

relocation allowances for his or her immediate family under subchapter I of chapter 57 of title 5 U.S.C. 5701, in conjunction with travel authorized by the Administrator or designee. Included under this part is travel from place of residence, within or outside the continental United States, to first duty station; for any change of duty station ordered by the Administrator or designee during the term of the fellowship; and from last duty station to the place of residence which the individual left to accept the fellowship, or to some other place at no greater cost to the Government. An Environmental Protection Research fellow shall be entitled to travel allowances or transportation and per diem while traveling on official business away from his or her permanent duty station during the term of the fellowship. Except as otherwise provided herein, an Environmental Protection Research fellow shall be entitled to travel and transportation allowances authorized in this part at the same rates as may be authorized by law and regulations for other civilian employees of the EPA. If an Environmental Protection Research fellow dies during the term of a fellowship, and the place of residence that was left by the fellow to accept the fellowship was outside the continental United States, the payment of expenses of preparing the remains for burial and transporting them to the place of residence for interment may be authorized. In the case of deceased fellows whose place of residence was within the continental United States, payment of the expenses of preparing the remains and transporting them to the place of residence for interment may be authorized as provided for other civilian employees of the Agency.

(c) *Benefits.* In addition to other benefits provided herein, Environmental Protection Research fellows shall be entitled to benefits as provided by law or regulation for other civilian employees of the Agency.

(d) *Training.* Environmental Protection Research fellows are eligible for training at Government expense on the same basis as other Agency employees.

#### **§ 18.9 Duration of Environmental Protection Research Fellowships.**

Initial appointments to Environmental Protection Research fellowships may be made for varying periods not in excess of 5 years. Such an appointment may be extended for varying periods not in excess of 5 years for each period in accordance with procedures and requirements established by the Administrator or designee.

#### **§ 18.10 Appointment of Special Research Consultants for Environmental Protection.**

(a) *Purpose.* When the EPA requires the services of consultants with expertise in environmental sciences or engineering who cannot be obtained when needed through regular civil service appointment or under the compensation provisions of the Classification Act of 1949, Special Research Consultants may be appointed to assist and advise in the operations of the EPA, subject to the provisions of the following paragraphs and in accordance with such instructions as may be issued from time to time by the Administrator or designee.

(b) *Appointments.* Appointments, pursuant to the provisions of this section, may be made by those officials in the EPA to whom authority has been delegated by the Administrator or designee.

(c) *Compensation.* The per diem or other rates of compensation shall be fixed by the appointing officer in accordance with criteria established by the Administrator or designee.

#### **§ 18.11 Standards of Conduct and Financial Disclosure.**

All individuals appointed to an Environmental Protection Research Fellowship or as a Special Research Consultant shall be subject to the same current standards and disclosure regulations and requirements as Title 5 appointees.

### **PART 19—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION**

Sec.

19.1 Applicability.

19.2 Effective date.

## § 19.1

19.3 [Reserved]

19.4 Statutory civil monetary penalties, as adjusted for inflation, and tables.

AUTHORITY: Pub. L. 101-410, Oct. 5, 1990, 104 Stat. 890, as amended by Pub. L. 104-134, title III, sec. 31001(s)(1), Apr. 26, 1996, 110 Stat. 1321-373; Pub. L. 105-362, title XIII, sec. 1301(a), Nov. 10, 1998, 112 Stat. 3293; Pub. L. 114-74, title VII, sec. 701(b), Nov. 2, 2015, 129 Stat. 599.

SOURCE: 73 FR 75345, Dec. 11, 2008, unless otherwise noted.

### § 19.1 Applicability.

This part applies to each statutory provision under the laws administered by the Environmental Protection Agency concerning the civil monetary penalties which may be assessed in either civil judicial or administrative proceedings.

