

PENALTY CALCULATION WORKSHEET

DATE: 17-Jul-14

RESPONDENT: Stockton Oil FACILITY NAME: Battlefield C Stor  
 ADDRESS: Indian Country UST NAME/NO.:  
 CITY, STATE: Region 8

COUNT ID: 1 Unit Assessment: By Tank 1 Noncompliant Tank at facility

VIOLATION: 280.41(a) Failure to monitor tanks at least every 30 days.

1. ECONOMIC BENEFIT COMPONENT

Avoided Expense: \$600  
 Delayed Expense: \$0  
 Interest Rate: 0.069  
 Marginal Tax Rate: 0.15  
 Days of Violation: 357

Net Avoided Costs: \$634  
 Net Delayed Costs: \$0

Total Economic Benefit: \$634

2. GRAVITY BASED COMPONENT

Potential for Harm: Major  
 Extent of Deviation: Major  
 Matrix Value: \$2,130  
 Cooperation (-25%/+50%): 0.25  
 Willfulness (-25%/+50%): 0.25  
 History (+50%): 0.50  
 Unique Factors (-25%/+50%): -0.25

Adjusted Matrix Value: \$3,728  
 DNM: 2.5  
 ESM: 1.5

Total Gravity Based Component: \$13,978

0

UNADJUSTED PENALTY: \$14,613

ABILITY TO PAY REDUCTION: \$0

TOTAL PROPOSED PENALTY: \$14,613

EXPLANATIONS:

Violation Start Date: 05/01/12 Violation End Date: 04/23/13  
 Avoided Costs: Cost of SIR test for 1 tank @\$50 per tank per month for 12 months=\$600  
 Violation Start Date: 1-May-12  
 Delayed Costs: None

ESM: 1.5, because facility is in Indian Country

DNM: 357 Days

Cooperat'n: .25 - Owner didn't settle with Field Citation

Willfulness: .25 - Previous Order

History: .50 - Previous Order

Unique: No change

Ability to Pay: No evidence of inability to pay has been demonstrated.