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FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION REGULATION

WATER WELL CONTRACTOR
DISCIPLINARY GUIDELINES
AND PROCEDURES MANUAL

OCTOBER 1992

INTRODUCTION

The purpose of this document is to establish disciplinary guidelines that which are applicable to each specific ground for disciplinary action which may be taken by a Permitting Authority Water Management District. As directed by Section 373.333, Florida Statutes, guidelines shall be developed and consistently applied by the Permitting Authority District that which address the following criteria:

(Specify a meaningful range of designated penalties based upon the severity and repetition of specific offenses.

(Distinguish minor violations from those which endanger the public health,

safety, and welfare or may contaminate the water resources.

(Inform the public of likely penalties that which may be imposed for proscribed conduct.

This document, which is adopted by reference in Chapter 6217 -531, F.A.C., shall be used by each Permitting Authority Water Management District when taking disciplinary action against any water well contractor. Copies of these guidelines shall be provided to all water well contractors at the time they receive a water well contractor license to operate in the State of Florida.

DISCIPLINARY ACTIONS

The Permitting Authorities Water Management Districts are authorized to enter an order imposing any of the following disciplinary actions when a water well contractor has committed any violation the Districts find a person guilty of the specified grounds identified in Chapter 62 17 -531, F.A.C. This document establishes guidelines for the Districts Permitting Authorities to follow when imposing these actions so in order that enforcement may will be conducted in a consistent manner among the Permitting Authorities Districts. Such disciplinary actions may include:

- 1) Denial of an application for licensure or for renewal of a license.
- 2) Revocation of a license for a period of not less than 1 one year, during which time the licensee cannot construct, repair, modify or abandon a water well as a licenseds water well contractor.
- 3) Suspension of a license for a period of 30 to 365 180 days, during which time the licensee cannot construct, repair, modify or abandon a water well as a licenseds water well contractor.
- 45) Placement of a water well contractor's license on probation for a minimum of up to 6 six months, during which time the water well contractor would be required to give the Permitting Authority District 24-hour notice prior to construction, repair, modification or abandonment of any water well. Any violation committed during the period of probation will be the subject of formal enforcement action. If the District has reason to believe that a water well contractor on probation has violated a rule or standard, the District will proceed directly with formal enforcement action.
- 56) Restriction of the water well contractor's licensee's authorized scope of practice. Such restrictions may apply to the construction, repair, modification or abandonment of a specific type of well, a type of drilling method, a type of geographic area, or a type of activity (construction, repair, modification or abandonment). The restriction will continue until the water well contractor licensee demonstrates to the Permitting Authority District competency in the area of restriction in accordance with the terms set

out in the final order.

64) Imposition of an administrative penalty fine of up to \$1000 for each count or separate violation.

7) Assessment of points against a water well contractor's license.

A Permitting Authority Water Management District may impose a penalty other than that provided in this document, if there is a specific finding of mitigating or aggravating circumstances. The disciplinary actions identified above may be taken by any Permitting Authority District against a water well contractor, regardless of where the contractor's license was issued.

PENALTY ASSESSMENT CRITERIA

Generally, administrative fines or penalties will be imposed for violations of the water well construction standards or requirements, or for permit violations. Penalty amounts may range from \$100 to \$1000 for each separate violation.

Penalty amounts will be assessed on a sliding scale related to resource or human health impact. Table 1 establishes recommended penalties based on the category of the violation versus the severity of the violation. Table 2 establishes guidelines for general categories for violations ranging from minor to major based upon the nature of the requirement being violated. Table 3 lists adjustment factors that which may be used to add further flexibility.

A dictionary of citations will be used developed by each Permitting Authority District to increase the efficiency and understanding of the cited violations. Standardization of penalty policies, using the category of violations and severity determinations, will produce a more effective program.

