

(3) THE PENALTY IMPOSED ON A PERSON UNDER THIS SUBSECTION SHALL BE:

(I) UP TO \$1,000 FOR EACH VIOLATION BUT NOT EXCEEDING \$50,000 TOTAL; AND

(II) ASSESSED WITH CONSIDERATION GIVEN TO:

1. THE EXTENT TO WHICH THE EXISTENCE OF THE VIOLATION WAS KNOWN TO THE VIOLATOR, BUT UNCORRECTED BY THE VIOLATOR, AND THE EXTENT TO WHICH THE VIOLATOR EXERCISED REASONABLE CARE;

2. ANY ACTUAL OR POTENTIAL HARM TO HUMAN HEALTH OR TO THE ENVIRONMENT, INCLUDING INJURY TO OR IMPAIRMENT OF THE WSSC SEWAGE COLLECTION AND TREATMENT SYSTEMS OR THE NATURAL RESOURCES OF THE STATE;

3. THE DEGREE OF INTERFERENCE WITH OR INJURY TO THE GENERAL WELFARE, HEALTH, OR PROPERTY RIGHTS OF THE PUBLIC;

4. THE EXTENT TO WHICH THE GEOGRAPHIC LOCATION OF THE SYSTEM CREATES THE POTENTIAL FOR HARM TO THE ENVIRONMENT OR TO HUMAN HEALTH OR SAFETY;

5. THE COST OF CLEANUP AND THE COST OF RESTORATION OF NATURAL RESOURCES;

~~5.~~ 6. THE AVAILABLE TECHNOLOGY FOR CONTROLLING, REDUCING, OR ELIMINATING THE CONDITIONS THAT CAUSED THE VIOLATION; AND

~~6.~~ 7. THE EXTENT TO WHICH THE CURRENT VIOLATION IS PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION COMMITTED BY THE VIOLATOR.

(4) EACH DAY A VIOLATION CONTINUES IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.

(5) ANY PENALTY IMPOSED UNDER THIS SUBSECTION IS PAYABLE TO THE WSSC AND COLLECTIBLE IN ANY MANNER PROVIDED AT LAW FOR THE COLLECTION OF DEBTS.

(6) 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 THE WSSC ON ANY PROPERTY, REAL OR PERSONAL, OF THE PERSON; AND