



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

OCTOBER 4, 2018

CERTIFIED MAIL 91 7199 9991 7038 0640 7430
RETURN RECEIPT REQUESTED

HyunSeock (Milton) Park, CFO
Hwashin America Corporation
661 Montgomery Highway
Greenville, AL 36037

RE: Consent Order 19-002-CWP
NPDES Permit No. IU330700072
Hwashin America Corporation
661 Montgomery Highway
Greenville, AL 36037
Butler County (013)

Dear Mr. Park:

Please find the enclosed ADEM Consent Order No. 19-002-CWP which requires you to take certain actions at the Hwashin America Corporation located at 661 Montgomery Highway in Greenville, Alabama in regard to alleged violations of the Alabama Water Pollution Control Act. This Consent Order has been issued with the consent of Hwashin America Corporation. Please note that the assessed civil penalty is due within 45 days.

Sincerely,

Glenda L. Dean

Glenda L. Dean, Chief
Water Division

GLD/mfc

File: ECO/19-002-CWP

Enclosure

cc: Tom Johnston/ADEM, Office of General Counsel
Carrie Blanton/ADEM, Office of General Counsel
Daphne Lutz/ADEM, Industrial/Municipal Branch
Scott Ramsey/ADEM, Industrial/Municipal Branch
Wayne Holt/ADEM, Industrial/Municipal Branch

Executed: 10-04-2018

Mailed: 10-04-2018



**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:)

Hwashin America Corporation)

661 Montgomery Highway)

Greenville, Butler County, Alabama)

Permit No. IU330700072)

Consent Order No. 19-002-CWP

PREAMBLE

This Special Order by Consent is made and entered into by the Alabama Department of Environmental Management (hereinafter "the Department") and Hwashin America Corporation (hereinafter the "Permittee") pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-17, as amended, the Alabama Water Pollution Control Act (hereinafter "AWPCA"), Ala. Code §§ 22-22-1 to 22-22-14 (2006 Rplc. Vol.), and the regulations promulgated pursuant thereto.

STIPULATIONS

1. The Permittee operates an automotive components manufacturing facility (hereinafter "the Facility") located at 661 Montgomery Highway, Greenville, Butler County, Alabama.
2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-17, as amended.
3. Pursuant to § 22-22A-4(n), Ala. Code (2006 Rplc. Vol.), the Department is the state agency responsible for the promulgation and enforcement of water pollution control regulations in accordance with the Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 to 1388. In addition, the Department is authorized to administer and enforce the provisions of the AWPCA.

4. In accordance with ADEM Admin. Code chap. 335-6-5 and the AWPCA, the Department issued State Indirect Discharge (hereinafter "SID") Permit Number IU330700072 (hereinafter "the Permit") to the Permittee on November 18, 2015, effective January 1, 2016, establishing limitations on the discharges of pollutants from a point source, designated therein as outfall number DSNS01, into the Water Works and Sewer Board of the City of Greenville's Waste Water Treatment Plant (NPDES Permit No. AL0020532) (hereinafter "the WWTP"). The SID Permit requires that the Permittee monitor its discharge and submit periodic Discharge Monitoring Reports (hereinafter "DMRs") to the Department describing the results of the monitoring. In addition, the SID Permit requires that the Permittee properly operate and maintain all facilities and systems of treatment and control which are installed or used by the Permittee to achieve compliance with the terms and conditions of the Permit.

5. The Permittee submitted DMRs to the Department indicating that, during the period from July 2016 through March 2018, the Permittee discharged pollutants in violation of the limits imposed by Part I.A. of the SID Permit. The effluent violations are listed in Attachment #1.

6. Permit Condition I.E.1.b of the Permit requires the Permittee to submit DMRs so that they are received by the Department no later than the 28th day of the month following a respective reporting period. The Permittee submitted the DMRs listed in Attachment #2 so that they were received by the Department past their due dates.

7. Permit Conditions I.E.2.b through c of the Permit requires that if, for any reason, the Permittee's discharge does not comply with any limitation of the permit, the Permittee shall submit to the Director a written report giving a description of the discharge and cause of noncompliance; the period of noncompliance; and a description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence. The Permittee failed to submit the required written reports, or noncompliance notification forms (hereinafter "NCFs"), for the effluent violations listed in Attachment #1.

8. Permit Condition Part I.B.1 of the Permit states that the Permittee shall not discharge or, in any manner, introduce into the publicly owned treatment works any pollutant(s) which, alone

or in conjunction with a discharge or discharges from other sources, causes pass through or interference or in any other manner adversely impacts the operation or performance of the treatment works, to include the method of sludge disposal in use by the publicly owned treatment works.

9. The WWTP exceeded its permitted limit for Total Recoverable Zinc during the quarterly monitoring period of January to March 2017. The WWTP submitted a NCF stating that the “[i]ndustrial permittee (Hwashin America) has continually exceeded permits limits for Zinc. This is believed to be the source of excess Zinc concentrations at Greenville WWTP.”

10. The Permittee has a history of previous violations. On June 11, 2015, the Department issued a Notice of Violation (hereinafter “NOV”) to the Permittee for violations of its SID Permit. The violations noted therein included failure to comply with the Permit’s effluent limits including several exceedances of Total Recoverable Zinc; failure to submit complete and timely DMRs; and failure to submit NCFs to the Department.

11. The Permittee submitted a response to the NOV on July 29, 2015, in the form of an Engineering Report. The Permittee attributed the violations cited in the NOV to improper chemical dosing, a chemical pump malfunction, and human error. The Engineering Report stated that repairs to the pump and changes in personnel responsibilities and operating procedures were made. The Report also made several recommendations regarding pH control equipment and procedures as well as a Schedule of Compliance for completing the recommended actions. The Report indicated it would take up to a year to complete all recommendations.

12. Permit Condition I.D.4 of the Permit states that the Permittee shall retain records of all monitoring information, including all calibration and maintenance records, for a period of least three years from the date of the sample measurement, report or application. These records shall be kept at the permitted facility or an approved alternate location and shall be available for inspection.

13. Permit Condition I.D.6 of the Permit requires that all equipment and instrumentation used to determine compliance with the requirements of this permit shall be installed, maintained, and calibrated in accordance with the manufacturer’s instructions or, in the

absence of manufacturer's instructions, in accordance with accepted practices. The Permittee shall develop and maintain quality assurance procedures to ensure proper operation and maintenance of all equipment and instrumentation. The quality assurance procedures shall include the proper use, maintenance, and installation, when appropriate, of monitoring equipment at the plant site.

14. On July 21, 2016, the Department conducted a Compliance Sampling Inspection (hereinafter "CSI") of the Facility. Sampling conducted by the Department during the inspection indicated that the Permittee exceeded the daily maximum Permit limits for Total Zinc and for Total Nickel. The Department's lab results were 57.7 mg/l for Total Zinc, and 16.2 mg/l for Total Nickel, which are both above the permitted daily maximum limitation of 2.61 mg/l and 3.98 mg/l, respectively.

15. On July 24, 2017, the Department conducted a CSI of the Facility. Sampling conducted by the Department during the inspection indicated that the Permittee exceeded the daily maximum Permit limit for Total Zinc. The Department's lab result was 13.7 mg/l for Total Zinc, which is above the permitted daily maximum limitation of 2.61 mg/l. Department personnel also noted in the inspection report that the Permittee did not have calibration records for the discharge flow rate totalizer available for review, nor an indication of the last calibration of the device. The Permittee failed to calibrate equipment and maintain calibration records as required by the Permit.

16. Permit Condition II.A.1. of the Permit states that the Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of the permit.

17. On May 21, 2017, the Permittee notified the Department of an on-site spill from the filter cake press machine at the Facility. The Permittee indicated that approximately 9,000 gallons of water overflowed through the back of the chemical storage area and down through the parking lot. The Permittee indicated that oil dry, socks and absorbent pads were placed in the area where liquid was standing, and the free liquid was pumped into a tote. According to the Permittee, a vacuum truck removed all standing liquid and the chemical that had collected in the drain area of

the chemical storage building. The Permittee indicated that approximately 300 gallons of recovered chemical/liquid was collected. The Permittee also reported that a regulator on the pump was replaced and a shut-off valve added to the pump. In addition, a containment wall would be built to prevent future releases. The Permittee indicated that there was no discharge to a water of the state and only soils were impacted. Failing to properly operate and maintain all treatment systems (and related appurtenances) is a violation of Permit Condition II.A.1.

18. On March 29, 2018, the Department conducted a CSI of the Facility. The Department noted that no calibration records were available for review during the time of the inspection. The Permittee failed to maintain calibration records as required by the Permit.

19. The Permittee consents to abide by the terms of this Consent Order and to pay the civil penalty assessed herein.

20. The Department has agreed to the terms of the Consent Order in an effort to resolve the violations cited herein without the unwarranted expenditure of State resources in further prosecuting the alleged violations. The Department has determined that the terms contemplated in the Consent Order are in the best interests of the citizens of Alabama.

CONTENTIONS

Pursuant to Ala. Code § 22-22A-5(18)c., as amended, in determining the amount of any penalty, the Department must give consideration to the seriousness of the violation, including any irreparable harm to the environment and any threat to the health or safety of the public; the standard of care manifested by such person; the economic benefit which delayed compliance may confer upon such person; the nature, extent, and degree of success of such person's efforts to minimize or mitigate the effects of such violation upon the environment; such person's history of previous violations; and the ability of such person to pay such penalty. Any civil penalty assessed pursuant to this authority shall not exceed \$25,000.00 for each violation, provided however, that the total penalty assessed in an order issued by the Department shall not exceed \$250,000.00.

Each day that such violation continues shall constitute a separate violation. In arriving at this civil penalty (summarized in Attachment #3), the Department has considered the following:

A. SERIOUSNESS OF THE VIOLATIONS AND BASE PENALTY: Based on information available to the Department, violations of the Permit, ADEM Admin. Code chap. 335-6-5, and the AWPCA were noted. The Department considered the general nature of each violation, the magnitude and duration of each non-compliant discharge, the characteristics of each pollutant discharged, the condition of the receiving waters, the violations' effects, if any, on the receiving waters, and any available evidence of irreparable harm to the environment or threat to the public.

B. THE STANDARD OF CARE: The Department considers some of the violations listed, such as failure to calibrate equipment, failure to maintain calibration records, failure to submit NCFs, late DMR submittals, and proper operation and maintenance of the Facility to be easily avoidable. In consideration of the standard of care manifested by the Permittee, the Department has enhanced the penalty.

C. ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED: The Department has considered that delayed compliance may have conferred an economic benefit upon the Permittee but is unable to estimate the economic benefit associated with the violations cited above, as the costs for compliance are not available.

D. EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATIONS UPON THE ENVIRONMENT: The Department is unaware of any efforts by the Permittee to minimize or mitigate the effects of the violations upon the environment.

E. HISTORY OF PREVIOUS VIOLATIONS: The Department has considered the Permittee's history of previous violations and has determined that enhancement of the penalty based on this factor is appropriate.

F. THE ABILITY TO PAY: The Permittee has not alleged an inability to pay the civil penalty.

G. This Special Order by Consent is a negotiated settlement and, therefore, the Department has compromised the amount of the penalty the Department believes is warranted in

this matter in the spirit of cooperation and desire to resolve this matter amicably, without incurring the unwarranted expense of litigation.

H. The civil penalty is summarized in Attachment #3.

ORDER

THEREFORE, the Permittee, along with the Department, desires to resolve and settle the compliance issues cited above. The Department has carefully considered the facts available to it and has considered the six penalty factors enumerated in Ala. Code § 22-22A-5(18)c., as amended, as well as the need for timely and effective enforcement, and the Department believes that the penalty assessed below and the following conditions are appropriate to address the violations alleged herein. Therefore, the Department and the Permittee (hereinafter collectively "Parties") agree to enter into this CONSENT ORDER with the following terms and conditions:

A. The Permittee shall pay to the Department a civil penalty in the amount of \$21,050.00 in settlement of the violations alleged herein within forty-five days after issuance of this Consent Order. Failure to pay the civil penalty within forty-five days after issuance may result in the Department's filing a civil action in the Circuit Court of Montgomery County to recover the civil penalty.

B. All penalties due pursuant to this Consent Order shall be made payable to the Alabama Department of Environmental Management by certified or cashier's check and shall be remitted to:

Office of General Counsel
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

C. The Permittee shall prepare and submit to the Department, not later than sixty days after issuance of this Consent Order, an Engineering Report that identifies the potential causes of

noncompliance and summarizes an investigation of the changes necessary for the Permittee to achieve and maintain compliance with the Permit. The Engineering Report shall include a Compliance Plan with a schedule for implementation of necessary corrective actions and cost of such necessary corrective actions, if known. At a minimum, the Permittee shall consider each of the following in making its investigation: the need for changes in maintenance and operating procedures; the need for modification of existing treatment and collection system works; and the need for new or additional treatment and collection system works. The Engineering Report shall be prepared by a professional engineer licensed to practice in the State of Alabama. If the Department determines through its review of the submitted Engineering Report that the Report is not sufficient to help the Permittee accomplish compliance with the Permit, then the Report shall be modified accordingly. The Permittee shall submit modifications to the Engineering Report, if required, so that they are received by the Department no later than thirty days after receipt of the Department's comments. The Permittee shall complete implementation of the recommendations made in the Engineering Report not later than 390 days after issuance of this Consent Order.

D. The Permittee shall prepare and submit progress reports to the Department describing in detail the Permittee's progress towards achieving compliance with the items presented in the Engineering Report. The Permittee shall submit such reports so that they are received by the Department ninety days after issuance of this Consent Order and continuing every ninety days thereafter that the Permittee's performance obligations under this Consent Order remain incomplete. In addition, no later than fourteen days following each applicable due date herein, the Permittee shall submit to the Department a written notice of noncompliance with the requirements of that paragraph, if applicable. Notices of noncompliance shall state the cause(s) of noncompliance, the corrective action taken, and shall describe the Permittee's ability to comply with any remaining requirements of this Consent Order.

E. The Permittee shall evaluate the feasibility of interim measures to reduce the effluent levels of Zinc in excess of the Permit limits until the final compliance date in Paragraph F of this Order. Measures which are determined to be technically and economically feasible shall be

implemented as soon as possible. Updates of the results of the evaluation of any interim measures, installation and utilization dates, and/or projected dates of installation shall be included in the progress reports required by Paragraph D of this Order. Such measures to evaluate include, but are not limited to, installation of a temporary secondary sludge press and temporarily diverting wastewater to a temporary holding tank.

F. No later than 390 days after issuance of this Consent Order, the Permittee shall comply with the Total Zinc limitations imposed by Part I.A of the Permit.

G. The Permittee shall comply with all other terms, conditions, and limitations of the Permit immediately upon issuance of this Consent Order.

H. The Permittee shall submit a certification to the Department, signed by a professional engineer licensed to practice in the State of Alabama, indicating whether the Permittee is in compliance with all requirements of this Consent Order. The Permittee shall submit such certification so that it is received by the Department no later than 420 days after issuance of this Consent Order.

I. After issuance of this Consent Order, the Permittee shall pay stipulated penalties for each day it fails to meet any of the written submittal milestone dates or satisfy any of the requirement dates set forth in or established by Paragraphs C, D, and H contained herein. The stipulated civil penalties for failure to meet each milestone or any requirement date, except for *Force Majeure* acts as hereinafter defined, shall be as follows:

<u>Period of Noncompliance</u>	<u>Penalty per Day per Violation</u>
1st to 30th day	\$ 100.00
31st to 60th day	\$ 200.00
After 60 days	\$ 300.00

If the Permittee fails to meet any milestone or any assigned date ninety days after the required dates found in Paragraphs C, D, and H, the Department reserves the right to file a new action against the Permittee.

J. Should violations continue to occur after 390 days after issuance of this Consent Order, then the Department may issue an additional order or file suit against the Permittee in the Circuit Court of Montgomery County or other court of competent jurisdiction to enforce compliance of this Consent Order.

K. Payment of stipulated penalties for violations of milestone dates under this Consent Order are be due no later than the 28th day of the month following the month a milestone date was not achieved. Notification to the Permittee by the Department of the assessment of any stipulated penalty is not required.

L. This Consent Order shall apply to and be binding upon both Parties, their directors, officers, and all persons or entities acting under or for them. Each signatory to this Consent Order certifies that he or she is fully authorized by the Party he or she represents to enter into the terms and conditions of this Consent Order, to execute the Consent Order on behalf of the Party represented, and to legally bind such Party.

M. Subject to the terms of these presents and subject to provisions otherwise provided by statute, this Consent Order is intended to operate as a full resolution of the violations cited in this Consent Order.