### § 19.2 Effective date.

(a) The statutory civil monetary penalty levels set forth in the third column of Table 1 of § 19.4 apply to all violations which occur or occurred after November 2, 2015, where the penalties are assessed on or after December 27, 2023. The statutory civil monetary penalty levels set forth in the fourth column of Table 1 of § 19.4 apply to all violations which occurred after November 2, 2015, where the penalties were assessed on or after January 6, 2023, but before December 27, 2023.

(b) The statutory monetary penalty levels in the third column of Table 2 to § 19.4 apply to all violations which occurred after December 6, 2013, through November 2, 2015, and to violations occurring after November 2, 2015, where penalties were assessed before August 1, 2016. The statutory civil monetary penalty levels set forth in the fourth

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column of Table 2 of § 19.4 apply to all violations which occurred after January 12, 2009, through December 6, 2013. The statutory civil monetary penalty levels set forth in the fifth column of Table 2 of § 19.4 apply to all violations which occurred after March 15, 2004, through January 12, 2009. The statutory civil monetary penalty levels set forth in the sixth column of Table 2 of § 19.4 apply to all violations which occurred after January 30, 1997, through March 15, 2004.

[88 FR 89311, Dec. 27, 2023]

### § 19.3 [Reserved]

### § 19.4 Statutory civil monetary penalties, as adjusted for inflation, and tables.

Table 1 of this section sets out the statutory civil monetary penalty provisions of statutes administered by the EPA, with the third column setting out the latest operative statutory civil monetary penalty levels for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after December 27, 2023. The fourth column displays the operative statutory civil monetary penalty levels where penalties were assessed on or after January 6, 2023, but before December 27, 2023. Table 2 of this section sets out the statutory civil monetary penalty provision of statutes administered by the EPA, with the operative statutory civil monetary penalty levels, as adjusted for inflation, for violations that occurred on or before November 2, 2015, and for violations that occurred after November 2, 2015, where penalties were assessed before August 1, 2016.

TABLE 1 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Environmental statute	Statutory civil monetary penalties for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after December 27, 2023	Statutory civil monetary penalties for violations that occurred after November 2, 2015, where penalties were assessed on or after January 6, 2023, but before December 27, 2023	Statutory civil monetary penalties, as enacted
7 U.S.C. 136(a)(1)	FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA).	\$24,255	\$23,494	\$5,000
7 U.S.C. 136(a)(2) <sup>1</sup>	FIFRA	3,558/2,293/3,558	3,446/2,221/3,446	1,000/500/1,000
15 U.S.C. 2615(a)(1)	TOXIC SUBSTANCES CONTROL ACT (TSCA).	48,512	46,989	25,000
15 U.S.C. 2647(a)	TSCA	13,946	13,508	5,000
15 U.S.C. 2647(g)	TSCA	11,524	11,162	5,000
31 U.S.C. 3802(a)(1)	PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA).	13,946	13,508	5,000
31 U.S.C. 3802(a)(2)	PFCRA	13,946	13,508	5,000
33 U.S.C. 1319(d)	CLEAN WATER ACT (CWA)	66,712	64,618	25,000
33 U.S.C. 1319(g)(2)(A)	CWA	26,685/66,712	25,847/64,618	10,000/25,000
33 U.S.C. 1319(g)(2)(B)	CWA	26,685/333,552	25,847/323,081	10,000/125,000
33 U.S.C. 1321(b)(6)(B)(i)	CWA	23,048/57,617	22,324/55,808	10,000/25,000
33 U.S.C. 1321(b)(6)(B)(ii)	CWA	23,048/288,080	22,324/279,036	10,000/125,000
33 U.S.C. 1321(b)(7)(A)	CWA	57,617/2,304	55,808/2,232	25,000/1,000
33 U.S.C. 1321(b)(7)(B)	CWA	57,617	55,808	25,000
33 U.S.C. 1321(b)(7)(C)	CWA	57,617	55,808	25,000
33 U.S.C. 1321(b)(7)(D)	CWA	230,464/6,913	223,229/6,696	100,000/3,000
33 U.S.C. 1414b(d)(1)(A)	MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA).	1,535	1,487	600
33 U.S.C. 1415(a)	MPRSA	242,550/319,953	234,936/309,909	50,000/125,000
33 U.S.C. 1901 note (see 1409(a)(2)(A)).	CERTAIN ALASKAN CRUISE SHIP OPERATIONS (CACSO).	17,683/44,206	17,128/42,818	10,000/25,000
33 U.S.C. 1901 note (see 1409(a)(2)(B)).	CACSO	17,683/221,026	17,128/214,087	10,000/125,000
33 U.S.C. 1901 note (see 1409(b)(1)).	CACSO	44,206	42,818	25,000
33 U.S.C. 1908(b)(1)	ACT TO PREVENT POLLUTION FROM SHIPS (APPS).	90,702	87,855	25,000
33 U.S.C. 1908(b)(2)	APPS	18,139	17,570	5,000
42 U.S.C. 300g-3(b)	SAFE DRINKING WATER ACT (SDWA)	69,733	67,544	25,000
42 U.S.C. 300g-3(g)(3)(A)	SDWA	69,733	67,544	25,000

TABLE 1 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil monetary penalties for violations that occur or occurred after November 2, 2015, where penalties are assessed on or after December 27, 2023	Statutory civil monetary penalties for violations that occurred after November 2, 2015, where penalties were assessed on or after January 6, 2023, but before December 27, 2023	Statutory civil monetary penalties, as enacted
42 U.S.C. 300g–3(g)(3)(B)	SDWA	13,946/48,586	13,508/47,061	5,000/25,000
42 U.S.C. 300g–3(g)(3)(C)	SDWA	48,586	47,061	25,000
42 U.S.C. 300h–2(b)(1)	SDWA	69,733	67,544	25,000
42 U.S.C. 300h–2(c)(1)	SDWA	27,894/348,671	27,018/337,725	10,000/125,000
42 U.S.C. 300h–2(c)(2)	SDWA	13,946/348,671	13,508/337,725	5,000/125,000
42 U.S.C. 300h–3(c)	SDWA	24,255/51,744	23,494/50,120	5,000/10,000
42 U.S.C. 300(b)	SDWA	29,154	28,239	15,000
42 U.S.C. 300–1(c)	SDWA	169,700/1,697,012	164,373/1,643,738	100,000/1,000,000
42 U.S.C. 300f(e)(2)	SDWA	12,127	11,746	2,500
42 U.S.C. 300j–4(c)	SDWA	69,733	67,544	25,000
42 U.S.C. 300–6(b)(2)	SDWA	48,586	47,061	25,000
42 U.S.C. 300j–23(d)	SDWA	12,799/127,983	12,397/123,965	5,000/50,000
42 U.S.C. 4852(b)(6)	RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.	21,699	21,018	10,000
42 U.S.C. 4910(a)(2)	NOISE CONTROL ACT OF 1972	45,850	44,411	10,000
42 U.S.C. 6928(a)(3)	RESOURCE CONSERVATION AND RECOVERY ACT (RCRA).	121,275	117,468	25,000
42 U.S.C. 6928(c)	RCRA	73,045	70,752	25,000
42 U.S.C. 6928(g)	RCRA	90,702	87,855	25,000
42 U.S.C. 6928(h)(2)	RCRA	73,045	70,752	25,000
42 U.S.C. 6934(e)	RCRA	18,139	17,570	5,000
42 U.S.C. 6973(b)	RCRA	18,139	17,570	5,000
42 U.S.C. 6991e(a)(3)	RCRA	73,045	70,752	25,000
42 U.S.C. 6991e(d)(1)	RCRA	29,221	28,304	10,000
42 U.S.C. 6991e(d)(2)	RCRA	29,221	28,304	10,000
42 U.S.C. 7413(b)	CLEAN AIR ACT (CAA)	121,275	117,468	25,000
42 U.S.C. 7413(d)(1)	CAA	57,617/460,926	55,808/446,456	25,000/200,000
42 U.S.C. 7413(d)(3)	CAA	11,524	11,162	5,000
42 U.S.C. 7524(a)	CAA	57,617/5,761	55,808/5,580	25,000/2,500
42 U.S.C. 7524(c)(1)	CAA	460,926	446,456	200,000
42 U.S.C. 7545(d)(1)	CAA	57,617	55,808	25,000

