



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
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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: Mohammad Afzalirad
Majestic Ventures Inc.
P.O. Box 1751
Huntington, WV 25718

DATE: January 5, 2015

ORDER NO.: 7971

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 Majestic Ventures Inc. (hereinafter "Majestic Ventures").

FINDINGS OF FACT

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

1. Majestic Ventures operates a wastewater treatment facility in Huntington, Cabell County, West Virginia. Majestic Ventures was reissued WV/NPDES Water Pollution Control Permit No. WV0103110, Registration No. WVG550592, on July 16, 2011.
2. On December 19, 2011, West Virginia Department of Environmental Protection (WVDEP) personnel conducted an inspection of the facility. During the inspection, violations of the following sections of the terms and conditions of Majestic Ventures' WV/NPDES permit were observed and documented:
 - a. Section F.1 - Majestic Ventures failed to properly operate and maintain the facility. Specifically:
 - i. The manhole where several pipes converge to create the influent lacked a proper lid.
 - ii. No bar screen was present at the influent flow.

- iii. Only two (2) of the three (3) aeration arms were working in the basin, hindering proper sludge mixing.
 - iv. Sanuril tubes were absent in the chlorine chemical feeder.
 - v. The de-chlorinator sanuril tube had a single swollen tablet.
 - vi. The weir in the chlorine contact chamber had sludge accumulation.
 - vii. The 96 pin time-clock displayed the wrong time and had a sporadic number of pins actuated to turn on the blower.
 - viii. Vector problems, such as rats, were evident around the building.
 - ix. The required tertiary sand filter treatment was not operational and appeared to be out of operation for several years.
- b. Section A.3 - Grab samples collected by WVDEP personnel at Outlet 001 discharge exceeded Total Residual Chlorine (TRC) and Biochemical Oxygen Demand (BOD) maximum daily permit limitations.

As a result of the aforementioned violations, Notice of Violation (NOV) Nos. W11-06-87-TB and W11-06-88-TB were issued to Majestic Ventures.

3. On May 30, 2013, WVDEP personnel conducted an inspection of the facility in response to a complaint. During the inspection, violations of the following sections of West Virginia Legislative Rules and Majestic Ventures' WV/NPDES permit were observed and documented:
- a. 47CSR2 Section 3.2.a - Majestic Ventures caused conditions not allowable in waters of the State. Specifically, Majestic Ventures created distinctly visible floating or settleable solids.
 - b. 47CSR2 Section 3.2.b - Majestic Ventures caused conditions not allowable in waters of the State. Specifically, Majestic Ventures created deposits or sludge blankets on the bottom in receiving stream.
 - c. Section F.1 - Majestic Ventures failed to properly operate and maintain the facility, causing the plant to turn septic.

As a result of the aforementioned violations, NOV Nos. W13-06-011- RTH and W13-06-012-RTH were issued to Majestic Ventures.

4. On June 3, 2013, WVDEP personnel conducted an inspection of the facility. During the inspection, violations of the following sections of the terms and conditions of Majestic Ventures' WV/NPDES permit were observed and documented.
- a. Section F.1 - Majestic Ventures failed to properly operate and maintain the plant. Specifically:
 - i. There was no cover on the influent manhole.
 - ii. The plant did not have a bar screen due to corrosion and rust.
 - iii. There was a dead spot in the aeration chamber.
 - iv. The water in the clarifier was dark and had poor clarity.
 - v. The plant did not have a chlorinator or dechlorinator. Chlorine tablets were being placed in the channel between the clarifier and the contact chamber.

- vi. There was a hole in the side of the plant, and the plant was not properly grounded.
- vii. The sand filter had been removed.
- b. Section E.13 - Majestic Ventures failed to post a proper outlet marker.
- c. Section A.3 - Grab samples collected by WVDEP personnel at the Outlet 001 discharge exceeded maximum daily and instantaneous maximum limitations for Ammonia, maximum daily BOD, and maximum daily and instantaneous maximum TRC.

As a result of the aforementioned violations, NOV Nos. W13-06-014-RTH and W13-06-015-RTH were issued to Majestic Ventures.

