

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection (“Department” or “DEP”) is proposing to amend its penalty schedule in order to incorporate penalties related to new provisions in 15 RCNY Chapter 19 aimed at protecting green infrastructure.

When and where is the hearing? DEP will hold a public hearing on the proposed rule. The public hearing will take place on November 25, 2020 at 11 am. The hearing will be conducted by video conference and is accessible by:

Internet Video and Audio. For access, visit: [Join Microsoft Teams Meeting](#)

- **Phone.** For access, dial: 347.921.5612
When prompted, enter Meeting ID: 661 330 826#

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department through the NYC rules web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail written comments to the Department, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax written comments to the Department, Bureau of Legal Affairs, at 718-595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing nycrules@dep.nyc.gov.

Is there a deadline to submit written comments? Yes, you must submit written comments by November 25, 2020.

What if I need assistance to participate in the hearing? You must tell the Department’s Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by postal mail or email to the addresses given above. You may also tell us by telephone at 718-595-6531. You must tell us by November 18, 2020.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs.

What authorizes the Department to make these rules? Section 1043(a) of the New York City Charter (“City Charter”) and Section 24-523(e) of the Administrative Code of the City of New York authorize the Department to make these proposed rules which were included in the Department’s regulatory agenda for fiscal year 2020.

Where can I find the Department’s rules? The Department’s rules are in Title 15 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose

The New York City Department of Environmental Protection (“DEP” or “Department”) proposes to amend its Sewer Control Rules Penalty Schedule (Title 15, Chapter 56 of the Rules of the City of New York (“RCNY”)) to reflect certain recently amended provisions in Title 15, Chapter 19, the purpose of which are to protect the City’s green infrastructure:

- The newly amended 15 RCNY § 19-01 defines green infrastructure as “the range of city-owned measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest or reuse, or landscaping to store, infiltrate or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.”
- Green infrastructure has also been added to 15 RCNY § 19-03(a) to ensure that the list of substances prohibited from being discharged to the public sewer also apply to green infrastructure.

The Department’s Bureau of Environmental Planning and Analysis (BEPA), which installs and maintains green infrastructure, has been observing for years the frequent dumping of garbage and other waste materials into rain gardens and other green infrastructure. The incorporation into 19-03(a) of green infrastructure responded to those harmful practices. BEPA intends to enforce the new aspect of 19-03(a) by issuing administrative summonses to violators thereof with civil penalties that exceed existing penalties for violations of 19-03(a); to do so, two additions to the Sewer Control Rules Penalty Schedule are proposed, with penalties for green infrastructure violations that BEPA considers appropriate for these types of offenses, as they are more costly to remedy than violations that affect non-green infrastructure: \$1,000, \$2,000, \$4,000 and \$10,000 for first, second, third, and subsequent offenses, respectively. The two additions are for:

- 1) discharge of obstructive substance into or other interference to green infrastructure, and
- 2) discharge of oil into green infrastructure.

Concomitant with the raised penalties for violations of 19-03(a) that pertain to green infrastructure, DEP proposes language to clarify that the previously existing penalties will pertain only to non-green infrastructure.

There is also a minor addition in the penalty schedule to the charge corresponding to 15 RCNY § 19-03(a)(1). The words “or similarly obstructive material” have been inserted, so that it now reads “Discharge of concrete/cement or similarly obstructive material or water contaminated therewith.” The purpose of this insertion is to ensure that discharges of materials other than concrete or cement which interfere with the flow in the sewer incur the same penalty amount.

Additionally, the charge of “Failure to install or maintain pretreatment equipment (grease)” in the penalty schedule is being amended to include reference to 15 RCNY § 19-11(q). Recently added language in said section specifies that for a grease interceptor to be properly maintained, the fat, oil, grease, and solids must be routinely removed “as needed to ensure proper operation and to prevent the rated grease retention capacity from being exceeded.” The new language also includes the statement that “the minimum cleaning frequency shall be such that the accumulated fat, oil, grease, and solids do not exceed 25% of the total liquid depth that the grease interceptor or automatic grease removal device was designed to hold.” The newly amended provision thus includes an additional provision that could be implicated by improper maintenance of a grease interceptor.