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42 U.S.C. 9604(e)(5)(B)	COMPREHENSIVE ENVIRONMENTAL LIABILITY ACT (CERCLA)	69,733	67,544	25,000
42 U.S.C. 9606(b)(1)	CERCLA	69,733	67,544	25,000
42 U.S.C. 9609(a)(1)	CERCLA	69,733	67,544	25,000
42 U.S.C. 9609(b)	CERCLA	69,733/209,202	67,544/202,635	25,000/75,000
42 U.S.C. 9609(c)	CERCLA	69,733/209,202	67,544/202,635	25,000/75,000
42 U.S.C. 11045(a)	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)	69,733	67,544	25,000
42 U.S.C. 11045(b)(1)(A)	EPCRA	69,733	67,544	25,000
42 U.S.C. 11045(b)(2)	EPCRA	69,733/209,202	67,544/202,635	25,000/75,000
42 U.S.C. 11045(b)(3)	EPCRA	69,733/209,202	67,544/202,635	25,000/75,000
42 U.S.C. 11045(c)(1)	EPCRA	69,733	67,544	25,000
42 U.S.C. 11045(c)(2)	EPCRA	27,894	27,018	10,000
42 U.S.C. 11045(d)(1)	EPCRA	69,733	67,544	25,000
42 U.S.C. 14304(a)(1)	MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT (BATTERY ACT)	19,437	18,827	10,000
42 U.S.C. 14304(g)	BATTERY ACT	19,437	18,827	10,000

<sup>1</sup> Note that 7 U.S.C. 136(a)(2) contains three separate statutory maximum civil penalty provisions. The first mention of \$1,000 and the \$500 statutory maximum civil penalty amount were originally enacted in 1978 (Pub. L. 95-396), and the second mention of \$1,000 was enacted in 1972 (Pub. L. 92-516).

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TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
7 U.S.C. 136/(a)(1)	FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA).	\$7,500	\$7,500	\$6,500	\$5,500	\$5,000
7 U.S.C. 136/(a)(2)	FIFRA .....	750/1,100	750/1,100	650/1,100	550/1,000	500/1,000
15 U.S.C. 2615(a)(1).	TOXIC SUBSTANCES CONTROL ACT (TSCA).	37,500	37,500	32,500	27,500	25,000
15 U.S.C. 2647(a)	TSCA .....	7,500	7,500	6,500	5,500	5,000
15 U.S.C. 2647(g)	TSCA .....	7,500	7,500	5,500	5,000	5,000
31 U.S.C. 3802(a)(1).	PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA).	7,500	7,500	6,500	5,500	5,000
31 U.S.C. 3802(a)(2).	PFCRA .....	7,500	7,500	6,500	5,500	5,000
33 U.S.C. 1319(d)	CLEAN WATER ACT (CWA).	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1319(g)(2)(A).	CWA .....	16,000/37,500	16,000/37,500	11,000/32,500	11,000/27,500	10,000/25,000
33 U.S.C. 1319(g)(2)(B).	CWA .....	16,000/187,500	16,000/177,500	11,000/157,500	11,000/137,500	10,000/125,000
33 U.S.C. 1321(b)(6)(B)(i).	CWA .....	16,000/37,500	16,000/37,500	11,000/32,500	11,000/27,500	10,000/25,000
33 U.S.C. 1321(b)(6)(B)(ii).	CWA .....	16,000/187,500	16,000/177,500	11,000/157,500	11,000/137,500	10,000/125,000
33 U.S.C. 1321(b)(7)(A).	CWA .....	37,500/2,100	37,500/1,100	32,500/1,100	27,500/1,100	25,000/1,000
33 U.S.C. 1321(b)(7)(B).	CWA .....	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1321(b)(7)(C).	CWA .....	37,500	37,500	32,500	27,500	25,000
33 U.S.C. 1321(b)(7)(D).	CWA .....	150,000/5,300	140,000/4,300	130,000/4,300	110,000/3,300	100,000/3,000
33 U.S.C. 1414b(d)(1) <sup>1</sup> .	MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA).	860	860	760	660	600
33 U.S.C. 1415(a)	MPRSA .....	75,000/187,500	70,000/177,500	65,000/157,500	55,000/137,500	50,000/125,000
33 U.S.C. 1901 note (see 1409(a)(2)(A)).	CERTAIN ALASKAN CRUISE SHIP OPERATIONS (CACSO).	11,000/27,500	11,000/27,500	10,000/25,000	10,000/ <sup>2</sup> 25,000	10,000/25,000
33 U.S.C. 1901 note (see 1409(a)(2)(B)).	CACSO .....	11,000/147,500	11,000/137,500	10,000/125,000	10,000/125,000	10,000/125,000
33 U.S.C. 1901 note (see 1409(b)(1)).	CACSO .....	27,500	27,500	25,000	25,000	25,000
42 U.S.C. 300g–3(b).	SAFE DRINKING WATER ACT (SDWA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300g–3(g)(3)(A).	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300g–3(g)(3)(B).	SDWA .....	7,000/32,500	7,000/32,500	6,000/27,500	5,000/25,000	5,000/25,000
42 U.S.C. 300g–3(g)(3)(C).	SDWA .....	32,500	32,500	27,500	25,000	25,000