TABLE 1

SLIDING SCALE OF RECOMMENDED PENALTIES

SEVERITY	CATEGORY OF VIOLATION		
	MAJOR	MODERATE	MINOR
High	\$1000	\$600	\$400
Medium	\$500	\$350	\$250
Low	\$250	\$150	\$100

CATEGORIES OF VIOLATIONS

The first factor in determining the recommended penalty is the category of the violation. Guidelines for designating the category of violations of water well construction requirements or standards have been established in Table 2 based upon the nature of the violations and the potential for harm to the water resource or human health. Minor violations are generally those procedural or paperwork violations that pose no risk of impacting the water resource. Moderate violations are those that are more serious and have the potential of causing an impact to the water resource. Those violations categorized as major are the most serious types of violations that which pose a threat to human health or and the environment, and therefore warrant the most severe penalties.

Table 2 is a guideline to categorize violation types as major, moderate, or minor. There may be similar violations that which occur in different Permitting Authorities Districts which have differing potentials for harm to the water resource. Since this is the key to the category of violation, a moderate violation in one Permitting Authority District could be a major violation in another Permitting Authority District.

SEVERITY OF THE VIOLATION

The severity of the violation is the second factor in determining the recommended penalty. The severity identified in Table 1 ranges from low to high and indicates the degree to which the violation deviates from the rule. Violations of a high where the severity is rated as high are those which involve substantial or repeated non-compliance or harm to human health. Violations of a medium severity involve significant non-compliance, and low severity violations involve minimal non-compliance. Each Permitting Authority Water Management District will make a determination of the severity of each specific violation of its rules based upon both a technical evaluation and historical knowledge of the potential impacts of such violations.

TABLE 2

CATEGORY OF VIOLATIONS

1) Water Well Contractor License Contractor Licensing and Equipment Requirement Violations

a) Practicing water well contracting without an active license is a Major violation. Violations are in the Minor category except for failure to maintain a current and valid water well contractor's license which is a Major violation.

b) Allowance by a licensed water well contractor of the use of his or her license by another person, unless that person is employed by or under the supervision of the contractor, is a Major violation. the presentation use of a license by an unlicensed contractor, or presentation by a person of a license of another as his own, is a Major violation.

c) Failure to display the water well contractor's number on each piece of drilling equipment owned, leased, or operated by the water well contractor is a Minor

violation.

2) Permitting Requirements Display of Water Well Contractor License Number Violations

Failure to obtain a required permit (for construction, repair, or abandonment) is a Major violation. Display the water well contractor's number is a Minor violation. Violations relating to misrepresentation when applying for a permit or activities conducted in a manner that would harm the ground water resource are

Knowingly providing false information when applying for a permit is a Major violation. Conducting activities in a manner that would harm the ground water resource is a Major violation.

Failure to comply with a permit condition that has the potential to harm human health or the water resource is a Major violation.

3) Permitting Requirements

Failure to obtain a required permit (for construction, repair, modification or abandonment) is in the Major category violation. Providing false information when applying for a permit or activities conducted in a manner that would harm the ground water resource is a Major violation. A violation of a permit condition is a Major violation.

3) Well Completion Report Requirement Violations.

Failure to comply with a Violations involving well completion reports requirement is in the a Minor category violations.

4) Inspection Requirement Violations

Failure to allow an inspection is a Violations are in the Moderate violation category.

5) Variance Condition Requirement Violations

Failure to abide by the conditions of a variance is a Major violation in the category.

5) Permit Condition Violations

Violations are in the Major category.

6) Water Well Construction Standards Violations

Failure to comply with a Violations of well construction standards is in the Major violations category.

8) Casing and Liner Pipe Requirements Violations

Failure to use casing and liner pipe in accordance with the minimum standards for the construction, repair, modification or abandonment of a well is a Violations are in the Major violation category.

9) Grouting and Sealing Requirements Violations

Failure to grout or seal the well casing in accordance with well construction standards is a Violations are in the Major violation category.

