**Section 340.1250 Reduction or Waiver of Penalties**

a) When the Director finds that correction of a violation required capital improvements or repairs in the physical plant of the facility and the facility has a history of compliance with physical plant requirements, the penalty will be reduced by the amount of the cost of the improvements or repairs. This reduction, however, shall not reduce the penalty for a Type A violation to an amount less than $1000.

b) Penalties resulting from Type B violations may be reduced or waived only under one of the following conditions:

1) *The facility submits a true report of correction within ten days* after the notice of violation is received, and the report is subsequently verified by the Department. (Section 3-308(a) of the Act)

2) *The facility submits a plan of correction within ten days* after the notice of violation is received; the plan is approved by the Department; *the facility submits a report of correction within 15 days* after submission of the plan of correction; and the report is subsequently verified by the Department. (Section 3-308(b) of the Act)

3) *The facility submits a plan of correction within ten days* after the notice of a violation is received; *the plan provides for correction time that is less than or equal to 30 days* after submission of the plan of correction; and *the Department approves such plan*. (Section 3-308(c) of the Act)

4) Correction of the violation requires substantial capital improvements or repairs in the physical plant of the facility; *the facility submits a plan of correction for violations involving substantial capital improvements which provides for correction within* 90 *days* after submission of the plan, and the plan is approved by the Department. (Section 3-308(d) of the Act)