

Figure: 16 TAC §3.107(f)

Table 2. Penalty Enhancements

Evidentiary Factors	Threatened or Actual Pollution	Safety Hazard	Severity of Violation
Agricultural land or sensitive wildlife habitat	\$1,000 to \$5,000		
Endangered or threatened species	\$2,000 to \$10,000		
Bay, estuary or marine habitat	\$5,000 to \$25,000		
Minor freshwater source (minor aquifer, seasonal watercourse)	\$2,500 to \$7,500		
Major freshwater source (major aquifer, creeks, rivers, lakes and reservoirs)	\$5,000 to \$25,000		
Impacted residential/public areas		\$1,000 to \$15,000	
Hazardous material release		\$2,000 to \$25,000	
Reportable incident/accident		\$5,000 to \$25,000	
Well in H ₂ S field		up to \$10,000	
Time out of compliance			\$100 to \$2,000 / month
Reckless conduct of operator			double total penalty
Intentional conduct of operator			triple total penalty