10) Well Seal Requirements Violations

Failure to seal a well when there is a temporary interruption of work during the construction, repair, modification or abandonment is a Moderate violation. Failure to permanently seal a well to prevent the movement of contaminants and surface water from entering the well or well bore is a Major violation. Violations of temporary seal requirements are Moderate violations, while violations of permanent seal requirements are in the Major category.

11) Use of Explosives Requirement Violations

Use of explosives without prior authorization in the construction, repair, modification or abandonment of a well is a Violations are in the Major violation category.

7) Flowing Wells Requirement Violations.

Failure to provide and maintain valved pipe connections, watertight pump connections, or receiving reservoirs set at an elevation corresponding to the artesian head is a Violations are in the Moderate violation category.

8) Abandoned Well Plugging Requirements Violations

Failure to properly plug and abandon a well is a Violations are in the Major violation category.

Violations ranked as high are those which involve substantial non-compliance. Medium violations involve significant non-compliance, and low violations involve minimal non-compliance.

CITATION DICTIONARY

Each Permitting Authority Water Management District shall use establish a citation dictionary that lists each possible violation with a specific number assigned to it and a recommended penalty. The dictionary shall be developed in accordance with the guidelines established in Tables 1 and 2, and shall generally be consistent for similar violations in all Permitting Authorities Water Management Districts. A citation shall mean an individually numbered violation.

PENALTY AND POINTS ADJUSTMENT

Penalty adjustments may occur as each Permitting Authority Water Management District pursues fines for non-compliance. A licensed water well contractor who has violated a rule citation is cited for a penalty amount based on the sliding scale of recommended penalties (Table 1). The penalty amount may be adjusted during the enforcement process based upon the factors identified in Table 3. The adjusted penalty will be included in the consent order or final order. Points assessed against a well contractor's license may also be adjusted based upon the factors identified in Table 3. Each factor may be applied separately.

TABLE 3

PENALTY AND POINTS ADJUSTMENTS

DIRECTION

ADJUSTMENT FACTORS

(-) 0-10010-30% Good faith efforts to comply with rules prior to discovery of the violation Examples of good faith efforts include, but are not limited to, the contractor reporting the violation to the Permitting Authority prior to the discovery of the violation by the Permitting Authority, correction of the violation by the contractor, and restitution to the affected property owner or customer)

(+) 0-10010-30% Degree of severity, wWillfulness or negligence

(+) 0-10010-30% History of noncompliance
0 – 30% 1-2 previous violation or 5-10 license points
31 – 60% 3-4 previous violations or 11-30 license points
61 – 100% 5 or more previous violations or more than 30 license points

(+) 0-10010-30% Economic benefit of noncompliance

GUIDELINES FOR PENALTY ISSUANCE

Permitting Authorities Water Management Districts will use the following penalty guidelines in order to provide for consistent enforcement actions among the Permitting Authorities Districts. The guidelines are intended to resolve violations in an equitable and timely manner, and each guideline give clear instructions describing how and when a penalty will be pursued.

GUIDELINE 1 - PROGRESSIVE STEPS

The following is a summary of the types of progressive enforcement actions that may will be used by the Permitting Authorities, including the content of the document and what actions are required. Figure 1 illustrates this progression of events.

Warning Letter -The Permitting Authority may send a warning letter to a water well contractor who has violated certain well construction rules. The Florida Unified Citations Dictionary for Water Well Contractors (Revision) identifies those violations infractions for which the Permitting Authority, in its discretion may issue warning letters. The warning letter shall identify the violation(s) and advise the water well contractor to either take the necessary corrective action(s) (if applicable) or to contest the violation(s) in writing within 15 days after receipt of the warning letter. When a Districts has reason to believe that a contractor has violated a rule or standard, a warning letter may be sent to the contractor. A warning letter is an informal enforcement action that cites the alleged violation and allows the contractor 15 days to either comply with the violation or contest the violation by submitting a written response to the District.