5. On September 29, 2014, WVDEP personnel conducted an inspection of the facility. During the inspection, violations of the following sections of Majestic Ventures' WV/NPDES permit were observed and documented:
- a. Section F.1 - Majestic Ventures failed to properly operate and maintain the plant. Specifically:
 - i. A minnow bucket was being used as a de-chlorinator in the chlorine contact chamber.
 - ii. There were no de-chlorination tablets.
 - iii. The sand filter, which is required to meet discharge limitations as specified in Section A.3 of Majestic Ventures' WV/NPDES Permit, had been removed.
 - iv. There was a hole in the side of the plant, and the plant was not properly grounded.
 - b. Section E.13 – Majestic Ventures failed to post a proper outlet marker.
 - c. Section A.3 – Grab samples collected by WVDEP personnel at Outlet 001 discharge exceeded maximum daily and instantaneous maximum limitations for Ammonia, maximum daily BOD, and maximum daily and instantaneous maximum TRC.

As a result of the aforementioned violations, NOV Nos. W14-06-048-RTH, W14-06-049-RTH, and W14-06-050-RTH were issued to Majestic Ventures.

6. On September 30, 2014, WVDEP personnel and a representative of Majestic Ventures met to discuss the terms and conditions of this Order.
7. On October 16, 2014, Majestic Ventures submitted financial documents to WVDEP. The provided information was used to perform an economic analysis which evaluated Majestic Ventures' ability to pay a civil administrative penalty.
8. On December 29, 2014, WVDEP personnel conducted a review of facility records from the time period of September 2011 through September 2014. During this review, the following violations of the terms and conditions of Majestic Ventures WV/NPDES permit were observed:

- a. Section A - Fifty-six exceedances of Majestic Ventures permit parameters were observed and documented (Table 1). These exceedances can be further defined as:
 - i. Minor violations-fourteen (14)
 - ii. Moderate violations-twenty-two (22)
 - iii. Major violations-twenty (20)
- b. Section C - Discharge Monitoring Reports (DMRs) for 4th Quarter 2011, 4th Quarter 2012, 1st Quarter 2013, and 2nd Quarter 2013 were not submitted within twenty (20) days following the end of the reporting period.

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. Majestic Ventures shall immediately take all measures to initiate compliance with all terms and conditions of its WV/NPDES permit and pertinent laws and rules.
2. Within thirty (30) days of the effective date of this Order, Majestic Ventures shall submit for approval a proposed plan of corrective action and schedule, outlining action items and completion dates for how and when Majestic Ventures will achieve compliance with all terms and conditions of its WV/NPDES permit and pertinent laws and rules. The plan of corrective action shall make reference to WV/NPDES Permit No. WV0103110, Registration No. WVG550592, and Order No. 7971. 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
WVDEP
601 57th Street SE
Charleston, WV 25304**

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.

3. Because of Majestic Ventures' West Virginia Legislative Rules and WV/NPDES Permit violations, Majestic Ventures shall be assessed a civil administrative penalty of two thousand dollars (\$2,000) to be paid to the West Virginia Department of Environmental

Protection for deposit in the Water Quality Management Fund in accordance with the following schedule:

Payment 1 in the amount of \$1,000 due on or before April 1, 2015.

Payment 2 in the amount of \$1,000 due on or before July 1, 2015.

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:**

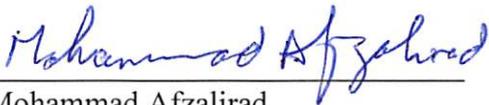
**Chief Inspector
Environmental Enforcement - Mail Code #031328
WV-DEP
601 57th Street SE
Charleston, WV 25304**

OTHER PROVISIONS

1. Majestic Ventures 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, Majestic Ventures 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, Majestic Ventures 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 Majestic Ventures 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, Majestic Ventures 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 Majestic Ventures becomes aware of such a delay, notification shall be provided to the Director/Chief Inspector and Majestic Ventures 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 Majestic Ventures 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 Majestic Ventures (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 Majestic Ventures 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 Majestic Ventures 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 Majestic Ventures, its successors and assigns.
7. This Order shall terminate upon Majestic Ventures' notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.



