

**STORMWATER MANAGEMENT  
FIRST TIME ASSESMEMMENT  
SCHEDULE OF CIVIL PENALTIES**

| Violation   | Small SFR          | Other          |                |                |
|---|--------------------|----------------|----------------|----------------|
|   | .1ac - <<br>1 acre | 0-1 acre       | >1-5 acre      | > 5 acre       |
| No Permit:  |                    |                |                |                |
| <u>with EPSC</u>  | SWO                | SWO            | SWO            | SWO            |
| <u>without EPSC</u>   | SWO +<br>\$100     | SWO +<br>\$300 | SWO +<br>\$600 | SWO +<br>\$900 |
| Notice of Coverage not Posted   | N/A                | \$100          | \$100          | \$100          |
| No SWPPP on Site  | N/A                | \$100          | \$100          | \$100          |
| No approved Plans on Site   | \$50               | \$200          | \$200          | \$200          |
| SWPPP not Current   | N/A                | \$100          | \$100          | \$100          |
| EPSC not in accordance w/<br>SWPPP  | N/A                | \$100          | \$400          | \$700          |
| EPSC not Adequate   | \$50               | \$100          | \$400          | \$700          |
| EPSC not Maintained   | \$100              | \$300          | \$600          | \$900          |
| Failure to Maintain Construction<br>Entrance  | \$50               | \$100          | \$400          | \$700          |
| Disturbed more than 50 Acres  | N/A                | N/A            | N/A            | \$500          |
| Failure to have certified<br>inspector  | N/A                | \$200          | \$200          | \$200          |
| Failure to Retain Sediment on<br>Site   | \$150              | \$500          | \$800          | \$1100         |
| Pollutant (Sed.) discharge into<br>Waters of the State  | \$150              | \$500          | \$800          | \$1100         |
| Failure to Stop Work  | \$150              | \$500          | \$800          | \$1100         |
| Interference w/ Inspection<br>Duties  | \$100              | \$200          | \$200          | \$200          |
| Working beyond limits of permit   | SWO                | SWO            | SWO            | SWO            |
| Failure to maintain construction<br>riparian buffer zone  | N/A                | \$300          | \$600          | \$900          |
| Violating any other term or<br>condition of the stormwater<br>NPDES permit or Stormwater<br>Management Ordinance. | \$50               | \$200          | \$200          | \$200          |
| Failure to maintain required<br>permanent stormwater quantity<br>and / or quality Best                            | N/A                | \$300          | \$600          | \$900          |

|   |                         |                      |                      |                      |
|---|-------------------------|----------------------|----------------------|----------------------|
| Management Practices.                       |                         |                      |                      |                      |
| Illicit Discharges (Non-Sediment Related):  |                         |                      |                      |                      |
| <u>Commercial</u>                           | N/A                     | \$300                | \$600                | \$900                |
| <u>Individual</u>                           | \$50                    | \$50                 | \$100                | \$150                |
| Failure to retain Water Quality Buffer Zone |                         |                      |                      |                      |
| <u>Named, Studied Stream</u>                | \$125 +<br>\$12.50/L.F. | \$250 +<br>\$25/L.F. | \$250 +<br>\$25/L.F. | \$250 +<br>\$25/L.F. |
| <u>Named, No Study</u>                      | \$25 +<br>7.50/L.F.     | \$50 +<br>\$15/L.F.  | \$50 +<br>\$15/L.F.  | \$50 +<br>\$15/L.F.  |
| <u>Unnamed Tributary</u>                    | \$10 +<br>\$5/L.F.      | \$25 +<br>\$10/L.F.  | \$25 +<br>\$10/L.F.  | \$25 +<br>\$10/L.F.  |

Notations / Comments:

1. The listed First Time Civil Penalties constitutes a 4<sup>th</sup> offence (following issuance of a Verbal Warning, Written Warning, and Notice of Violation) with respect to all permitted grading / land disturbance operations.
2. SWO = Stop Work Order. Erosion and sediment control work may continue to remediate current violations or to prevent further discharges from occurring.
3. SFR = Single Family Residential associated with a sketch plan or violation on a residential level.
4. SWPPP = TDEC Approve Stormwater Pollution Prevention Plan (SWPPP).
5. EPCS = Erosion Prevention & Sediment Control.
6. This Schedule of Penalties is based on typical penalty assessments of given violations for **First Time Civil Penalties**. These values may be increased or decreased based upon specific conditions for each site and past performance as specified in the stormwater management ordinance. These values do not include any cost associated with restoration or remediation.
7. Second Time Civil Penalties should double and Third triple etc. until maximum of \$5,000 per day per violation is reached.
8. Penalty assessments may be higher for location not retaining sediment on site.
9. Water Quality Buffer Zone linear foot measurement is perpendicular from top of stream bank.
10. Civil penalties noted herein may be increased to a maximum of \$5,000 per day per violation based on:
  - a. The environmental damages, cost of cleanup, additional inspection costs, etc. that result from the violation(s) and/or
  - b. Expenses deferred and/or performance incentives being earned by the permit holder while failing to correct the violation(s).