If the alleged violation is contested by the contractor, the District will respond in writing to the contractor within 15 days. If corrective action is performed required and is taken by the water well contractor to the Permitting Authority's satisfaction If the violation is corrected within the specified time, no further enforcement action based upon the warning letter will be taken given in the warning letter, the District will follow-up with a compliance letter and no penalties shall apply. (The exception to this is repetitive violations, which are discussed later.) If the violation is not corrected within the specified time given in the warning letter, and. If the contractor does not comply with the warning letter within the time specified, the Permitting Authority may take further enforcement action contact the District within this time, a Notice of Violation will be sent to the contractor.

Notice of Violation - The Permitting Authority may send a notice of violation (NOV) is the first formal enforcement action taken to the water well contractor that will An NOV will cite the alleged violation(s), identify what corrective actions are required and identify the standard, assess an administrative penalty and points for each violation, and list the rights of the alleged violator. The contractor will be requested to contact the Permitting Authority Water Management District attorney within a specified time to resolve the violation through a consent order. When the contractor meets with the Permitting Authority District, the violation and penalties will be discussed and a consent order may be negotiated. If the contractor does not contact the Permitting Authority District attorney to resolve the violation, the Permitting Authority District shall proceed with enforcement action that a final order which may include suspension or revocation of the contractor's license. Depending on the severity and/or repetitiveness of the violation, the Permitting Authority District may proceed directly with issuing a NOV without sending a warning letter.

After issuance of a the NOV to a the water well contractor, the Permitting Authority will refer the enforcement matter to the appropriate authority for resolution through a negotiated consent order or litigation. If the contractor does contact the District attorney but does not agree that he/she is in violation, does not agree to correct the violation, or does not agree to any penalty, the contractor has the right to request a hearing under Section 120.57, S.S. This request may be heard by the agency head or referred to the Division of Administrative Hearings for appointment of a hearing officer.

Consent Order - When tThe Permitting Authority will prepare a proposed consent order (C0) for the water well contractor's signature. The consent order will include a penalty, which may be adjusted by the Permitting Authority District attorney from the penalty identified in the NOV based on the progression of events compiled by the Permitting Authority District staff, the adjustment factors contained in Table 3 herein, and any other material submitted. District and the contractor meet to resolve the violation, they may come to an agreement as to what actions are needed for compliance and this agreement shall be detailed in the consent order. The consent order would also include a settlement The consent order also will include any corrective action that is necessary. investigative costs, court costs, and reasonable attorney's fees authorized pursuant to

Chapter 373.129(6),F.S. The consent order also lists the rights of the alleged violator to contest the violation. When agreed to, the consent order must be signed by both parties

Administrative Complaint and Order (ACO) Final Order- If the water well contractor refuses to sign a proposed the consent order, the Permitting Authority may file an ACO. The ACO shall and no hearing has been requested, the District will proceed with a final order. The final order, like a consent order, is an administrative directive which lists the corrective action(s) required and assesses an propose administrative penalties and points fine. It also lists the rights of the violator. If the contractor does not comply. The rights of the water well contractor to file a petition for a hearing as provided in Chapter 120, F.S., shall also be included in the ACO. The ACO may also provide for the suspension or revocation of the water well contractor's license until such time as the water well contractor complies with the terms of the ACO. final order, the District may file a civil court action to enforce the order. The final order may require the suspension or revocation of the contractor's license, however, upon compliance with the terms of the final order, the license will be reissued. If the water well contractor does not timely file a petition for an administrative hearing, the ACO shall become a Final Order enforceable in a court of competent jurisdiction. The Permitting Authority District may proceed directly to an ACO depending upon the severity and/or repetitiveness of the violation(s).

All requests for legal action will be cleared in writing by the appropriate Water Management District supervisor overseeing the program prior to action by the District attorney. Circuit Court action must be approved by the Governing Board. This step allows a final technical review of all citations and contractor actions before the attorney becomes involved. The request will be prepared by the appropriate staff representatives involved in the initial warning letter.

