



NORTHWEST CLEAN AIR AGENCY MINOR SOURCE CIVIL PENALTY GUIDELINES July 10, 2003

Gravity Component: Actual civil penalty amounts for the gravity component will be determined after all factors, including the seriousness of the violation, the past performance of the affected source, the risk to public health, the amount of environmental damage, the economic impact of the penalty, and the responsiveness in correcting the violation are considered.

Economic Benefit Component: The monetary saving or economic benefit gained by non-compliance with air pollution law shall be added to the gravity component listed below.

GRAVITY COMPONENT

TYPE OF VIOLATION VIOLATION	1ST VIOLATION	2ND VIOLATION (WITHIN 5 YEARS)	3RD (WITHIN 5 YEARS)
OUTDOOR BURNING			
a. Single & multiple family units (residential)	\$100 to \$750	\$300 to \$1,000	\$750 to \$3,000
b. Commercial/Industrial (land clearing, refuse disposal, construction, demolition)	\$100 to \$1,500	\$750 to \$3,000	\$1,500 to \$5,000
VISUAL EMISSIONS			
a. Excess opacity (Non AOP)	\$100 to \$500	\$100 to \$1,000	\$100 to \$4,000
INCINERATOR			
a. Burning in an unapproved incinerator/burn barrel	\$100 to \$500	\$100 to \$1,000	\$100 to \$2,000
NUISANCE			
a. General nuisance; failure to control odors or failure to prevent airborne particulate.	\$100 to \$500	\$100 to \$3,000	\$100 to \$7,500
WOOD STOVES			
a. Commercial (offer sale of non-certified stove)	\$500 to \$1,000	\$500 to \$3,000	\$500 to \$5,000
b. Residential (offer sale of non-certified stove)	\$100 to \$300	\$100 to \$750	\$100 to \$1,500
c. Residential or Commercial (burning during ban, prohibited materials and opacity)	\$100 to \$300	\$100 to \$750	\$100 to \$1,500
OTHER			
a. Failure to pay registration & new construction fees.	\$100 to \$1,000	\$100 to \$3,000	\$100 to \$5,000
b. Failure to meet condition(s) in a Notice of Construction Approval Order, Title Five Operating Permit, PSD Order, local or state regulation, or NSPS or NESHAPS requirement (minor emission, procedural, or monitoring requirement).	\$100 to \$1,000	\$100 to \$3,000	\$100 to \$5,000
c. Failure to meet condition(s) in a Notice of Construction Approval Order, Title Five Operating Permit, PSD Order, local or state regulation, or NSPS or NESHAPS requirement (substantial emission, high priority violation, procedural, or monitoring requirement).	\$1,000 to \$14,000	\$1,000 to \$14,000	\$1,000 to \$14,000
d. Violation of an emission standard as determined by a source emission test.	\$100 to \$3,000	\$100 to \$7,500	\$100 to \$14,000
e. Violation of an emission standard as determined by a continuous emission or opacity monitor.	\$100 to \$3,000	\$100 to \$7,500	\$100 to \$14,000
f. Asbestos.....(Homeowner) (Contractor)	\$100 to \$500 \$100 to \$3,000	\$100 to \$1,000 \$100 to \$5,000	\$100 to \$3,000 \$200 to \$7,500
g. Failure to operate and maintain process or air pollution control equipment in good operating condition.	\$100 to \$1,000	\$100 to \$5,000	\$100 to \$7,500
h. Exceeding ambient standards.	\$1,000 to \$14,000	\$2,500 to \$14,000	\$5,000 to \$14,000
i. Failure to operate/maintain required ambient or continuous emission monitoring equipment according to applicable regulations/guidelines.	\$100 to \$1,000	\$100 to \$3,000	\$300 to \$5,000
j. Failure to submit reports, maintain records or notify	\$100 to \$1,000	\$100 to \$3,000	\$100 to \$5,000
k. Failure to properly operate or maintain Stage I or II equipment	\$100 to \$250	\$100 to \$500	\$100 to \$5,000