiation of enforceable implementation schedules, and with potential data collection in use attainability assessments and water quality standard reviews.
    b. Costs associated with some of the various CSO control technologies are substantial and precise planning will be needed to spread costs over time in developing a comprehensive, long-term CSO control program.
    c. A Residential Indicator measures the financial impact of the current wastewater treatment and CSO controls on a community's customer base. This indicator is normally calculated as the percentage of the average annualized Cost Per Household (CPH) divided by the Median Household Income (MHI).
    Financial Impact guidelines provided by USEPA are:

Low	Less than 1% MHI
Mid-range	1% to 2% MHI (~ 1.5%)
High	Greater than 2% MHI

NOTE: A minimum sanitary customer rate of at least 1.5% MHI would be expected by this agency, if additional revenue would be needed to adequately finance a CSO control program and to provide an acceptable implementation schedule. WVDEP and each permittee shall negotiate an acceptable implementation schedule on a case-by-case basis.

d. This Policy shall not mandate that customer rates be established at the minimum level of 1.5% of MHI. If CSO communities are able to generate adequate revenue to finance and implement an acceptable CSO Control program with customer rates below this threshold, this is acceptable to the agency. However, should a community's CSO discharges continue to impact water quality in receiving streams, a community shall not be considered to be "financially burdened" until customer rates have at least reached the minimum level of 1.5% MHI threshold.
e. Each permittee having collection systems with CSOs is ultimately responsible for aggressively pursuing financial arrangements for the implementation of its CSO LTCP.
f. Funding sources used to pay for CSO controls include:
    1. Self-financing
    2. State Revolving Fund (SRF) and the Infrastructure & Jobs Development Council (IJDC)– The minimum qualifications are typically 1.5% MHI at 4500 gal rate, or 1.25% MHI at 4000 gal rate for 0.5% loans, possible 50% grant money)
    3. Federal grants or appropriations
    4. State grants or appropriations
    5. Other capital funding or loan sources

7. Evaluate cost affordability, and determine an acceptable project implementation schedule (nominally 20 years or less)
8. CSO control project implementation schedules will be given consideration for implementation periods exceeding 20 years should one of the following conditions be agreed upon by both the permittee and WVDEP:
    a. Socioeconomic analysis indicates that certain CSO control projects are not financially or physically feasible within 20 years, or
    b. Other water quality improvement projects within a CSO-impacted watershed should be given a higher priority than CSO controls (i.e. sewer line extension projects to unsewered upstream areas, projects addressing acid mine drainage (AMD), projects addressing other significant water quality issues).
9. The selected CSO control projects shall include a post-construction water quality-monitoring program adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls.

The WV Water Quality Standards (WQS) are state adopted rules which serve as the goals for the water body and the legal basis for the water quality-based NPDES permit requirements under the CWA. WQS consist of the uses which WV designates for their water bodies, the criteria to protect the uses, an anti-degradation policy to protect the water quality improvements gained and other policies affecting the implementation of the standards. A primary objective of the LTCP is to meet WQS, including the designated uses through reducing risks to human health and the environment by eliminating, relocating, or controlling CSOs to the affected waters. State WQS authorities, WV/NPDES Permitting authorities, permittees and the public must be involved in the long-term CSO control planning process. There is a need to begin a review of appropriate revisions to WQS, to begin the collect of data needed to make appropriate WQS revisions, to evaluate the need for use attainability analysis or WQS variances where appropriate. There must be a reasonable and appropriate basis for taking any of the above actions stated above.

Base Penalty Calculation

(pursuant to 47CSR1-6.1)

Responsible Party: City of Kenova **Receiving Stream:**

Treatment System Design Maximum Flow: **MGD**

Treatment System Actual Average Flow: **MGD** (if known)

Enter FOF# and rate each finding as to Potential and Extent.

1)	Potential for Harm Factor	Factor Range	FOF# 11a	13a	14a										
a)	Amount of Pollutant Released	1 to 3	1	1	1										
b)	Toxicity of Pollutant	0 to 3	0	0	0										
c)	Sensitivity of the Environment	0 to 3	0	0	0										
d)	Length of Time	1 to 3	1	2	3										
e)	Actual Exposure and Effects thereon	0 to 3	0	0	0										
	Average Potential for Harm Factor		0.4	0.6	0.8	No	No	No	No	No	No	No	No	No	No
2)	**Extent of Deviation Factor**	**Factor Range**													
	Degree of Non-Compliance	1 to 3	1	1	3										

Potential for Harm Factors:

1)c - Sensitivity of the Environment Potentially Affected (0 for "dead" stream)

1)d - Length of Time of Violation

1)e - Actual Human/Environmental Exposure and Resulting Effects thereon

Examples/Guidance:

Note: Rate as 1 for Minor, 2 for Moderate and 3 for Major. Rate as 0 if it does not apply.

Minor = exceedance of permit limit by <=40% for Avg. Monthly or <=100% for Daily Max., exceed numeric WQ standard by <= 100%, or report doesn't contain some minor information.

Moderate = exceedance of permit limit by >= 41% and <= 300% for Avg. Monthly , >= 101% and <= 600% for Daily Max., exceed numeric WQ standard by >= 101% and <= of 600% or report doesn't fully address intended subject matter.