The name of the Division of Pollution Control and Monitoring (DPCM), which has changed to Division of Pollution Prevention and Monitoring (DPMM), has been amended accordingly.

Finally, in footnote 3 concerning the criteria for mitigation for certain offenses, BEPA, which will be enforcing the green infrastructure provisions, has been designated as the entity to determine whether acceptable proof has been received for the purpose of determining the applicability of the mitigated penalty in cases involving a spill/discharge to green infrastructure.

Material being deleted is shown below in [brackets] and material being added is underlined.

Chapter 56 of Title 15 of the Rules of the City of New York (“RCNY”), Sewer Control Rules Penalty Schedule, is hereby amended to read as follows:

§ 56-01 General.

(a) The name "Division of Pollution [Control] Prevention and Monitoring" is abbreviated as "[DPCM] DPPM." The name "Bureau of Environmental Planning and Analysis" is abbreviated as "BEPA" The term "Not Applicable" is abbreviated as "N/A." The term "Notice of Violation" is abbreviated as "NOV."

(b) Citations preceded by "A.C." are to the NYC Administrative Code.

(c) For purposes of this Penalty Schedule, the term "serious" in the charge for A.C. Title 24, Ch. 5/15 RCNY Ch. 19, for "any serious Admin. Code Rule violation" means "any violation resulting in injury to human, animal, or aquatic life, harm to public health or the environment, or damage to the publicly owned treatment works or its collection system."

(d) A second, third and/or subsequent violation shall be based on the following criteria: (1) an offense by the same respondent; (2) the prior NOV(s) is for the same subsection and paragraph of the same regulation as the current NOV; (3) the offense does not have to involve the same premises, equipment and/or vehicle; (4) the prior NOV(s) was concluded by a finding of violation or an admission or a default and has a date of

offense within 1 year of the date of offense of the current NOV; and (5) if NOV(s) with different dates of offense are adjudicated at the same hearing, each NOV shall serve as a prior violation for all subsequently issued NOV's.

(e) The default penalty for all charges in this Penalty Schedule is \$10,000.

(f) Mitigation, if applicable, shall be determined as per notes 1 through 9 below, and as indicated in the mitigation penalty column ("MIT. PENALTY") of this Penalty Schedule, and also as per "Compliance Incentives Policy Mitigation" set out below.

1	15 RCNY § 19-03(a)(6) 15 RCNY § 19-03(a)(9) 15 RCNY § 19-04(a)-(c) 15 RCNY § 19.1-02.1	Mitigation	[DPCM] <u>DPPM</u> has received the results of sampling conducted by the respondent subsequent to the date of offense which are in compliance with applicable limits and deemed acceptable by [DPCM] <u>DPPM</u> . Such results must be received by [DPCM] <u>DPPM</u> within 30 calendar days from the date of service of the NOV. The burden of proving compliance shall be upon the respondent.
2	A.C. § 24-524(f) A.C. § 24-585 15 RCNY § 19.1-02.1	Mitigation failure to comply	[DPCM] <u>DPPM</u> has received proof deemed acceptable by [DPCM] <u>DPPM</u> that the Commissioner of Environmental Protection's order or permit has been fully complied with, within 30 calendar days from the due date for compliance with said order, or report due date.
3	15 RCNY § 19-03(a)(1), (4), (5), (7), (8) 15 RCNY § 19-03(a)(10)-(11) 15 RCNY § 19-03(a)(15) 15 RCNY § 19.1-02.1	Mitigation	[DPCM] <u>DPPM</u> (or BEPA if the spill/discharge was to green infrastructure) has received proof deemed acceptable by [DPCM] <u>DPPM</u> or BEPA that the spill/discharge was accidental, that the respondent has properly reported the spill/discharge to [DPCM] <u>DPPM</u> or BEPA, has taken adequate measures to minimize the extent of the spill/discharge, and has properly cleaned the spill/discharge.
4	A.C. § 24-524(f) A.C. § 24-585 15 RCNY § 19.1-02.1	Mitigation failure to comply	[DPCM] <u>DPPM</u> has received proof deemed acceptable by [DPCM] <u>DPPM</u> that the Commissioner of Environmental Protection's order or permit has been fully complied with, within 30 calendar days from the due date for compliance with said order, or report due date. Alternatively, a prior NOV exists for the same commissioner of environmental protection's order or permit reporting requirement (i.e. same report was due) and has a date of offense within 1 year of the date of offense of the current NOV and [DPCM] <u>DPPM</u> has received proof deemed acceptable by [DPCM] <u>DPPM</u> that the commissioner of environmental protection's order or permit has been fully complied with within 30 calendar days from the date of service of the current NOV.
5	15 RCNY § 19-02(a), (d) 15 RCNY § 19-05(e) 15 RCNY § 19-06(b)	Mitigation	[DPCM] <u>DPPM</u> has received proof deemed acceptable by [DPCM] <u>DPPM</u> that the violation has been corrected within 30 calendar days from the date of service of the NOV.
6	15 RCNY § 19-03(a)(12)	Mitigation discharge burdensome to plant	[DPCM] <u>DPPM</u> has received proof deemed acceptable by [DPCM] <u>DPPM</u> that the respondent has immediately ceased the unauthorized discharge, performed a proper cleanup, if applicable, and taken adequate measures to prevent future unauthorized discharges.
7	A.C. § 24-509(c)	Mitigation failure to connect to public sewer	Respondent has DEP house connection permit by first scheduled hearing date and connects within three weeks of the first scheduled hearing date.
8	A.C. § 24-509(c)	Mitigation failure to connect to public sewer	Respondent files plumbing repair application with department of buildings by first scheduled hearing date and completes connection within five weeks of the first scheduled hearing date.
9	A.C. § 24-509(c)	Mitigation failure to connect to public sewer	Respondent fails to initiate the connection process by first scheduled hearing date but completes connection within seven weeks of the first scheduled hearing date.