Mohammad Afzalirad
Majestic Ventures Inc.



Date

Public Notice begin:

Date

Public Notice end:

Date

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

Date

RECEIVED

JAN 26 2015

ENVIRONMENTAL
ENFORCEMENT



5/30/2013 – Conditions not allowable in the receiving stream downstream from the outlet.

Photo Attachment



6/3/2013 - Picture showing no manhole cover.



6/3/2013 - Picture showing no bar screen on plant.

Photo Attachment



6/3/2013 - Picture showing marginal aeration/mixing in aeration basin.



6/3/2013 - Picture showing the poor water clarity in clarifier.

Photo Attachment



6/3/2013 - Picture showing tablet chlorinator with no tablet feeder tubes.



6/3/2013 - Picture showing De-chlorination unit.

Photo Attachment



6/3/2013 - Picture showing TRC residual from Outlet #001.



6/3/2013 - Picture showing large hole in plant.

Photo Attachment



7/3/2013 - Picture showing the removal of sand filter and the recent excavation bypassing this required treatment.



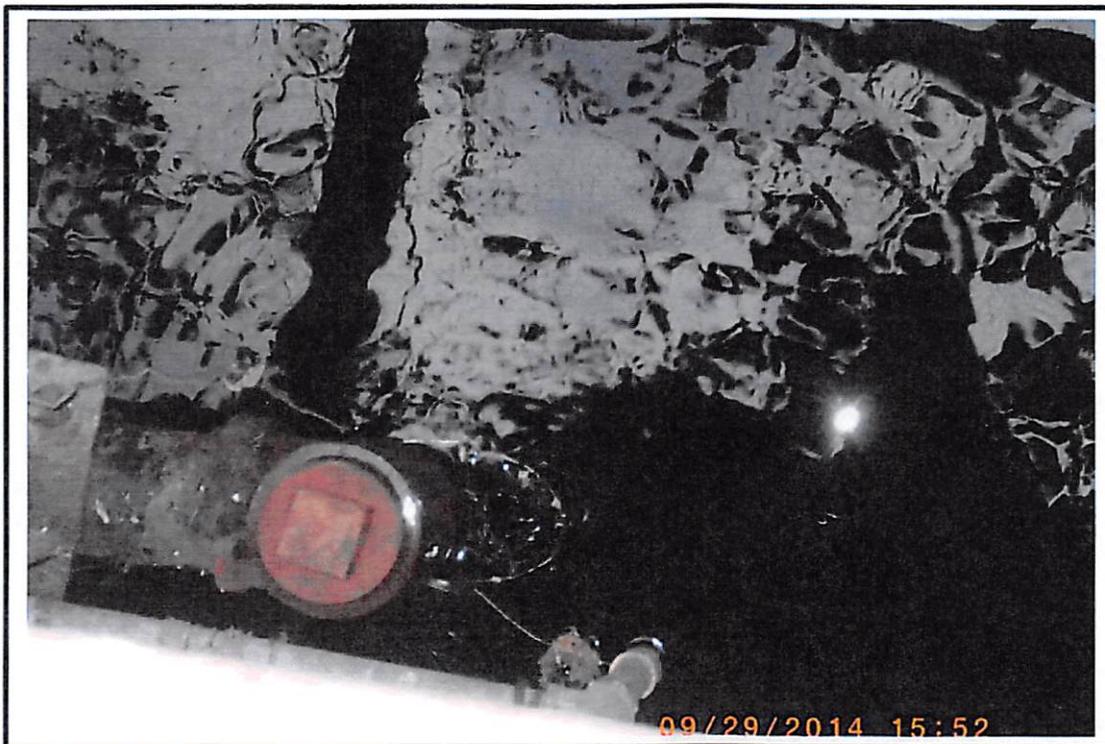
9/29/2014 - Picture showing the wastewater treatment plant at Majestic Ventures MHP.