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TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
42 U.S.C. 300h-2(b)(1).	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300h-2(c)(1).	SDWA .....	16,000/ 187,500	16,000/ 177,500	11,000/ 157,500	11,000/ 137,500	10,000/ 125,000
42 U.S.C. 300h-2(c)(2).	SDWA .....	7,500/187,500	7,500/177,500	6,500/157,500	5,500/137,500	5,000/125,000
42 U.S.C. 300h-3(c).	SDWA .....	7,500/16,000	7,500/16,000	6,500/11,000	5,500/11,000	5,000/10,000
42 U.S.C. 300i(b) ..	SDWA .....	21,500	16,500	16,500	15,000	15,000
42 U.S.C. 300i-1(c)	SDWA .....	120,000/ 1,150,000	110,000/ 1,100,000	100,000/ 1,000,000	22,000/ <sup>3</sup> 55,000	20,000/50,000
42 U.S.C. 300j(e)(2).	SDWA .....	3,750	3,750	2,750	2,750	2,500
42 U.S.C. 300j-4(c)	SDWA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 300j-6(b)(2).	SDWA .....	32,500	32,500	27,500	25,000	25,000
42 U.S.C. 300j-23(d).	SDWA .....	7,500/75,000	7,500/70,000	6,500/65,000	5,500/55,000	5,000/50,000
42 U.S.C. 4852d(b)(5).	RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 4910(a)(2).	NOISE CONTROL ACT OF 1972.	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 6928(a)(3).	RESOURCE CONSERVATION AND RECOVERY ACT (RCRA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(c)	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(g)	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6928(h)(2).	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6934(e)	RCRA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 6973(b)	RCRA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 6991e(a)(3).	RCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 6991e(d)(1).	RCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 6991e(d)(2).	RCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 7413(b)	CLEAN AIR ACT (CAA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 7413(d)(1).	CAA .....	37,500/ 320,000	37,500/ 295,000	32,500/ 270,000	27,500/ 220,000	25,000/ 200,000
42 U.S.C. 7413(d)(3).	CAA .....	7,500	7,500	6,500	5,500	5,000
42 U.S.C. 7524(a)	CAA .....	3,750/37,500	3,750/37,500	2,750/32,500	2,750/27,500	2,500/25,000
42 U.S.C. 7524(c)(1).	CAA .....	320,000	295,000	270,000	220,000	200,000
42 U.S.C. 7545(d)(1).	CAA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9604(e)(5)(B).	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9606(b)(1).	CERCLA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 9609(a)(1).	CERCLA .....	37,500	37,500	32,500	27,500	25,000

