**Section 1845.15 Assessment of Separate Civil Penalties for Each Day**

a) The Department may assess separately a civil penalty for each day from the date of issuance of the notice of violation or cessation order to the date set for abatement of the violation. In determining whether to make such an assessment, the Department shall consider the factors listed in Section 1845.13 and may consider the extent to which the person to whom the notice or order was issued gained any economic benefit as a result of a failure to comply.

b) In addition to the civil penalty provided for in subsection (a), whenever a violation contained in a notice of violation or cessation order has not been abated within the abatement period set in the notice or order or as subsequently extended pursuant to 62 Ill. Adm. Code 1843.12, a civil penalty of not less than seven hundred and fifty dollars ($750) shall be assessed for each day during which such failure to abate continues. Exception: if the person to whom the notice or order was issued initiates review proceedings under Section 8.10 of the State Act with respect to the violation, in which the obligations to abate are suspended by the court, the daily assessment of a penalty shall not be made for any period before entry of a final order by the court.

c) Such penalty for the failure to abate a violation shall not be assessed for more than thirty (30) days for each such violation. If the permittee has not abated the violation within the thirty (30) day period, the Department shall take appropriate action pursuant to Sections 8.04(e), 8.04(f), 8.06(d), or 8.08 of the State Act within thirty (30) days to ensure that abatement occurs or to ensure that there will not be a reoccurrence of the failure to abate.

(Source: Amended at 11 Ill. Reg. 8014, effective July 1, 1987)