

5. [The suitability of the waste source to its geographic location, including priority of location] THE EXTENT TO WHICH THE LOCATION OF THE VIOLATION, INCLUDING LOCATION NEAR WATERS OF THE THIS STATE OR AREAS OF HUMAN POPULATION, CREATES THE POTENTIAL FOR HARM TO THE ENVIRONMENT OR TO HUMAN HEALTH OR SAFETY;

6. The available technology and economic reasonableness of controlling, reducing, or eliminating the [waste] VIOLATION; [and]

7. [Other relevant factors] THE DEGREE OF HAZARD POSED BY THE PARTICULAR POLLUTANT OR POLLUTANTS INVOLVED; AND

8. THE EXTENT TO WHICH THE PRESENTLY EXISTING CURRENT VIOLATION IS PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION COMMITTED BY THE VIOLATOR.

(3) Any penalty imposed under this subsection is payable to this State and collectible in any manner provided at law for the collection of debts.

(4) If any person who is liable to pay a penalty imposed under this subsection fails to pay it after demand, the amount, together with interest and any costs that may accrue, shall be:

(i) A lien in favor of this State on any property, real or personal, of the person; and

(ii) Recorded in the office of the clerk of court for the county in which the property is located.

(5) Any penalty collected under this subsection shall be placed in a special fund to be used for monitoring and surveillance by the Department to assure and maintain an adequate record of any VIOLATIONS, INCLUDING discharge OF WASTE MATERIAL AND OTHER POLLUTANTS into the waters of this State OR INTO THE ENVIRONMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1983.

Approved May 10, 1983.

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CHAPTER 100

(Senate Bill 189)

AN ACT concerning

Health Occupations - Renewal Fees