

Statutory Penalty Types & Amounts & Deposition of Penalties for Laws Administered by the Department of Environmental Quality

Statute	Administrative Penalty	Civil Penalty	Criminal Penalty	Penalties Deposited To
Clean Air Act of Montana §75-2-1 , MCA 17.8 , ARM	\$10,000 per day per violation; maximum \$80,000 §75-2-401, MCA	\$10,000 per day per violation §75-2-413, MCA	Misdemeanor & \$10,000 per violation or imprisonment for a period of not more than 2 years, or both §75-2-412, MCA	Administrative & Civil: State Special Revenue (Alternate Energy Revolving Loan Account) Criminal: General Fund
Asbestos Control Act §75-2-5 , MCA 17.74.3 , ARM	\$10,000 per day per violation; maximum \$80,000 §75-2-515, MCA	\$25,000 per day §75-2-514, MCA	Misdemeanor §75-2-516, MCA	Asbestos Control Account (State Special Revenue Fund)
Motor Vehicle Recycling & Disposal Laws §75-10-5 , MCA 17.50.2 , ARM	\$50 per day per violation §75-10-542, MCA	\$250 per day per violation §75-10-542, MCA	Misdemeanor & \$250 or imprisonment in the county jail for up to 30 days, or both §75-10-542, MCA	General Fund
Strip & Underground Mine Reclamation Act §82-4-2 , MCA 17.24.3 , ARM	\$100 to \$5,000 per day per violation (\$750 per day for up to 30 days) §82-4-254, MCA	-	Misdemeanor & \$500 to \$10,000 per day or imprisonment for 1 year or both §82-4-254, MCA	General Fund
Strip & Underground Mine Siting Act §82-4-1 , MCA 17.24.18 , ARM	-	\$100-\$1,000 per violation (\$100 to \$1,000 per day per violation for failure to correct) §82-4-141, MCA	A) Violates: permit, determination, or order is a misdemeanor - \$500-\$10,000 or imprisonment for 1 year or both B) Falsities: not more than \$10,000 or imprisonment for 1 year or both C) Resists or impedes: \$5000 or imprisonment for 1 year, or both §82-4-141, MCA	General Fund
The Opencut Mining Act §82-4-4 , MCA 17.24.2 , ARM	\$100 to \$1,000 per day per violation §82-4-441, MCA	\$5,000 per day per violation §82-4-441, MCA	-	Special Revenue Account (Environmental Rehabilitation & Response Account)
Metal Mine Reclamation Laws §82-4-3 , MCA 17.24.1 , ARM	\$100 to \$1,000 per day per violation. Imminent danger to public health or safety or significant environmental harm maximum of \$5,000 per day §82-4-361, MCA	\$5,000 per day per violation §82-4-361, MCA	-	Special Revenue Account (Environmental Rehabilitation & Response Account)
Montana Hazardous Waste Act §75-10-4 , MCA 17.53 , ARM	\$10,000 per day per violation up to \$100,000 §75-10-424, MCA	\$10,000 per day per violation §75-10-417, MCA	\$25,000 per violation or imprisonment up to 3 years or both; willful violation up to \$5,000 per violation or imprisonment up to 6 months or both §75-10-418, MCA	General Fund
Montana Solid Waste Management Act §75-10-2 , MCA 17.50 , ARM	\$250 per day per violation §75-10-228, MCA	\$1,000 per day per violation §75-10-228, MCA	Misdemeanor - \$50 to \$500 per day <i>Dumping</i> : fine \$500 <i>Dumping</i> : absolute liability: \$5,000 §75-10-233, MCA	Special Revenue Account (Solid Waste Management Account)
Water Quality Act §75-5 , MCA 17.30 , ARM	\$10,000 per day per violation; maximum \$100,000; No harm to human health \$500 per day per violation; maximum \$5,000 for all days of the same violation §75-5-611(9)(a)(d), MCA	\$25,000 per day per violation §75-5-631, MCA	\$25,000 per day per violation or imprisonment up to 1 year or both. For subsequent conviction, \$50,000 per day per violation or imprisonment up to 2 years or both §75-5-632, MCA	General Fund
Public Water Supply Laws §75-6-1 , MCA 17.38 , ARM	\$500 per day per violation; \$1,000 per day per violation for PWS serving > 10,000 persons §75-6-109, MCA	\$10,000 per day per violation §75-6-114, MCA	Misdemeanor - \$50 to \$500 per day §75-6-113, MCA	General Fund
Sanitation In Subdivisions Laws §76-4-1 , MCA 17.36.1 , ARM	\$250 per day per violation §76-4-109, MCA	\$1,000 per day per violation §76-4-109, MCA	\$1,000 maximum fine §76-4-109, MCA	General Fund
Montana Major Facility Siting Act §75-20 , MCA 17.20 , ARM	-	\$10,000 per day per violation §75-20-408, MCA	\$10,000 for each violation or imprisoned for up to 1 year, or both §75-20-408, MCA	Special Revenue Account (Major Facility Siting Account)

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Comprehensive Cleanup & Responsibility Act (CECRA) §75-10-7 , MCA 17.55.1 , ARM	\$1,000 per day per violation §75-10-714, MCA	Release: \$1,000 per day per violation §75-10-757, MCA Remedial: \$10,000 per day per violation §75-10-711, MCA	-	Special Revenue Account (Environmental Quality Protection Fund)
Montana Underground Storage Tank Installer & Inspector Licensing & Permitting Act §75-11-2 , MCA 17.56.13 ; 17.56.14 ARM	\$500 per day per violation §75-11-223, MCA	\$10,000 per day per violation §75-11-223, MCA	\$10,000 per day per violation or imprisonment for no more than 6 months or both for first conviction. Subsequent convictions: \$20,000 per day per violation or imprisonment for no more than 1-year §75-11-224, MCA	Special Revenue Account (Underground Storage Tank License & Permit Account)
Montana Underground Storage Tank Act §75-11-5 , MCA 17.56 , ARM	\$500 per day per violation §75-11-525, MCA	\$10,000 per day per violation §75-11-516, MCA	-	General Fund
Water Treatment Plant Operators Laws §37-42 , MCA 17.40.2 , ARM	-	-	Misdemeanor & each day is a separate offense §37-42-322, MCA	General Fund
Septic Disposal & Licensure Laws §75-10-12 , MCA 17.50.8 , ARM	\$500 per day per violation §75-10-1223, MCA	\$500 per day per violation §75-10-1223, MCA	Misdemeanor & \$500 per day per violation, each day is a separate offense §75-10-1223, MCA	Special Revenue Account (Environmental Rehabilitation & Response Account)
Wind Generation and Solar Facilities §75-26-3 , MCA 17.86.1 , ARM	\$1,500 plus \$1,500 per day per violation §75-26-304(9)(a), MCA	-	-	Special Revenue Fund (Wind and Solar Decommissioning Account)