

VA WATER PROTECTION PROGRAM CIVIL CHARGE/CIVIL PENALTY WORKSHEET							
Va. Code §§ 62.1-44.15:20 through -44.15:23							
Permittee/Responsible Party	Data	Reg. No.		Date			
		Potential for Harm					Amount
		<i>(Environmental Harm and Severity)</i>					
		Serious	Moderate	Marginal			
1. Gravity Factors – Surface Water and Wetlands <i>(Severity and Environmental Harm)</i>							
Violations and Frequency		\$ (x) occurrences	\$ (x) occurrences	\$ (x) occurrences	(Comments)		
a. Failure to obtain coverage under an Individual Permit (IP) or a General Permit (GP) prior to commencing activity	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
b. Exceeding coverage authorized under an IP or GP	Y N	6,500(x) ___	2,600 (x) ___	1,300 (x) ___			
c. Failure to perform or complete compensatory mitigation	Y N	26,000 (x) ___	13,000 (x) ___	6,500 (x) ___			
d. Failure to perform or complete corrective action relative to unsuccessful compensation.	Y N	13,000 (x) ___	6,500 (x) ___	2,600 (x) ___			
e. Failure to conduct compensation monitoring or water quality monitoring	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
f. Failure to conduct construction monitoring	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
g. Failure to submit preconstruction notice	Y N	13,000 (x) ___	6,500 (x) ___	2,600 (x) ___			
h. Failure to submit plans and specifications prior to commencing construction	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
i. Unauthorized impacts to wetlands and/or streams (wetlands and streams will be assessed separately)	Y N	26,000 (x) ___	13,000 (x) ___	6,500 (x) ___			
j. Failure to comply with permit special conditions	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
k. Failure to submit a complete, final compensation plan	Y N	6,500 (x) ___	2,600 (x) ___	1,300 (x) ___			
l. Record or reporting violations	Y N	2,600 (x) ___	1,300 (x) ___	700 (x) ___			

2. Gravity Factors – Surface Water Withdrawal <i>(Severity and Environmental Harm)</i>						
Violations and Frequency			\$ (x) occurrences	\$ (x) occurrences	\$ (x) occurrences	
a. Exceedance of daily withdrawal limits (per day)	Y	N	1,300 (x) ___	700 (x) ___	100 (x) ___	
b. Exceedance of monthly withdrawal limits (per month)	Y	N	2,600 (x) ___	1,300 (x) ___	700 (x) ___	
c. Exceedance of annual withdrawal limits	Y	N	5,200 (x) ___	2,600 (x) ___	1,300 (x) ___	
d. Failure to submit annual monitoring reports (per report)	Y	N	1,300 (x) ___	700 (x) ___	300 (x) ___	
e. Unpermitted withdrawal (per day or per event)	Y	N	13,000 (x) ___	6,500 (x) ___	1,300 (x) ___	
f. Failure to submit appropriate permit application	Y	N	5,200 (x) ___	2,600 (x) ___	1,300 (x) ___	
g. Failure to report (requested application, water audit, new well, etc) (per event)	Y	N	2,600 (x) ___	1,300 (x) ___	700 (x) ___	
h. Failure to mitigate	Y	N	13,000 (x) ___	6,500 (x) ___	1,300 (x) ___	
i. Failure to install and/or maintain equipment or other operational deficiencies	Y	N	2,600 (x) ___	1,300 (x) ___	700 (x) ___	
j. Incomplete or improper reporting	Y	N	2,600 (x) ___	1,300 (x) ___	700 (x) ___	
k. Other, Violation of Permit, Special Exceptions, or Special Conditions NOT listed above (e.g., time of year, minimum instream flow requirements) (per event)	Y	N	2,600 (x) ___	1,300 (x) ___	700 (x) ___	
Violations and Frequency Subtotal						
3. Aggravating Factors <i>(Severity and Compliance History)</i>						
a History of Noncompliance						
Order or decree <u>in another media program</u> within 36 mo. before initial NOV	Y	N	If yes, add lesser of 0.05 (x) Violations and Frequency Subtotal, or \$5,000			
Order or decree <u>in same media program</u> within 36 mo. before initial NOV	Y	N	If yes, add 0.5 (x) Violations and Frequency Subtotal (for 1 order in 36 mo.)			
b Degree of Culpability (<i>apply to violation(s)' Amount or to the Violations and Frequency Subtotal</i>)			Low = (x) 0	Moderate = (x) 0.25	Serious = (x) 0.5	High = (x) 1.0
Aggravating Factor Subtotal						
Gravity-Based Component Subtotal (1+2)						
4. Economic Benefit of Noncompliance <i>(Economic Benefit)</i>						
5. Ability to Pay <i>(Ability to Pay)</i>						
Total Civil Charge/Civil Penalty <i>(may not exceed \$32,500 per day per violation)</i>					\$	

Comments: