**Section 1845.12 When Penalty Will be Assessed**

a) The Department shall assess a penalty for each cessation order.

b) The Department shall assess a penalty for a notice of violation if an assessment of one thousand, one hundred dollars ($1,100.00) or more is derived in accordance with Section 1845.13.

c) Except as provided in subsection (d) below, a penalty shall not be assessed for a notice of violation if an assessment of less than $1,100 is derived in accordance with Section 1845.13.

d) If the assessment for a notice of violation is below $1,100, the Department shall take into account the factors set forth in Section 1845.13 in determining whether to assess the penalty. If it is the permittee's second or more related violation within a twelve (12) month period, a penalty shall be assessed.

(Source: Amended at 20 Ill. Reg. 1946, effective January 19, 1996)