N. The Permittee is not relieved from any liability if it fails to comply with any provision of this Consent Order.

O. For purposes of this Consent Order only, the Department may properly bring an action to compel compliance with the terms and conditions contained herein in the Circuit Court of Montgomery County. In any action brought by the Department to compel compliance with the terms of this Agreement, the Permittee shall be limited to the defenses of *Force Majeure*, compliance with this Agreement and physical impossibility. A *Force Majeure* is defined as any event arising from causes that are not foreseeable and are beyond the reasonable control of the Permittee,

including its contractors and consultants, which could not be overcome by due diligence (i.e., causes which could have been overcome or avoided by the exercise of due diligence will not be considered to have been beyond the reasonable control of the Permittee) and which delays or prevents performance by a date required by the Consent Order. Events such as unanticipated or increased costs of performance, changed economic circumstances, normal precipitation events, or failure to obtain federal, state, or local permits shall not constitute *Force Majeure*. Any request for a modification of a deadline shall be accompanied by the reasons (including documentation) for each extension and the proposed extension time. The Permittee shall submit this information so that it is received by the Department a minimum of ten working days prior to the original anticipated completion date. If the Department, after review of the extension request, finds the work was delayed because of conditions beyond the control and without the fault of the Permittee, the Department may extend the time as justified by the circumstances. The Department may also grant any other additional time extension as justified by the circumstances, but it is not obligated to do so.

P. The sole purpose of this Consent Order is to resolve and dispose of all allegations and contentions stated herein concerning the factual circumstances referenced herein. Should additional facts and circumstances be discovered in the future concerning the Facility which would constitute possible violations not addressed in this Consent Order, then such future violations may be addressed in other orders as may be issued by the Director, by litigation initiated by the Department, or by such other enforcement action as may be appropriate. The Permittee shall not object to such future orders, litigation, or enforcement action based on the issuance of this Consent Order if such future orders, litigation, or other enforcement action address new matters not raised in this Consent Order.

Q. This Consent Order shall be considered final and effective immediately upon signature of all Parties. This Consent Order shall not be appealable, and the Permittee does hereby waive any hearing on the terms and conditions of same.

R. This Consent Order shall not affect the Permittee's obligation to comply with any Federal, State, or local laws or regulations.

S. Final approval and entry into this Consent Order are subject to the requirements that the Department provide notice of proposed orders to the public, and that the public have at least thirty days within which to comment on the proposed Consent Order.

T. Should any provision of this Consent Order be declared by a court of competent jurisdiction or the Environmental Management Commission to be inconsistent with Federal or State law and therefore unenforceable, the remaining provisions hereof shall remain in full force and effect.

U. Any modification of this Consent Order shall be agreed to in writing and signed by both Parties.

V. Except as otherwise set forth herein, this Consent Order is not and shall not be interpreted to be a permit or modification of an existing permit under Federal, State or local law, and shall not be construed to waive or relieve the Permittee of its obligation to comply in the future with any permit.

Executed in duplicate, with each part being an original.

Hwashin America Corporation

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
EXECUTED AND ISSUED:

By: Harry Jones

By: Maury Elliott

Its: HSE Manager

Its: Deputy Director

Date: 8/07/2018

Date: OCTOBER 4, 2018

Hwashin America Corporation – SID Permit IU330700072

Attachment 1: Limitation Violations

Monitoring Period	Outfall	Parameter	Limit	Reported	Unit	Violation Type	NCF Received
Jul-16	S011	Zinc, Total (As Zn)	1.48	2.47	mg/l	Monthly Average	Yes
Jul-16	S011	Zinc, Total (As Zn)	2.61	7.64	mg/l	Maximum Daily	Yes
July 21, 2016*	S011	Zinc, Total (As Zn)	2.61	57.7	mg/l	Maximum Daily	NA
July 21, 2016*	S011	Nickel, Total (As Ni)	3.98	16.2	mg/l	Maximum Daily	NA
Aug-16	S011	Zinc, Total (As Zn)	1.48	4.57	mg/l	Monthly Average	Yes
Aug-16	S011	Zinc, Total (As Zn)	2.61	18.7	mg/l	Maximum Daily	Yes
Nov-16	S011	Zinc, Total (As Zn)	2.61	2.89	mg/l	Maximum Daily	Yes
Dec 16	S011	Flow, In Conduit or Thru Treatment Plant	0.04	0.58	MGD	Monthly Average	No
Dec-16	S011	Zinc, Total (As Zn)	1.48	1.89	mg/l	Monthly Average	No
Dec 20, 2016	S011	Zinc, Total (As Zn)	2.61	2.78	mg/l	Maximum Daily	No
Dec 27, 2016	S011	Zinc, Total (As Zn)	2.61	4.02	mg/l	Maximum Daily	Yes
Jan-17	S011	Zinc, Total (As Zn)	1.48	12.5858	mg/l	Monthly Average	No
Jan-17	S011	Zinc, Total (As Zn)	2.61	36.1	mg/l	Maximum Daily	No
Feb-17	S011	Zinc, Total (As Zn)	1.48	3.97	mg/l	Monthly Average	No
Feb-17	S011	Zinc, Total (As Zn)	2.61	15.3	mg/l	Maximum Daily	No
July 24, 2017*	S011	Zinc, Total (As Zn)	2.61	13.7	mg/l	Maximum Daily	NA

