

2. The damage to, injury to, and impairment of the use of the waters of this State;

3. The cost of clean up;

4. The nature and degree of injury to or interference with general welfare, health, and property;

5. The suitability of the waste source to its geographic location, including priority of location;

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

7. Other relevant factors.

(3) EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.

~~(3)~~ (4) 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)~~ (5) 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)~~ (6) 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 discharge into the waters of this State.

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

Approved May 31, 1983.

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CHAPTER 574

(House Bill 698)

AN ACT concerning