

Sec. 19a-332e-2. Assessment of civil penalties

(a) **Establishment of civil penalty.** In setting a civil penalty in a particular case the commissioner shall consider all factors which he deems relevant, including but not limited to those listed in subsection (b) of section 19a-332e of the Connecticut General Statutes.

(b) **Explanation of assessment.** When the commissioner imposes a civil penalty under subsection (a) of section 19a-332e of the Connecticut General Statutes, the commissioner shall provide a written explanation of the methodology employed and a written summary of calculations used to determine a particular assessment upon written request by the affected person.

(c) **Calculation of assessment.** The total penalty assessed shall be calculated by adding all the applicable penalties specified in section 19a-332e-2(a) of the Regulations of Connecticut State Agencies.

(d) **Record of mitigation.** The department shall maintain a written record of each instance in which the commissioner mitigates a civil penalty pursuant to subsections (b) and (e) of Section 19a-332e of the Connecticut General Statutes. The record shall include the name and address of the person, the violation(s), the amount of the civil penalty before and after mitigation, and the reasons for mitigation.

(d) **Schedules of penalties.**

TABLE A
Asbestos-Containing Materials in Schools

| | | LEA | Other Person |
|---------------------|--|-------------|---------------------|
| Section 19a-333a-2 | General Local Education Responsibilities | \$50-\$5000 | X |
| Section 19a-333a-3 | Inspections and Reinspections | \$50-\$5000 | \$50-\$25000 |
| Section 19a-333a-4 | Sampling | \$50-\$1000 | \$50-\$2000 |
| Section 19a-333a-5 | Analysis | \$50-\$1000 | \$50-\$1000 |
| Section 19a-333a-6 | Assessment | \$50-\$1000 | \$50-\$1000 |
| Section 19a-333a-7 | Response Action | \$50-\$5000 | \$50-\$25000 |
| Section 19a-333a-8 | Operations and Maintenance | \$50-\$1000 | \$50-\$1000 |
| Section 19a-333a-9 | Training and Periodic Surveillance | \$50-\$2500 | \$100-\$10000 |
| Section 19a-333a-10 | Management Plans | \$50-\$5000 | \$50-\$25000 |
| Section 19a-333a-11 | Recordkeeping | \$50-\$1000 | \$50-\$2000 |
| Section 19a-333a-12 | Warning Labels | \$50-\$1000 | \$50-\$1000 |
| Section 19a-333a-13 | Exclusions | \$50-\$5000 | \$50-\$25000 |

TABLE B
Standards for Asbestos Abatement

| | | LEA | Other Person |
|--|--|------------|---------------------|
|--|--|------------|---------------------|

Regulations of Connecticut State Agencies

| | | | |
|---------------------|--|--------------|----------------|
| Section 19a-332a-3 | Notification of Asbestos Abatement | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-4 | Recordkeeping | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-5 | General Requirements for Asbestos Abatement Projects | \$50–\$5000 | \$50–\$25000 |
| Section 19a-332a-6 | Worker Decontamination System for Asbestos Abatement Projects | \$100–\$2500 | \$100–\$10000 |
| Section 19a-332a-7 | Specific Requirements for Asbestos Removal | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-8 | Specific Requirements for Encapsulation | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-9 | Specific Requirements for Enclosure | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-10 | Specific Requirements for Spot Repairs | \$50–\$1000 | \$50–\$2000 |
| Section 19a-332a-11 | Alternative Work Practices | \$50–\$5000 | \$50–\$25000 |
| Section 19a-332a-12 | Post Abatement Reoccupancy Criteria for Asbestos Abatement Projects for Friable Asbestos-Containing Material | \$50–\$5000 | \$50–\$25000 |
| Section 19a-332a-14 | Inspection for Asbestos Abatement Projects | \$500–\$5000 | \$1000–\$25000 |
| Section 19a-332a-15 | Order to Cease Activity | \$500–\$5000 | \$1000–\$25000 |

TABLE C
Licensure and Training Requirements for Persons Engaged in Asbestos Abatement and Consultation Services

| | | LEA | Other Person |
|------------------|---|--------------|---------------------|
| Section 20-440-2 | Licensure of Asbestos Contractors | \$100–\$2500 | \$100–\$10000 |
| Section 20-440-3 | Licensure of Asbestos Consultants | \$100–\$2500 | \$100–\$10000 |
| Section 20-440-4 | Application for Licensure and Certification as an Asbestos Consultant | \$100–\$2500 | \$100–\$10000 |
| Section 20-440-5 | Certification and Employment as an Asbestos Abatement Site Supervisor or as an Asbestos | \$100–\$2500 | \$100–\$10000 |

Regulations of Connecticut State Agencies

| | | | |
|------------------|---|--------------|---------------|
| | Abatement Worker | | |
| Section 20-440-7 | Training Requirements | \$100–\$2500 | \$100–\$10000 |
| Section 20-440-8 | Training Provider Administrative Tasks and Certification Requirements | \$50–\$1000 | \$50–\$2000 |
| Section 20-440-9 | Recordkeeping | \$50–\$1000 | \$50–\$2000 |
| Section 20-441 | Refresher Training | \$50–\$1000 | \$50–\$2000 |

(Adopted effective June 4, 1999)