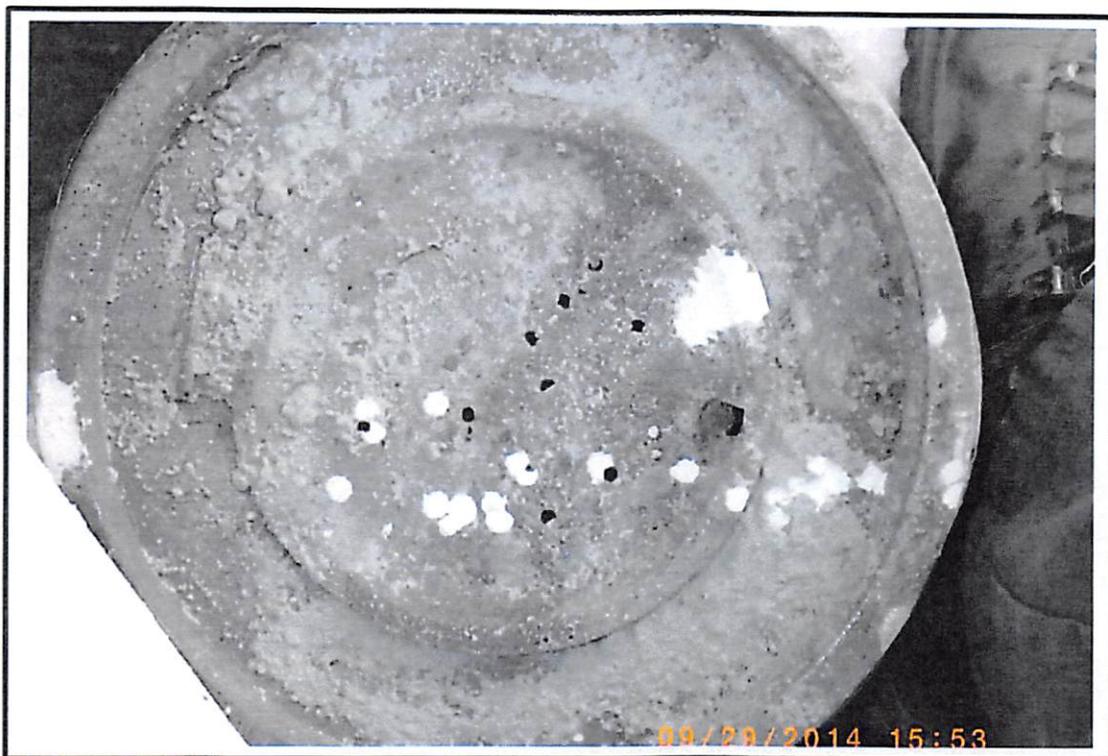
9/29/2014 – Picture showing a wooden cover covering the inlet into the plant.



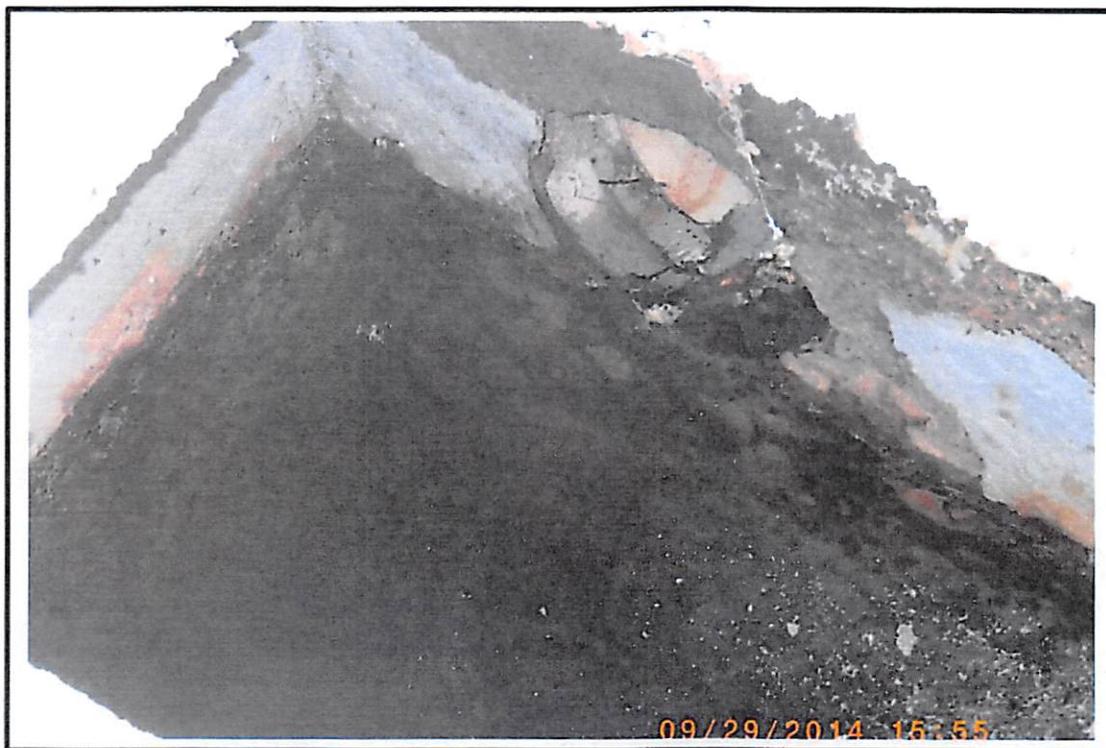
9/29/2014 – Picture showing the MLSS in the aeration basin.