[COMPLIANCE INCENTIVES POLICY MITIGATION

IF RECOMMENDED BY [DPCM] DPPM, PENALTIES MAY BE ASSESSED UNDER THE TERMS OF THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S POLICY ON INCENTIVES FOR BUSINESSES TO COMPLY WITH REGULATIONS GOVERNING DISCHARGES TO PUBLIC SEWERS, ALSO KNOWN AS THE COMPLIANCE INCENTIVES POLICY (CIP). A COPY OF THE CIP CAN BE OBTAINED FROM THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF WASTEWATER TREATMENT, DIVISION OF POLLUTION [CONTROL] PREVENTION AND MONITORING. THE ACTUAL TEXT OF THE CIP SHALL BE DETERMINATIVE OF THE REQUIREMENTS FOR MITIGATION UNDER THE CIP. SEE BELOW FOR A BRIEF SUMMARY OF THE CIP. SEE ALSO THE CIP PENALTY REDUCTION TABLE, BELOW.]

Compliance Incentives Policy Mitigation

If recommended by DPPM, penalties may be assessed under the terms of the New York City Department of Environmental Protection's Policy on Incentives for Businesses to Comply with Regulations Governing Discharges to Public Sewers, also known as the Compliance Incentives Policy (CIP). A copy of the CIP can be obtained from the New York City Department of Environmental Protection Bureau of Wastewater Treatment, Division of Pollution Prevention and Monitoring. The actual text of the CIP shall be determinative of the requirements for mitigation under the CIP. See below for a brief summary of the CIP. See also the CIP penalty reduction table, below.

Summary of CIP

(See actual CIP for further details)

Qualifying violations will be:

- 1) violations discovered through a voluntary on-site compliance assistance program, as per the terms of the CIP;
- 2) violations discovered through an environmental self-audit, as per the terms of the CIP;
- 3) violations discovered through special testing, sampling, or monitoring performed by a business for the purpose of evaluating or upgrading its equipment or processes, as per the terms of the CIP. The disclosure of the violation must occur within the time frames required by the CIP, and before the violation was otherwise discovered by, or reported to [DPCM] DPPM, and cannot be a result of legally mandated monitoring or sampling requirement prescribed by statute, regulation, permit, judicial or administrative order, or consent agreement. As described in the CIP, businesses must correct the violations within the shortest practicable period of time, not to exceed 90 days following detection of the violation, unless an additional 90 day period is approved by [DPCM] DPPM, only if necessary to allow the business to correct the violation by implementing pollution prevention measures. See actual CIP for all requirements, and for further details. Additional requirements include, but are not limited to:
 - a) the business immediately corrects threats to the public's health, safety or the environment; and
 - b) the business has not intentionally, knowingly, recklessly, or with criminal or gross negligence caused harm to public health, safety or the environment; and
 - c) the violation does not involve criminal conduct; and
 - d) the violation does not cause the publicly-owned treatment works facility, which treats the related NYC sewer discharge where the violation occurred, to exceed its effluent limitations; and
 - e) the business has not received any NOVs, for the same subsection and paragraph of the same regulation as the current NOV, with a date of offense within two years prior to the date of offense of the current NOV, or alternatively, at [DPCM's] DPPM's discretion, the business either funds an environmentally beneficial project that contributes to the betterment of the NYC wastewater collection and treatment system (or other related or non-related Department of Environmental Protection concerns), or attends a mandatory user-paid environmental education program.

CIP Penalty Reduction Table

If Respondent also qualifies for a non-CIP mitigated penalty, the CIP percentage penalty reduction shall be applied to the mitigated penalty amount.

Determining Factors For Reduction in Penalty	Percent Reduction In Penalty
All CIP requirements satisfied, and violation corrected within 90 days following detection of the violation, and no prior NOV for the same subsection and paragraph as current NOV within 2 years, and violation caused no harm to public health, safety or the environment.	100%
All CIP requirements satisfied, and violation corrected within 180 days (with [DPCM] DPPM approval) instead of 90 days following detection of the violation, and no prior NOV for the same subsection and paragraph as current NOV within 2 years, and violation caused no harm to public health, safety or the environment.	90%
All CIP requirements satisfied, and violation corrected within 90 days following detection of the violation, and NOV exists for same subsection and paragraph within 2 years, but environmentally beneficial project funded or environmental education program attended, and violation caused no harm to public health, safety or the environment.	80%

All CIP requirements satisfied, and violation corrected within 180 days (with [DPCM] <u>DPPM</u> approval), instead of 90 days following detection of the violation, and NOV for the same subsection and paragraph within 2 years but environmentally beneficial project funded or environmental education program attended, and violation caused no harm to public health, safety or the environment.	70%
All CIP requirements satisfied, and violation corrected within 90 days following detection of the violation, and no prior NOV for the same subsection and paragraph as current NOV within 2 years, and violation caused harm to public health, safety or the environment, but not intentionally, knowingly, recklessly, or with criminal or gross negligence.	60%
All CIP requirements satisfied, and violation corrected within 180 days (with [DPCM] <u>DPPM</u> approval) instead of 90 days following detection of the violation, and no prior NOV for the same subsection and paragraph as current NOV within 2 years, and violation caused harm to public health, safety or the environment, but not intentionally, knowingly, recklessly, or with criminal or gross negligence.	50%
All CIP requirements satisfied, and violation corrected within 90 days following detection of the violation, and NOV exists for same subsection and paragraph within 2 years, but environmentally beneficial project funded or environmental education program attended, and violation caused harm to public health, safety, or the environment, but not intentionally, knowingly, recklessly, or with criminal or gross negligence.	40%
All CIP requirements satisfied, and violation corrected within 180 days (with [DPCM] <u>DPPM</u> approval) instead of 90 days following detection of the violation, and NOV exists for same subsection and paragraph within 2 years, but environmentally beneficial project funded or environmental education program attended, and violation caused harm to public health, safety or the environment, but not intentionally, knowingly, recklessly, or with criminal or gross negligence.	30%

(Added City Record 4/1/2019, eff. 6/1/2019)

§56-02 Sewer Control Rules Penalty Schedule

Regulation	Description	First Violation		Second Violation		Third Violation		Subs Viol.	Default Penalty
		Penalty	MIT. Penalty	Penalty	MIT. Penalty	Penalty	MIT. Penalty		
15 RCNY 19-02(a), (d)	Unauthorized connection to public sewer/interceptor								
1st offense		300	200 ⁵						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs. offense								2500	10000
15 RCNY 19-02(b), (c),(e)	Unauthorized discharge to catch basin/storm/sanitary sewer								
1st offense		250	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-02(f)	Discharge of groundwater without permit								
1st offense		250	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000

