



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 §75-2-101, MCA 17.8.101, ARM	\$10,000/day per violation; maximum \$80,000	\$10,000/day per violation	\$10,000/violation or imprisonment for a period of not more than 2 years, or both	Administrative & Civil: State Special Revenue (Alternate Energy Revolving Loan Account) Criminal: General Fund
Asbestos Control Act §75-2-501, MCA 17.74.301, ARM	\$10,000/day per violation; maximum \$80,000	\$25,000/day	Misdemeanor – \$500	General Fund
Motor Vehicle Recycling & Disposal Laws §75-10-501, MCA 17.50.201, ARM	\$50/day per violation	\$250/day per violation	\$250 or imprisonment in the county jail for up to 30 days, or both	General Fund
Strip & Underground Mine Reclamation Act §82-4-201, MCA 17.24.301, ARM	\$100 to \$5,000/day per violation (\$750/day for failure to correct violation)	—	\$500 to \$10,000 or imprisonment for 1 year or both	General Fund
Strip & Underground Mine Siting Act §82-4-101, MCA 17.24.1801, ARM	\$100 to \$1,000/day per violation	—	\$500 to \$5,000. Each day is a separate offense	General Fund
The Opencut Mining Act §82-4-401, MCA 17.24.202, ARM	\$100 to \$1,000/day per violation	\$5,000/day per violation	—	Special Revenue Account (Environmental Rehabilitation & Response Account)
Metal Mine Reclamation Laws §82-4-301, MCA 17.24.101, ARM	\$100 to \$1,000/day per violation. Imminent danger to public health or safety or significant environmental harm maximum of \$5,000/day	\$5,000/day per violation	—	Special Revenue Account (Environmental Rehabilitation & Response Account)
Montana Hazardous Waste Act §75-10-401, MCA 17.53.102, ARM	\$10,000/day per violation, not to exceed \$100,000	\$10,000/day per violation	\$25,000/violation or imprisonment up to 3 years or both. Willful violation up to \$50,000/violation or imprisonment up to 6 months or both	General Fund
Montana Solid Waste Management Act §75-10-201, MCA 17.50., ARM	\$250/day per violation	\$1,000/day per violation	\$50 to \$500/day <i>Dumping</i> : \$100 to \$5,000 or imprisonment for 30 days	Special Revenue Account (Solid Waste Management Account)
Water Quality Act §75-5-101, MCA 17.30.101, ARM	\$10,000/day per violation. \$100,000 maximum	\$25,000/day per violation	\$25,000/day per violation or imprisonment up to 1 year or both. For subsequent conviction, \$50,000/day per violation or imprisonment up to 2 years or both	General Fund
Public Water Supply Laws §75-6-101, MCA 17.38.101, ARM	\$500/day per violation; \$1,000/day per violation for PWS serving > 10,000 persons	\$10,000/day per violation	\$50 to \$500/ day	General Fund
Sanitation In Subdivisions Laws §76-4-101, MCA 17.36.101, ARM	\$250/day per violation	\$1,000/day per violation	\$1,000 maximum fine	General Fund
Montana Major Facility Siting Act §75-20-101, MCA 17.20.301, ARM	—	\$10,000/day per violation	—	Special Revenue Account (Major Facility Siting Account)
Comprehensive Cleanup & Responsibility Act (CECRA) §75-10-701, MCA 17.55.101, ARM	\$1,000/day per violation	\$10,000/day per violation	—	Special Revenue Account (Environmental Quality Protection Fund)
Montana Underground Storage Tank Installer & Inspector Licensing & Permitting Act §75-11-201, MCA 17.56.1201, ARM	\$500/day per violation	\$10,000/day per violation	\$10,000/day per violation or imprisonment for no more than 6 months or both for first conviction. \$20,000/day per violation or imprisonment for no more than 1 year, subsequent convictions.	Special Revenue Account (Underground Storage Tank License & Permit Account)



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Montana Underground Storage Tank Act §75-11-501, MCA 17.56.101, ARM	\$500/day per violation	\$10,000/day per violation	—	General Fund
Water Treatment Plant Operators Laws §37-42-101, MCA 17.40.201, ARM	—	—	Misdemeanor (each day is a separate offense) \$500/day per violation	General Fund
Septic Disposal & Licensure Laws §75-10-1201, MCA 17.50.803, ARM	\$500/day per violation	\$500/day per violation	Misdemeanor (each day is a separate offense) \$500/day per violation	Special Revenue Account (Environmental Rehabilitation & Response Account)