

333-061-0090

Penalties

- (1) Violation of these rules shall be punishable as set forth in ORS 448.990 which stipulates that violation of any section of these rules is a Class A misdemeanor.
- (2) Pursuant to ORS 448.280, 448.285 and 448.290, any person who violates these rules shall be subject to a civil penalty. Each and every violation is a separate and distinct offense, and each day's violation is a separate and distinct violation.
- (3) Under ORS 448.290, only the Administrator can impose penalties and the penalties shall not become effective until after the person is given an opportunity for a hearing.
- (4) The civil penalty for the following violations shall not exceed \$1,000 per day for each violation:
 - (a) Failure to obtain approval of plans prior to the construction of water system facilities;
 - (b) Failure to construct water system facilities in compliance with approved plans;
 - (c) Failure to take immediate action to correct maximum contaminant level violations;
 - (d) Failure to comply with sampling and analytical requirements;
 - (e) Failure to comply with reporting and public notification requirements;
 - (f) Failure to meet the conditions of a compliance schedule developed under a variance or permit;
 - (g) Failure to comply with cross connection control requirements;
 - (h) Failure to comply with the operation and maintenance requirements;
 - (i) Failure to comply with an order issued by the Administrator.
- (5) Civil penalties shall be based on the population served by public water systems and shall be in accordance with Table 51 below:

Table 51

Maximum Daily Population Served	Civil Penalty
10 to 100	\$50/day
101 to 300	\$ 100/day
301 to 1,500	\$ 250/day
1,501 to 10,000	\$ 500/day
over 10,000	\$1,000/day