Subs offense								2500	10000
15 RCNY 19-03(a)(1)	Discharge of obstructive substance or other interference (non-green infrastructure)								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-03(a)(2)	Discharge of snow and ice at unauthorized location								
1st offense		100	NO						1000
2nd offense				200	NO				2000
3rd offense						500	NO		3000
Subs offense								1000	10000
15 RCNY 19-03(a)(3)	Discharge of steam/waste water over 150°f								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2000	10000
15 RCNY 19-03(a)(4)	Discharge of flammable or explosive substance								
<u>15 RCNY 19-03(a)(1)</u>	<u>Discharge of obstructive substance or other interference to green infrastructure</u>								
<u>15 RCNY 19-03(a)(5)</u>	<u>Discharge of oil to green infrastructure</u>								
1st offense		1000	500 ³						2000
2nd offense				2000	NO				4000
3rd offense						4000	NO		8000
Subs offense								10000	10000
15 RCNY 19-03(a)(5)	Discharge of oil 0-5 qts from changing oil in privately owned automobile (non-green infrastructure)								
1st offense		500	NO						1000
2nd offense				800	NO				2000

3rd offense						1000	NO		3000
Subs offense								2000	10000
15 RCNY 19-03(a)(6)	Discharge of non-polar material								
1st offense		1000	500 ¹						2000
2nd offense				2000	800 ¹				4000
3rd offense						4000	1000 ¹		8000
Subs offense								7500	10000
15 RCNY 19-03(a)(5),(7), (8)	Discharge of oil sludge/coal tar/paints (<u>non-green infrastructure</u>)								
1st offense		1000	500 ³						2000
2nd offense				2000	800 ³				4000
3rd offense						4000	1000 ³		8000
Subs offense								7500	10000
15 RCNY 19-03(a)(9)	Discharge of wastewater outside of applicable ph limits								
1st offense		400	250 ¹						1000
2nd offense				800	400 ¹				2000
3rd offense						1000	NO		3000
Subs offense								2000	10000
15 RCNY 19-03(a)(10)-(11) 15 RCNY 19.1-02.1	Discharge of toxics Discharge in excess of interim or final limits for toxic parameter under SPDES Multi-Sector General Permit								
1st offense		1000	500 ³						2000
2nd offense				2000	NO				4000
3rd offense						4000	NO		8000
Subs offense								10000	10000
15 RCNY 19-03(a)(12)	Discharge of pollutant burdensome to sewage treatment plant								
1st offense		2500	1500 ⁶						5000
2nd offense				5000	NO				10000
3rd offense						7500	NO		10000
Subs offense								10000	10000
15 RCNY 19-	Discharge of noxious malodorous or discoloring substance								

03(a)(13)-(14)									
1st offense		350	NO						1000
2nd offense				800	NO				2000
3rd offense						1000	NO		3000
Subs offense								2000	10000
15 RCNY 19-03(a)(15) 15 RCNY 19-03(a)(1)	Discharge of dry cleaning wastes Discharge of concrete/cement or similarly obstructive material or water contaminated therewith (non-green infrastructure)								
1st offense		1000	350 ³						2000
2nd offense				2000	NO				4000
3rd offense						4000	NO		8000
Subs offense								5000	10000
15 RCNY 19-03(b)	Discharge of unshredded garbage								
1st offense		350	NO						1000
2nd offense				1000	NO				2000
3rd offense						2000	NO		3000
Subs offense								5000	10000
15 RCNY 19-03(d)(1) 15 RCNY 19.1-01.4	Failure to protect against accidental discharge								
1st offense		350	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-03(d)(2)	Failure to immediately notify DEP of accidental discharge								
1st offense		500	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-03(d)(3)	Failure to post accidental discharge procedures								
1st offense		250	NO						1000

