

# PENALTY COMPUTATION WORKSHEET

Violator's Name: Veolia ES Technical Solutions, L.L.C.  
 Violator Facility: Same  
 Staff Responsible for the Penalty Computations: Aaron Mitchell  
 Date: February 10, 2011

## Part I - Penalty Determinations

Violation Type	ELRA Schedule	Potential for Harm	Extent of Deviation	Matrix Amount	Multi-day	Adjustments	Total
40 CFR 264.1(b), 403.727(1)(a) F.S.S., 62.737.800(9) F.A.C. Storage/Permit Violation #UW-58		Moderate	Major	<del>\$14,580</del> \$13,500		Multiple Violations see violation #4. Gravity-based Penalty determined at top of range <del>110</del>	<del>\$14,580</del> \$13,500
40 CFR 262.11 #HW-16		Moderate	Major	\$13,500			\$13,500
40 CFR 264.51(b) #HW-178		Moderate	Major	<del>\$14,580</del> \$13,500		Multiple Violations see violation #5. Gravity-based Penalty determined at top of range	<del>\$14,580</del> \$13,500
40 CFR 262.34(a)(2) 40 CFR 268.50 (a)(2)(i), 62.737.800(9) F.A.C. #HW-23/164		Minor	Moderate	\$1,400			\$1,400
40 CFR 264.171 and 264.173(a) and 403.727(1)(a) F.S.S. #HW-29-31		Minor	Major			Incorporated into violation #1, per RCRA Civil Penalty Policy Revised 23Jun2003. Section VII Penalties for Multiple Violations (A)(2) Compression	
40 CFR 264.51(b) #HW-178		Minor	Major			Incorporated into violation #3, per RCRA Civil Penalty Policy Revised 23Jun2003. Section VII Penalties for Multiple Violations (A)(2) Compression	
						<b>Total =</b>	<del>\$44,060</del>

Department enforcement costs: \$500  
 Department cost for review of corrective actions: \$  
 (\$2,500 for 62-770 or \$3,500 for 62-780, 62-782)  
 Total Department costs: \$500

The total assessed is:

*Karen Shea*

Karen B. Shea, P.E.  
 Interim Waste Program Administrator

Date: February 21, 2011

Emile D. Hamilton  
 Assistant District Director

Date: \_\_\_\_\_

28,400

\$14,900

*[Signature]*

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~~\$44,560~~  
\$28,900

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**Part II - Multi-Day Penalties and Adjustments**

Adjustments	Dollar Amount
Good faith/Lack of Good Faith prior to Discovery:	\$0.00
Justification _____	
Good faith/Lack of Good Faith after Discovery:	
Justification _____	
History of Non Compliance	\$0.00
Justification     None _____	
Economic Benefit	\$0.00
Justification     Not over \$3,000 _____	
Ability to Pay	\$0.00
Justification _____	
Total Adjustments	\$0.00

Multi-Day Penalty	Dollar Amount
Number of days adjustment factor(s) to be applied	\$0.00
Justification _____	

Or

Number of Days matrix amount is to be multiplied"	\$0.00
Justification _____	

**Part III - Other Adjustments Made After Meeting with the Responsible Party**

**Adjustment**

**Dollar Amount**

Relative merits of the case:

\_\_\_\_\_

Resource Considerations:

\_\_\_\_\_

Other Justification:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Emile D. Hamilton

Assistant District Director

**HAZARDOUS WASTE POTENTIAL FOR HARM WORKSHEET**

Facility: Veolia ES Technical Solutions LLC Date: February 10, 2011

No.	Description	Nature	Amount	Release	People	Total Score
16	40 CFR 262.11	4	2	6	2	14
178	40 CFR 264.51(b)	4	2	6	2	14
23/164	40 CFR 264.34(a)(2) and 40 CFR 268.50(a)(2)(i)	4	2	1	2	8
29/31	40 CFR 264.171 and 40 CFR 264.173(a)	4	2	4	2	12
178	40 CFR 264.51(b)	4	2	4	2	12

*Only violations for which the guidance requires use of the "Potential for Harm Ranking System" are listed on this worksheet. All other violations have a pre-defined "Potential for Harm" designation with the guidelines.*