9/29/2014 – Picture showing water clarity in the clarifier.



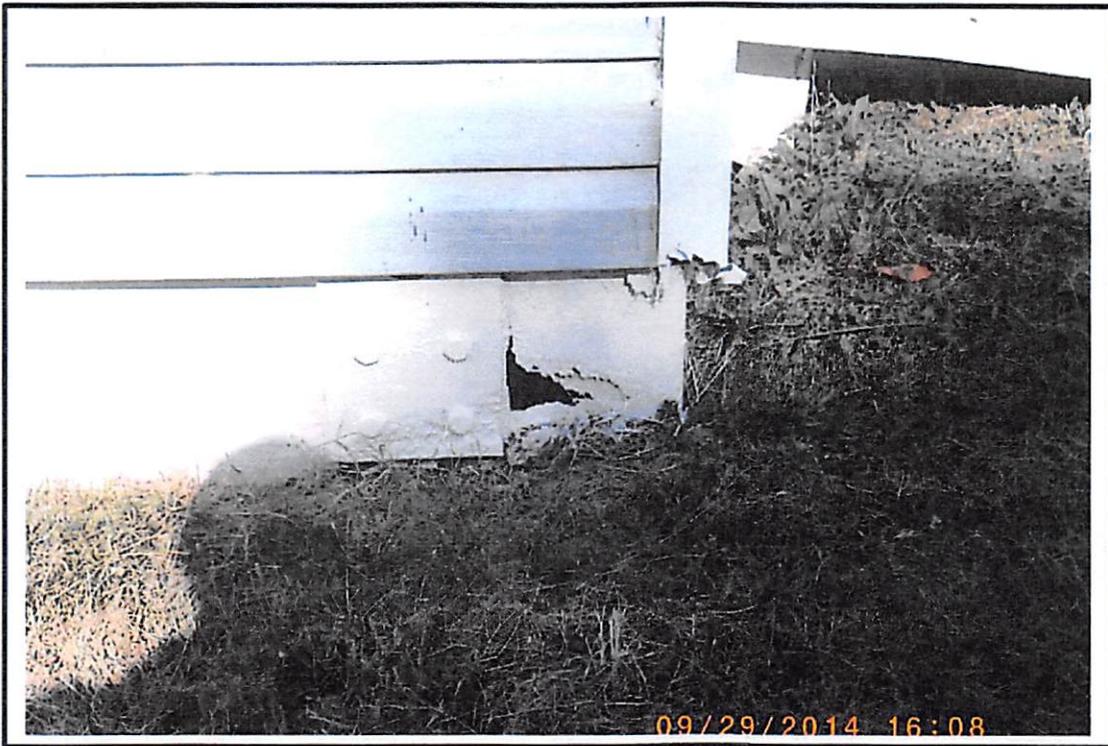
9/29/2014 – Picture showing a minnow bucket being used as a de-chlorinator in the chlorine contact chamber.