GUIDELINE 2 - FIRST NOTICE PENALTY RECOMMENDATIONS

There are certain violations referenced in the unified citations dictionary of citations that which do not allow for corrective action to be taken by a water well contractor to avoid penalties and points. Examples of these types of violations may include: failure to maintain a current water well contractor's license, failure to provide drilling samples when required by the Permitting Authority District, and failure to obtain an applicable permit prior to construction, repair, modification or abandonment of a well.

Since a warning letter would be only advisory in nature, because no retroactive corrective action for these types of violations is possible, a penalty will be sought through the issuance of an NOV. Appropriate administrative penalties and points assessed against the water well contractor's license will be pursued when these violations occur. Depending on the nature of the violation, an initial warning letter may be issued to the licensed contractor for the first offense followed by formal action (NOV) on any further citations.

SAMPLE VIOLATION PROCESS

GUIDELINE 3 - VIOLATION POINTS SYSTEM AND WORKSHOP PROGRAM

The cumulative total of violations will be monitored using a points system based on the Table 1 recommended penalties. Points are only assessed on those violations for which an NOV is issued. Each point is equivalent to .01 of the recommended penalty assessed by the Permitting Authority as indicated in the dictionary, excluding any penalty adjustments. Table 4 illustrates the number of points assessed.

TABLE 4

RECOMMENDED PENALTIES	POINTS ASSESSED
\$1000	10
\$600	6
\$500	5
\$400	4
\$350	3.5
\$250	2.5
\$150	1.5
\$100	1

These pPoints are accumulated regardless of compliance and can only be reduced by attendance at educational committee approved regional workshops dealing with the regulation of wells and proper well construction techniques. The Florida Department of Environmental Protection (FDEP) or the Water Management Districts shall approve educational workshops for point reduction purposes. The committee shall consist of representatives from at least the following: each Water Management District and a licensed water well contractor from each District, which shall include at least one member of the Florida Water Well Association. No more than 18 hours of two workshops can be used to reduce points in any biennial licensing period and a maximum of 27 hours three in any two consecutive licensing periods. Each workshop will be rated at 1 10 points per classroom hour. Points remain on the contractor's license for 3 years, regardless of renewal, unless reduced by attendance at educational workshops for point reduction purposes. A workshop cannot be used for point reduction if the contractor receives continuing education credit for that workshop.

FDEP, Water Management Districts, and the Florida Ground Water Association shall conduct educational workshops for water well contractors. The educational workshops will continue with the same rotation each year to provide regional and statewide participation. The workshop agenda may include rule interpretation with emphasis on minimum standards, compliance, drilling techniques and other related topics. Additional workshops and related topics may also qualify as educational workshops for point reduction purposes. The number of points associated with the additional workshops and seminars will be determined by FDEP and the Water Management Districts.

The workshops will be held at District facilities, community college campuses, or at the regularly scheduled quarterly meetings of the Florida Water Well Association. The educational workshops will continue with the same rotation each year to provide regional and statewide participation. Workshops will include topics such as rule interpretation and drilling techniques, with emphasis on minimum standards compliance.

If a contractor accumulates 12 or more points during any 36 24 consecutive month period, the Permitting Authority District may place the his water well contractor's license on probation and may restrict the scope of the contractor's practice for a period of up to six 6 to 12 months. If a contractor accumulates 24 or more 35 points during any 36 24 consecutive month period, the District Permitting Authority may suspend the contractor's his license for a period of one month or may restrict the licensee's scope of authorized practice. If the total number of points reaches 50 30 to 180 days. If a contractor accumulates 36 or more points during any consecutive 36 24 month period, the Permitting Authority may suspend the contractor's license for 181 to 365 days. The Permitting Authority may revoke a water well contractor's license for one (1) year if the contractor accumulates 48 points or more during any 36 24 consecutive month period, a suspension of three months and additional license restrictions will be pursued by the District. If a water well contractor's license is revoked, in order to be issued a new license, the contractor must take and pass the water well contractor licensing examination. If a water well contractor accumulates 60 points or more during any 36 24 consecutive month period, the Permitting Authority may permanently revoke the contractor's license. Points will be assessed on the effective date of the NOV, consent order, or final order, whichever is last. This guideline program and points accumulation will begin with the 1989 biennial renewal.