TABLE 2 OF § 19.4—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

U.S. Code citation	Environmental statute	Statutory civil penalties for violations after December 6, 2013 through November 2, 2015, or assessed before August 1, 2016	Statutory civil penalties for violations after January 12, 2009 through December 6, 2013	Statutory civil penalties for violations after March 15, 2004 through January 12, 2009	Statutory civil penalties for violations after January 30, 1997 through March 15, 2004	Statutory civil penalties, as enacted
42 U.S.C. 9609(b)	CERCLA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 9609(c)	CERCLA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(a)	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA).	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(b)(1)(A) <sup>4</sup> .	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(b)(2).	EPCRA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(b)(3).	EPCRA .....	37,500/ 117,500	37,500/ 107,500	32,500/97,500	27,500/82,500	25,000/75,000
42 U.S.C. 11045(c)(1).	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 11045(c)(2).	EPCRA .....	16,000	16,000	11,000	11,000	10,000
42 U.S.C. 11045(d)(1).	EPCRA .....	37,500	37,500	32,500	27,500	25,000
42 U.S.C. 14304(a)(1).	MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT (BATTERY ACT).	16,000	16,000	11,000	10,000	10,000
42 U.S.C. 14304(g)	BATTERY ACT .....	16,000	16,000	11,000	10,000	10,000

<sup>1</sup>Note that 33 U.S.C. 1414b (d)(1)(B) contains additional penalty escalation provisions that must be applied to the penalty amounts set forth in this Table 2. The amounts set forth in this Table 2 reflect an inflation adjustment to the calendar year 1992 penalty amount expressed in section 104B(d)(1)(A), which is used to calculate the applicable penalty amount under MPRSA section 104B(d)(1)(B) for violations that occur in any subsequent calendar year.

<sup>2</sup>CACSO was passed on December 21, 2000 as part of Title XIV of the Consolidated Appropriations Act of 2001, Public Law 106-554, 33 U.S.C. 1901 note.

<sup>3</sup>The original statutory penalty amounts of \$20,000 and \$50,000 under section 1432(c) of the SDWA, 42 U.S.C. 300i-1(c), were subsequently increased by Congress pursuant to section 403 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, Public Law 107-188 (June 12, 2002), to \$100,000 and \$1,000,000, respectively. The EPA did not adjust these new penalty amounts in its 2004 Civil Monetary Penalty Inflation Adjustment Rule ("2004 Rule"), published on February 13, 2004, because they had gone into effect less than two years prior to the 2004 Rule.

<sup>4</sup>Consistent with how the EPA's other penalty authorities are displayed under this section, this Table 2 now delineates, on a subpart-by-subpart basis, the penalty authorities enumerated under section 325(b) of EPCRA, 42 U.S.C. 11045(b) (i.e., 42 U.S.C. 11045(b)(1)(A), (b)(2), and (b)(3)).

[85 FR 1753, Jan. 13, 2020, as amended at 85 FR 83820, Dec. 23, 2020; 87 FR 1678, Jan. 12, 2022; 88 FR 988, Jan. 6, 2023; 88 FR 89311, Dec. 27, 2023]

**PART 20—CERTIFICATION OF FACILITIES**

- Sec.
- 20.1 Applicability.
- 20.2 Definitions.
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- 20.4 Notice of intent to certify.
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- 20.7 General policies.
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APPENDIX A TO PART 20—GUIDELINES FOR CERTIFICATION

AUTHORITY: Secs. 301, 704, 80 Stat. 379, 83 Stat. 667; 5 U.S.C. 301, 26 U.S.C. 169.

SOURCE: 36 FR 22382, Nov. 25, 1971, unless otherwise noted.

**§ 20.1 Applicability.**

The regulations of this part apply to certifications by the Administrator of