

Figure: 16 TAC §8.135(f)

Table 2. Penalty Enhancements

| <b>For violations that involve:</b>              | <b>Threatened or actual pollution</b> | <b>Threatened or actual safety hazard</b> | <b>Severity of violation or culpability of person charged</b> |
|--|---------------------------------------|---|---|
| Bay estuary or marine habitat                    | \$5,000 to \$25,000                   |   |   |
| Pollution resulting from the violation           | \$5,000 to \$25,000                   |   |   |
| Impact to a residential or public area           |                                       | \$5,000 to \$25,000                       |   |
| Hazardous material release                       |                                       | \$2,000 to \$25,000                       |   |
| Reportable incident or accident                  |                                       | \$5,000 to \$25,000                       |   |
| Exceeding pressure control limits                |                                       | \$5,000 to \$25,000                       |   |
| Any hazard to the health or safety of the public |                                       | \$5,000 to \$25,000                       |   |
| The seriousness of the violation                 |                                       |   | \$5,000 to \$25,000   |
| Death or personal injury                         |                                       |   | \$5,000 to \$25,000   |
| Affected area exceeds 100 square feet            |                                       |   | \$10 per square foot  |
| Reckless conduct of person charged               |                                       |   | Up to double the total penalty                                |
| Intentional conduct of person charged            |                                       |   | Up to triple the total penalty                                |