Table 5

Restriction
Points
Duration

Probation and/or license restrictions
12 or more in any 36 consecutive month period
6 months to 1 year

Suspension – 1st category
24 or more in any 36 consecutive month period
30 days to 6 months

Suspension – 2nd category
36 or more in any 36 consecutive month period
181 days to 1 year

Revocation
48 or more in any 36 consecutive month period
Minimum of 1 year

Permanent Revocation
60 or more in any 36 consecutive month period
Permanent

No more than 18 hours of workshops can be used to reduce points in any biennial licensing period and a maximum of 27 hours in any two consecutive licensing periods.

GUIDELINE 4 - REPETITIVE VIOLATIONS

Repetitive violation of the same rule citations is an indication of a licensed contractor's refusal to abide by well construction or permitting requirements. The well construction rules have been promulgated to protect the ground water resource. and cCompliance with these minimum standards is the means by which the resource ins protected. Therefore, it is imperative that repetitiveon violations be minimized.

This guideline relates to individual citations that are repeated regardless of c Corrective actions pursued by the Permitting Authority Water Management Districts and accomplished by the contractor. In order to discourage repetitive do not in any way excuse repeated violations,. A water well contractors will be allowed a specific may receive up to a specified number of times that warning letters for the same violation before a Notice of Violation must be issued. The unified citation dictionary will specify those violations for which the Permitting Authority may issue warning letters and the maximum number of warnings that which may be issued. corrected violation may be issued before formal enforcement will be taken. These are as follows:

?? Major-High violations - 1 warning letter for violations of the same citation within the biennial licensing period.

?? Major-Medium violations - 3 warning letters for violations of the same citation within the biennial licensing period.

?? Major-Low violations - 6 warning letters for violations of the same citation within the biennial licensing period.

?? Moderate-High violations - 2 warning letters for violations of the same citation within the biennial licensing period.

?? Moderate-Medium violations - 5 warning letters for violations of the same citation within the biennial licensing period.

?? Moderate-Low violations - 7 warning letters for violations of the same citation within the biennial licensing period.

?? Minor-High violations - 4 warning letters for violations the same citation within the biennial licensing period.

?? Minor-Medium violations - 6 warning letters for violations of the same citation within the biennial licensing period.

?? Minor-Low violations - 8 warning letters for violations of the? ? ? ?
e same citation within the biennial licensing period.

After the allotted number of warning letters issued for the same citation, each subsequent citation for the same violation will result in the issuance of an NOV. The contractor will be subject to administrative penalties and accumulation of points for each of these subsequent violations for the remainder of the biennial licensing period.

OTHER GROUNDS FOR DISCIPLINARY ACTION

In accordance with Section 373.333, F.S., there are other grounds for which the Permitting Authority Water Management Districts may take disciplinary action. The statute authorizes the Permitting Authority Districts to impose one or more specific disciplinary actions against a person found guilty of any one of these grounds. The disciplinary actions which may be taken by the Permitting Authority District for each of these grounds is established as follows:

1) Attempting to obtain, obtaining, or renewing a license under this part by bribery or fraudulent misrepresentation.

For attempting to obtain or renew a license under these conditions, the Permitting Authority District shall deny the application for licensure. If a license obtained under these conditions is issued, the Permitting Authority Districts may revoke such license, in addition to assessing a Major violation penalty.