9/29/2014 – Picture showing the effluent leaving the plant.



9/29/2014 – Picture showing the tablet chlorinator.



9/29/2014 – Picture showing the hole in the sidewall of the plant.



9/29/2014 – Picture showing the Total Residual Chlorine at Outfall 001.



9/29/2014 – Picture showing Outfall 001.

Table One:
Majestic Ventures DMR Exceedance Summary

Outlet 001 DMR Exceedances - AVG. MONTHLY-September 2011 through September 2014						Degree of non-compliance		
Date	Parameter	Units	Permitted avg. monthly	Reported avg. monthly	% Exceedance	Min	Mod	Maj
09/31/2011	BOD	mg/l	5	6.44	29%	X	-	-
01/19/2012	BOD	mg/l	5	16.99	240%	-	X	-
01/19/2012	TSS	mg/l	30	54	80%	-	X	-
01/19/2012	Ammonia	mg/l	3	13.44	348%	-	-	X
01/19/2012	Fecal Coliform	cnts/100ml	200	1200	500%	-	-	X
06/31/2012	BOD	mg/l	5	12.9	158%	-	X	-
06/31/2012	Ammonia	mg/l	3	22.4	647%	-	-	X
09/31/2012	TRC	ug/l	28	60	114%	-	X	-
3/31/13	BOD	mg/l	10	34	240%	-	X	-
3/31/13	Fecal Coliform	cnts/100ml	200	50000	24900%	-	-	X
3/31/13	Ammonia	mg/l	6	14.8	147%	-	X	-
6/30/13	BOD	mg/l	5	31	520%	-	-	X
6/30/13	TSS	mg/l	30	51	70%	-	X	-
6/30/13	Fecal Coliform	cnts/100ml	200	818	309%	-	-	X
6/30/13	Ammonia	mg/l	3	31.6	953%	-	-	X
9/30/13	BOD	mg/l	5	21	320%	-	-	X
9/30/13	Fecal Coliform	cnts/100ml	200	21000	10400%	-	-	X
9/30/13	Ammonia	mg/l	3	3.18	6%	X	-	-
12/31/13	BOD	mg/l	10	29	190%	-	X	-
12/31/13	TSS	mg/l	30	32	7%	X	-	-
12/31/13	Fecal Coliform	cnts/100ml	200	1454	627%	-	-	X
12/31/13	Ammonia	mg/l	6	10.8	80%	-	X	-
3/31/14	BOD	mg/l	10	13	30%	X	-	-
3/31/14	Ammonia	mg/l	6	10.7	78%	-	X	-
3/31/14	TRC	ug/l	28	160	471%	-	-	X
6/30/14	BOD	mg/l	5	7	40%	X	-	-
6/30/14	Ammonia	mg/l	3	19.9	563%	-	-	X
6/30/14	TRC	ug/l	28	10000	35614%	-	-	X
9/30/14	Fecal Coliform	cnts/100ml	200	10000	4900%	-	-	X

Outlet 001 DMR Exceedances - MAX. DAILY-September 2011 through September 2014						Degree of non-compliance		
Date	Parameter	Units	Permitted max. daily	Reported max. daily	% Exceedance	Min	Mod	Maj
12/19/2011	TRC	ug/l	57	160	12%	X	-	-
1/19/2012	Ammonia	mg/l	12	13.44	200%	-	X	-
1/19/2012	Fecal Coliform	cnts/100ml	400	1,200	200%	-	X	-
6/1/2012	BOD	mg/l	10	12.9	29%	X	-	-
6/1/2012	Ammonia	mg/l	6	22.4	273%	-	X	-
9/1/2012	TRC	ug/l	57	60	5%	X	-	-
3/31/13	BOD	mg/l	20	34	70%	X	-	-
3/31/13	Fecal Coliform	cnts/100ml	400	50,000	12400%	-	-	X
3/31/13	Ammonia	mg/l	12	14.8	23%	X	-	-
6/3/2013	Ammonia	mg/l	6	51.9	765%	-	-	X
6/3/2013	BOD	mg/l	10	12	20%	X	-	-
6/3/2013	TRC	ug/l	57	3,300	5689%	-	-	X
6/30/13	BOD	mg/l	10	31.0	210%	-	X	-
6/30/13	Fecal Coliform	cnts/100ml	400	818.0	105%	-	X	-
6/30/13	Ammonia	mg/l	6	31.6	427%	-	X	-
9/30/13	BOD	mg/l	10	21.0	110%	-	X	-
9/30/13	Fecal Coliform	cnts/100ml	400	21,000	5150%	-	-	X
12/31/13	BOD	mg/l	20	29	45%	X	-	-
12/31/13	Fecal Coliform	cnts/100ml	400	1,454	264%	-	X	-
3/31/14	TRC	ug/l	57	160	181%	-	X	-
6/30/14	Ammonia	mg/l	6	19.9	232%	-	X	-
6/30/14	TRC	ug/l	57	10,000	17444%	-	-	X
9/30/14	Fecal Coliform	cnts/100ml	400	10,000	2400%	-	-	X

