

CFPUA Enforcement Response Plan - Civil Penalty Assessment Form

Industry Name: SIU 1

Time Period: January-June 2022

Assign rank with 0 being least significant and 5 being most significant

Violation		ERP Points
NOV pH daily limit Jan 2022		2
NOV Failure to sample Oil & Grease March 2022		2
Total=		4

Range of Assessment	SUO Criteria	Guidelines	NOV Description	Degree of Assessment	Justification
0 - 5	The degree and extent of the harm to the natural resources, to the public health, or to public or private property resulting from the violation	1 = minimal	NOV pH daily limit Jan 2022	0	No NPDES limit violation.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	0	No NPDES limit violation.
		5 = maximum			
0 - 5	The duration and gravity of the violation	1 = minimal	NOV pH daily limit Jan 2022	1	No known harm.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	1	No known harm.
		5 = maximum			
0 - 5	The effect on ground or surface water quantity or quality or on air quality	1 = minimal	NOV pH daily limit Jan 2022	0	Unknown at this time.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	0	Unknown at this time.
		5 = maximum			
0 - 5	The cost of rectifying the damage	1 = minimal	NOV pH daily limit Jan 2022	0	Unknown at this time.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	0	Unknown at this time.
		5 = maximum			
0 - 5	The amount of money saved by noncompliance	1 = minimal	NOV pH daily limit Jan 2022	0	Based on discussion with industry and with CFPUA, none identified.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	0	None, collected extra sample in April.
		5 = maximum			
0 - 5	Whether the violation was committed willfully or intentionally	1 = minimal	NOV pH daily limit Jan 2022	0	Based on discussion with industry and with CFPUA, violation determined to not be willful.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	0	Not willful. Notified CFPUA of missed sample and plan to collect extra in following month.
		5 = maximum			
0 - 5	The prior record of the violator in complying or failing to comply with the pretreatment program. (Includes present 6-month period and may include the previous 6 - 12 month time period for similar violations)	1 = minimal	NOV pH daily limit Jan 2022	1	none within last 12 months
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	2	NOV pH daily limit Jan 2022
		5 = maximum			
0 - 5	The costs of enforcement to CFPUA	1 = minimal	NOV pH daily limit Jan 2022	1	Staff time issuing NOV and assessing civil penalty.
		3 = moderate	NOV Failure to sample Oil & Grease March 2022	1	Staff time issuing NOV and assessing civil penalty.
		5 = maximum			

Total possible points per violation = 40

Violations = 2

Total Points = 80

egree of assessment points = 7

% of possible points = 8.8

Calculations:

Penalty Range for 4 points is \$100 - \$1,000

Minimum Penalty is \$100

Remaining Penalty is \$1,000 - \$100 = \$900

% of possible points = 8.8

Degree of assessment value calculation 0.088 x 900 = \$79.20

Minimum penalty plus degree of assessment value = total penalty \$100 + \$79.20 = \$179.20

Environmental Compliance Officer/Date: _____

Environmental Compliance Supervisor/Date: _____

Environmental Compliance Manager/Date: _____

Environmental Management Director/Date: _____