Major = exceedance of permit limit by >= 301% for Avg. Monthly, >= 601% for Daily Max., exceed numeric WQ standard by >= 601%, failure to submit a report, failure to obtain a permit, failure to report a spill, etc. Note that a facility in SNC should be rated as major for length of time and degree of non-compliance.

Narrative WQ standard violations - case-by-case.

Continue rating Findings of Facts (FOF) here, if necessary. Otherwise, continue on Page 3.

1)	Potential for Harm Factor	Factor Range	FOF#												
a)	Amount of Pollutant Released	1 to 3													
b)	Toxicity of Pollutant	0 to 3													
c)	Sensitivity of the Environment	0 to 3													
d)	Length of Time	1 to 3													
e)	Actual Exposure and Effects thereon	0 to 3													
	Average Potential for Harm Factor		No	No	No	No	No	No	No	No	No	No	No	No	No
2)	**Extent of Deviation Factor**	**Factor Range**													
	Degree of Non-Compliance	1 to 3													

		Extent of Deviation from Requirement		
		Major	**Moderate**	**Minor**
Potential for Harm to Human Health or the Environment	**Major**	$8,000 to $10,000	$6,000 to $8,000	$5,000 to $6,000
	Moderate	$4,000 to $5,000	$3,000 to $4,000	$2,000 to $3,000
	Minor	$1,500 to $2,000	$1,000 to $1,500	Up to $1,000

FOF #	Potential for Harm	Extent of Deviation	Penalty	Multiple Factor	Base Penalty
11a	Minor	Minor	$400	1	$400
13a	Minor	Minor	$600	1	$600
14a	Minor	Major	$1,900	1	$1,900
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
0	FALSE	FALSE	FALSE	1	$0
Total Base Penalty					$2,900

Penalty Adjustment Factors

(pursuant to 47CSR1-6.2)

Penalty Adjustment Factor

6.2.b.1 - Degree of or absence of willfulness and/or negligence - 0% to 30% increase
6.2.b.4 - Previous compliance/noncompliance history - 0% to 100% increase - based upon review of last three (3) years - Warning = maximum of 5% each, N.O.V. = maximum of 10% each, previous Order = maximum of 25% each - Consistent DMR violations for <1 year = 10% maximum, for >1 year but <2 years = 20% maximum, for >2 years but <3 years = 30% maximum, for >3 years = 40 % maximum

6.2.b.6 - Economic benefits derived by the responsible party (increase to be determined)

6.2.b.7 - Public Interest (increase to be determined)

6.2.b.8 - Loss of enjoyment of the environment (increase to be determined)

6.2.b.9 - Staff investigative costs (increase to be determined)
6.2.b.10 - Other factors

Size of Violator: 0 - 50% decrease

NOTE: This factor is not available to discharges that are causing a water quality violation. This factor does not apply to a commercial or industrial facility that employees or is part of a corporation that employees more than 100 individuals.

Avg. Daily WW Discharge Flow (gpd)	% Reduction Factor
< 5,000	50
5,000 to 9,999	40
10,000 to 19,999	30
20,000 to 29,999	20
30,000 to 39,999	10
40,000 to 99,999	5
> 100,000	0

Additional Other factors to be determined for increases or decreases on a case-by-case basis.

Public Notice Costs (cost for newspaper advertisement)
6.2.b.2 - Good Faith - 10% decrease to 10% increase
6.2.b.3 - Cooperation with the Secretary - 0% to 10% decrease
6.2.b.5 - Ability to pay a civil penalty - 0% to 100% decrease

Base Penalty Adjustments

(pursuant to 47CSR1-6.2)

Penalty Adjustment Factor	% Increase	% Decrease	Base Penalty Adjustments
6.2.b.1 - Willfulness and/or negligence -	30		$870
6.2.b.4 - Compliance/noncompliance history			$0
6.2.b.6 - Economic benefits - (flat monetary increase)			$0
6.2.b.7 - Public Interest - (flat monetary increase)			$0
6.2.b.8 - Loss of enjoyment - (flat monetary increase)			$0
6.2.b.9 - Investigative costs - (flat monetary increase)			$0
6.2.b.10 - Other factors (size of violator)			$0
6.2.b.10 - Additional Other Factors - Increase (flat monetary increase)			$0
6.2.b.10 - Additional Other Factors - Decrease (flat monetary decrease)			$0
Public Notice Costs (flat monetary increase)	$30		$30
6.2.b.2 - Good Faith - Increase			$0
6.2.b.2 - Good Faith - Decrease			$0
6.2.b.3 - Cooperation with the Secretary		10	($290)
6.2.b.5 - Ability to Pay			$0
Penalty Adjustments			**$610**
Penalty =			**$3,510**

Estimated Economic Benefit Item	Estimated Benefit ($)
Monitoring & Reporting	
Installation & Maintenance of Pollution Control Equipment	
O&M expenses and cost of equipment/materials needed for compliance	
Permit Application or Modification	
Competitive Advantage	
Estimated Economic Benefit	**$0**
Comments:	