Table One:
Majestic Ventures DMR Exceedance Summary

Outlet 001 DMR Exceedances - pH MAX. DAILY (Min.)-September 2011 through September 2014						Degree of non-compliance		
Date	Parameter	Units	Permitted min. daily	Reported min. daily	% Exceedance	Min	Mod	Maj
09/31/2011	pH	S.U.	6.0	4.96	138.7%		X	
9/1/2012	pH	S.U.	6.0	4.13	249.3%		X	

Outlet 001 DMR Exceedances - D.O. INSTANTANEOUS. MIN. - September 2011 through September						Degree of non-compliance		
Date	Parameter	Units	Permitted min. daily	Reported min. daily	% Exceedance	Min	Mod	Maj
3/31/13	D.O.	mg/l	6.0	5.2	13.3%	X	-	-
9/30/13	D.O.	mg/l	6.0	5.62	6.3%	X	-	-

Outlet 001 Totals		Degree of non-compliance		
		Min	Mod	Maj
		14	22	20

Base Penalty Calculation

(pursuant to 47CSR1-6.1)

Responsible Party: Majestic Ventures Inc. **Receiving Stream:** Unnamed Tributary of Russel Creek

Treatment System Design Maximum Flow: 0.025 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#											
			2a	3a	3b	3c	4a	4b	8ai	8aii	8aiii	8b		
a)	Amount of Pollutant Released	1 to 3	1	1	1	1	1	1	1	1	1	1		
b)	Toxicity of Pollutant	0 to 3	1	1	1	1	1	0	1	1	1	0		
c)	Sensitivity of the Environment	0 to 3	1	1	1	1	1	0	1	1	1	0		
d)	Length of Time	1 to 3	1	1	1	2	3	1	1	1	1	1		
e)	Actual Exposure and Effects thereon	0 to 3	0	1	1	0	0	0	1	1	1	0		
Average Potential for Harm Factor			0.8	1	1	1	1.2	0.4	1	1	1	0.4	No	No
2)	Extent of Deviation Factor	Factor Range												
	Degree of Non-Compliance	1 to 3	3	2	2	3	3	1	1	2	3	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.

		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
2a	Minor	Major	\$1,900	1	\$1,900
3a	Minor	Moderate	\$1,500	1	\$1,500
3b	Minor	Moderate	\$1,500	1	\$1,500
3c	Minor	Major	\$2,000	1	\$2,000
4a	Moderate	Major	\$4,200	1	\$4,200
4b	Minor	Minor	\$400	1	\$400
8ai	Minor	Minor	\$1,000	4	\$4,000
8aii	Minor	Moderate	\$1,500	8	\$12,000
8aiii	Minor	Major	\$2,000	5	\$10,000
8b	Minor	Major	\$1,700	4	\$6,800
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					\$44,300

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 -	15		\$6,645
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		10	(\$4,430)
6.2.b.3 - Cooperation with the Secretary		10	(\$4,430)
6.2.b.5 - Ability to Pay		90.554	(\$40,115)
Penalty Adjustments			(\$42,300)
Penalty =			\$2,000

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:	