2) Being convicted or found guilty, regardless of adjudication, of fraud or deceit or of gross negligence, incompetency, or misconduct in the performance of work, or of a crime in any jurisdiction which directly relates to the practice of water well contracting or the ability to practice water well contracting.

The actions which may be taken by the Permitting Authority Districts for this ground include any one or more of the following -- denial of renewal of the license, suspension or revocation of the license, assessment of a Major violation penalty and points, probation, or restrictions on the authorized scope of practice.

3) Allowing any other person to use the license.

If found guilty of allowing any other person to use his license, the Permitting Authority Districts shall revoke the water well contractor's license, in addition to assessing a Major violation penalty.

4) Violating or refusing to comply with any provision of Chapter 373, F.S., or a rule adopted by the Department of Environmental Protection Regulation or any Water Management District under the authority of Chapter 373, F.S., or any order of a Permitting Authority District previously entered in a disciplinary hearing.

The actions which may be taken by the Permitting Authority Districts for the water well contractor's violation of or refusal violating or refusing to comply with Chapter 373, F.S.

or rules adopted pursuant to that Chapter shall include any one or more of the following – denial of renewal of the license, suspension or revocation of the license, assessment of a penalties and points, probation, or restrictions on the authorized scope of practice. For refusing to comply with the conditions of a final order, the Permitting Authority District may also suspend or revoke the license.

5) Constructing, repairing, or abandoning a water well without first obtaining all applicable permits.

For not first obtaining all applicable permits, the Permitting Authority Districts may assess the water well contractor a penalties and points in the Major category.

6) Having had administrative or disciplinary action relating to water well construction, repair, or abandonment taken by any municipality or county or by any state agency. These actions shall be reviewed by the Permitting Authority Water Management District before the Permitting Authority District takes any disciplinary action of its own.

The actions that which may be taken by the Permitting Authority Districts for this ground include any one or more of the following – denial of renewal of the license, suspension or revocation of the license, assessment of a Major violation penalties and points, probation, or restrictions on the authorized scope of practice.

7) Practicing with a revoked, suspended, or inactive license.

For practicing with a revoked suspended, or inactive license, the Permitting Authority District may issue a cease and desist order, assess an administrative penalty of \$1000 per offense, or file a complaint in a court of competent jurisdiction seeking monetary penalties and injunctive relief. license, the District may issue a cease and desist order, assess an administrative penalty of \$1000, or file a civil action against the alleged violator. For practicing with a suspended license, the District may revoke the license or assess a penalty in the Major category. For practicing with an inactive license, the District may issue a cease and desist order or assess a penalty in the Minor category,

CONCLUSION

Violations and appropriate agency action must be balanced between a good educational program and a strong but reasonable enforcement directive. The workshop program presents an option and second chance for the licensed water well contractor.

The penalty guideline

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ObjInfo
ObjInfo
Contents
Contents
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Normal
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Microsoft Word 8.0
Potential Violation
is reoprted
Process
Field Representative
investigations
No Violation
identified
Violation
identified
Contractor
Notified
Warning Letter
Issued
Non-compliance
within
Stated Time frame
Compliance
within
Stated Time frame
Issued
Compliance Letter
Issued

After Inspection
Consent Order
Compliance
Penalty
Compliance
Compliance
Compliance
Compliance Inspection
Monitoring
Chapter 120
Hearing
Revocation or
Suspension of Licence
Penalty
Adjustment
Compliance Letter
Issued

Figure 1. The suggested progression in events from Warning Letter to revocation procedures.

!Arial
!Table
!Table
SummaryInformation
SummaryInformation
DocumentSummaryInformation
DocumentSummaryInformation
CompObj
CompObj
Florida Department of Environmental Protection
_PID_GUID
{DAFCBDA0-52D9-11D6-A592-00C04F539D9B}
{DAFCBDA0-52D9-11D6-A592-00C04F539D9B}
Microsoft Word Document
MSWordDoc
Word.Document.8
Normal
Normal
Heading 1
Heading 1
Heading 2
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