15 RCNY 19-06(a)(1)- (2)	Discharge of scavenger waste in violation of terms of permit/discharge of scavenger waste from outside NYC								
1st offense		500	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-06(a)(3)	Discharge of non-sanitary wastes								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000
Subs. offense								7500	10000
15 RCNY 19-06(a)(4)	Discharge of scavenger wastes at non-designated manhole								
1st offense		500	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-06(b)	Discharge of scavenger wastes in unclean/unsafe manner/failure to produce or carry permit/false or misleading statement in application								
1st offense		400	100 ⁵						1000
2nd offense				1000	250 ⁵				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-06(d)	Unlawful transport of other wastes in scavenger vehicle								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000
Subs offense								7500	10000
15 RCNY 19-06(e)	Impermissible discharge of waste from grease interceptor, separator, or trap								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000

Subs offense								7500	10000
15 RCNY 19-07(a), (i)	Failure to prepare/Implement silver halide bmpp								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-07(b), (f)	Failure to install, operate, and maintain proper pretreatment equipment								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-07(c)	Failure to follow off-site recovery req. for silver halide records and measurements, or vendor certification								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-07(d), (h)	Failure to maintain and make available all required records and measurements, or vendor certification								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-10(b)(1)-(2)	Unauthorized entry into or damage to sewer system								
1st offense		2500	NO						5000
2nd offense				5000	NO				10000
3rd offense						7500	NO		10000
Subs offense								10000	10000
15 RCNY 19-10(c)	Interference with DEP personnel/equipment								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000

3rd offense						5000	NO		10000
Subs offense								10000	10000
15 RCNY 19-10(d) 15 RCNY 19.1-02.3	Refusal to allow entry/inspection/tampering with sampling or testing device								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000
Subs offense								10000	10000
15 RCNY 19-10(e)	Failure to provide required information/refusal to cooperate								
1st offense		500	NO						1000
2nd offense				1500	NO				2000
3rd offense						5000	NO		10000
Subs offense								7500	10000
15 RCNY 19-12(a), (c)	Failure to install/maintain pretreatment equipment (dry cleaners)								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-12(b)	Discharge of dry cleaning waste (perc)								
1st offense		500	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
15 RCNY 19-12(d)	Failure to protect against accidental spill (dry cleaner waste)								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
15 RCNY 19-12(e)	Failure to maintain records (dry cleaners)								
1st offense		350	NO						1000

2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
A.C. 24-509(c)	Failure to connect to public sewer w/i 6 months of notification								
1st offense		3000	500 ⁷ 750 ⁸ 1000 ⁹						5000
2nd offense				N/A	N/A				
3rd offense						N/A	N/A		
Subs offense								N/A	
A.C. 24-523(c)(2)	Failure to maintain/submit required record/report								
A.C. 24-573									
15 RCNY 19.1-02.4									
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
A.C. 24-523(c)(2)	Failure to maintain monitoring equipment/methods								
1st offense		350	NO						1000
2nd offense				500	NO				2000
3rd offense						1000	NO		3000
Subs offense								2500	10000
A.C. 24-523(c)(2)	Failure to provide required information								
1st offense		500	NO						1000
2nd offense				1500	NO				2000
3rd offense						5000	NO		10000
Subs offense								7500	10000
A.C. 24-523(c)(3)	Refusal to allow inspection of monitoring equipment/ method or sampling								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000

Subs offense								10000	10000
A.C. 24-523(c)(4) 15 RCNY 19.1-02.1	Providing false or misleading information								
1st offense		1000	NO						2000
2nd offense				2500	NO				5000
3rd offense						5000	NO		10000
Subs offense								10000	10000
A.C. 24-523(f)/24-524(f) / 15 RCNY 19.1-02.1	Failure to comply with Comm. request for information/terms of permit other than reporting requirements								
1st offense		500	NO						1000
2nd offense				1000	NO				2000
3rd offense						2500	NO		3000
Subs offense								5000	10000
A.C. 24-524(f) A.C. 24-585	Failure to comply with Comm's Order								
1st offense		400	125 ²						1000
2nd offense				600	250 ⁴				2000
3rd offense						800	400 ⁴		3000
Subs offense								1000	10000
A.C. 24-524(f) 15 RCNY 19.1-02.1	Failure to comply with terms of permit reporting requirements								
1st offense		250	125 ²						1000
2nd offense				500	250 ⁴				2000
3rd offense						800	NO		3000
Subs offense								1000	10000
A.C. Title 24, Ch.5 A.C. Title 24, Ch.5-A	Miscellaneous Administrative Code/Rule violation								

