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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 22@ Enforcement, Inspections, and Informant Rewards

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Article 3@ Assessment of Administrative Penalties

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Section 66272.64@ Multiple Violations

66272.64 Multiple Violations

(a)

At the discretion of the Enforcement Agency, a single initial penalty may be assessed for multiple violations. Multiple violations subject to this section are multiple instances of the same violation, where each instance is a violation in itself.

(b)

The assessment of a single initial penalty may be appropriate for multiple violations in the following cases: (1) The facility has violated the same requirement at one or more locations (e.g. units) within the facility; (2) The violation occurs on separate occasions, unless the facility has been notified of the violation and has had sufficient time to correct the violation, and the violation is not a violation that continues uninterrupted for more than one day; (3) When violations are not independent or are not substantially distinguishable. For such violations, the Enforcement Agency shall consider the extent of violation in terms of the most significant violation.

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violation and has had sufficient time to correct the violation, and the violation is not a violation that continues uninterrupted for more than one day;

(3)

When violations are not independent or are not substantially distinguishable. For such violations, the Enforcement Agency shall consider the extent of violation in terms of the most significant violation.

(c)

Where it is necessary to deprive the violator of the economic benefit of multiple violations, the Enforcement Agency shall cite such violations separately and assess an initial penalty for each violation.

(d)

The single initial penalty for multiple violations is to be determined as provided in Sections 66272.62 and 66272.63.