

**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
<b>Clean Air Act of Montana</b> <a href="#">§75-2-1</a> , MCA   <a href="#">17.8</a> , 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
<b>Asbestos Control Act</b> <a href="#">§75-2-5</a> , MCA   <a href="#">17.74.3</a> , 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)
<b>Motor Vehicle Recycling &amp; Disposal Laws</b> <a href="#">§75-10-5</a> , MCA   <a href="#">17.50.2</a> , 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
<b>Strip &amp; Underground Mine Reclamation Act</b> <a href="#">§82-4-2</a> , MCA   <a href="#">17.24.3</a> , 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
<b>Strip &amp; Underground Mine Siting Act</b> <a href="#">§82-4-1</a> , MCA   <a href="#">17.24.18</a> , 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
<b>The Opencut Mining Act</b> <a href="#">§82-4-4</a> , MCA   <a href="#">17.24.2</a> , 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)
<b>Metal Mine Reclamation Laws</b> <a href="#">§82-4-3</a> , MCA   <a href="#">17.24.1</a> , 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)
<b>Montana Hazardous Waste Act</b> <a href="#">§75-10-4</a> , MCA   <a href="#">17.53</a> , 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
<b>Montana Solid Waste Management Act</b> <a href="#">§75-10-2</a> , MCA   <a href="#">17.50</a> , 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)
<b>Water Quality Act</b> <a href="#">§75-5</a> , MCA   <a href="#">17.30</a> , 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
<b>Public Water Supply Laws</b> <a href="#">§75-6-1</a> , MCA   <a href="#">17.38</a> , 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
<b>Sanitation In Subdivisions Laws</b> <a href="#">§76-4-1</a> , MCA   <a href="#">17.36.1</a> , 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
<b>Montana Major Facility Siting Act</b> <a href="#">§75-20</a> , MCA   <a href="#">17.20</a> , 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)

**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
<b>Comprehensive Cleanup &amp; Responsibility Act (CECRA)</b>  <a href="#">§75-10-7, MCA   17.55.1, ARM</a>	\$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)
<b>Montana Underground Storage Tank Installer &amp; Inspector Licensing &amp; Permitting Act</b>  <a href="#">§75-11-2, MCA   17.56.13; 17.56.14 ARM</a>	\$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)
<b>Montana Underground Storage Tank Act</b> <a href="#">§75-11-5, MCA   17.56, ARM</a>	\$500 per day per violation §75-11-525, MCA	\$10,000 per day per violation §75-11-516, MCA	-	General Fund
<b>Water Treatment Plant Operators Laws</b> <a href="#">§37-42, MCA   17.40.2, ARM</a>	-	-	Misdemeanor & each day is a separate offense §37-42-322, MCA	General Fund
<b>Septic Disposal &amp; Licensure Laws</b> <a href="#">§75-10-12, MCA   17.50.8, ARM</a>	\$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)
<b>Wind Generation and Solar Facilities</b> <a href="#">§75-26-3, MCA   17.86.1, ARM</a>	\$1,500 plus \$1,500 per day per violation §75-26-304(9)(a), MCA	-	-	Special Revenue Fund (Wind and Solar Decommissioning Account)