Sep-17	S011	Zinc, Total (As Zn)	1.48	13.1	mg/l	Monthly Average	No
Sep-17	S011	Zinc, Total (As Zn)	2.61	49.5	mg/l	Maximum Daily	No
Oct-17	S011	Zinc, Total (As Zn)	1.48	11.4	mg/l	Monthly Average	No
Oct-17	S011	Zinc, Total (As Zn)	2.61	53.9	mg/l	Maximum Daily	No
Dec-17	S011	Zinc, Total (As Zn)	1.48	5.03	mg/l	Monthly Average	No
Dec 5, 2017	S011	Zinc, Total (As Zn)	2.61	2.69	mg/l	Maximum Daily	No
Dec 26, 2017	S011	Zinc, Total (As Zn)	2.61	14.6	mg/l	Maximum Daily	No
Jan-2018	S011	Zinc, Total (As Zn)	2.61	2.64	mg/l	Maximum Daily	No
Feb-2018	S011	Zinc, Total (As Zn)	2.61	2.62	mg/l	Maximum Daily	Yes
Mar-2018	S011	Zinc, Total (As Zn)	1.48	1.70	mg/l	Monthly Average	Yes
Mar-2018	S011	Zinc, Total (As Zn)	2.61	4.70	mg/l	Maximum Daily	Yes

*Indicates Samples taken by the Department that exceeded Permit Violations - Paragraph #14 and #15 in the Order.

Attachment 2:
Late DMRs

Monitoring Period	Outfall	Due Date	Received Date	Days Late
11/30/2016	S011	12/28/2016	02/01/2017	35
12/31/2016	S011	01/28/2017	02/01/2017	4
12/31/2016	S01S	01/28/2017	05/25/2017	117
01/31/2017	S011	02/28/2017	03/08/2017	8
05/31/2017	S011	06/28/2017	08/21/2017	54
06/30/2017	S011	07/28/2017	08/21/2017	24
07/31/2017	S011	08/28/2017	11/15/2017	79
08/31/2017	S011	09/28/2017	09/29/2017	1
09/30/2017	S011	10/28/2017	10/30/2017	2
11/30/2017	S011	12/28/2017	01/02/2018	5
12/31/2017	S011	01/28/2018	01/29/2018	1

Attachment 3: Penalty Synopsis

Attachment 3

**Hwashin America Corporation
Greenville, Butler County
IU330700072**

Violation*	Number of Violations*	(A)	(B)	(C)
		Seriousness of Violation*	Standard of Care*	History of Previous Violations*
NCF Non-submittal	7	\$ 700.00	\$ 700.00	\$ 350.00
Late DMRs (> 30 days)	4	\$ 300.00	\$ 300.00	\$ 200.00
SID Passthrough	1	\$ 5,000.00	\$ -	\$ -
Failure to properly operate treatment systems	1	\$ 750.00	\$ 250.00	\$ -
Effluent Violations	27	\$ 10,800.00	\$ -	\$ 1,350.00
Failure to maintain calibration records	2	\$ 200.00	\$ 150.00	\$ -

Additional Adjustments due to negotiations, receipt of additional information, or public comment

Mitigating Factors (-)	
Economic Benefit (+)	
Ability to Pay (-)	
Other Factors (+/-)	
Total Adjustments (+/-)	

\$17,750.00	\$1,400.00	\$1,900.00
Total (A)	Total (B)	Total (C)
Base Penalty Total [Total (A) + Total (B) + Total (C)]		\$21,050.00
Mitigating Factors (-)		
Economic Benefit (+)		
Ability to Pay (-)		
Other Factors (+/-)		
INITIAL PENALTY		\$21,050.00
Total Adjustments (+/-)		\$0.00
FINAL PENALTY		\$21,050.00

Footnotes

*See the "Stipulations" and "Contentions" portion of the Order for a detailed description of each violation and the penalty factors