

Table
Base Amounts for Alleged Violations

H&S Code	Violation type	Note	Base amount
42401	violation of abatement order	Negligent or intential violation	\$25,000.00
42402(a)	Any violation of rule, reg, permit, or order	Strict liability. "nonintentional/non negligent affirmative defense" for non-Title V facilities.	\$1,000.00
42402(b)(1)	Any violation of rule, reg, permit, or order	Strict liability. "nonintentional/non negligent affirmative defense" 42402(b)(2)(A). Defense doesn't apply to to Title V facilities 42402(b)(2)(B) and "blowing" facility emissions cap levels 42402(b)(2)(C).	\$10,000.00
42402(c)	Nusiance violation causing actual injury		\$15,000.00
42402.1(a)	Negligent emission of air contaminant in violation of rule, reg, permit or order	Must pertain to emissions regulation or limitations.	\$25,000.00
42402.1(b)	Negligent emission of air contaminant in violation of rule, reg, permit or order causing great bodily injury or death		\$100,000.00
42402.2(a)	Knowing emission of air contaminant and failure to take corrective action in violation of rule, reg. Permit or order.	Corrective action needs to be within a reasonable time.	\$40,000.00
42402.2(b)	Knowing emission of air contaminant and failure to take corrective action in violation of rule, reg. Permit or order causing great bodily injury or death.	Corrective action needs to be within a reasonable time.	\$250,000.00
42402.3(a)	Willful and intentional emission of air contaminant in violation of rule, reg. Permit or order.		\$75,000.00
42402.3(b)	Willful and intentional emission of air contaminant in violation of rule, reg. Permit or order causing unreasonable risk of great bodily injury or death.		\$125,000.00
42402.3(b)	Willfull and intentional emission of air contaminant in violation of rule, reg. Permit or order causing unreasonable risk of great bodily injury or death and violator is a Corporation		\$500,000.00
42402..3(c)	Willful and intentional emission of air contaminant in violation of rule reg permit or order with reckless disreagard of risk of great bodily injury or death that causes such injury or death.		\$250,000.00
42402.3(c)	Willful and intentional emission of air contaminant in violation of rule reg permit or order with reckless disreagard of risk of great bodily injury or death that causes such injury or death when violator is corporation.		\$1,000,000.00
42402.4	Knowing falsification of document		\$35,000.00