

AIR CODE

| Section of Law | ECB Computer Code | Violation Description | Compliance | 1st Offense Stip. | 1st Offense | Default Penalty | 2nd Offense | 2nd Stip. | 3rd and Subsq. Offense | 3rd & Subsq. Stip. |
|----------------|-------------------|---|---|-------------------|---------------|-----------------|-------------|-----------|------------------------|--------------------|
| 20-910 | AE1P | Exterior Door Open While AC or Central Cooling System is in Operation (1st Offense after warning) | | No | 200 | 200 | No | No | No | No |
| 20-910 | AE1Q | Exterior Door Open While AC or Central Cooling System is in Operation (2nd Offense after warning) | | No | 400 | 400 | No | No | No | No |
| 24-108(f) | BA01 | Location of key to boiler room not posted or no key on premises | Post sign/provide key forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-109(b)(1) | BA02 | Spraying insulation material w/o registration. | Register for spraying - forthwith | 1,040 | 1,040 | 2,600 | 1,615 | 1,615 | 1,615 | 1,615 |
| 24-109(b)(2) | BA03 | Building demolition w/o registration | Register demolition site - forthwith | 1,040 | 1,040 | 2,600 | 1,615 | 1,615 | 1,615 | 1,615 |
| 24-109(b)(3) | BA04 | Unregistered fuel burning equipment - #4 or #6 oil. | Obtain registration - 60 days | 560 | 560 *(300) | 1,400 | 870 | 870 | 870 | 870 |
| 24-109(b)(4) | BA05 | Unregistered fuel burning equipment - #2 oil or natural gas | Obtain registration - 60 days | 700 | 700 *(350) | 1,750 | 1,085 | 1,085 | 1,085 | 1,085 |
| 24-109(f) | BA06 | Operating emission source with expired registration | Obtain renewal of registration - 60 days | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-111 | BA07 | Interference/obstruction of DEP personnel | Cease interference with adm. personnel - forthwith | 700 | 700 | 1,750 | 1,085 | 1,085 | 1,085 | 1,085 |
| 24-112 | BA08 | Making/filing false or misleading statements/documents | Submit documented information - forthwith | No | 700 | 1,750 | 1,085 | No | 1,085 | No |
| 24-113(a) | BA09 | Permits, certificate, or registration not displayed | Post permit, certificate, or registration - forthwith | 120 | 120 | 300 | 185 | 185 | 185 | 185 |
| 24-113(c) | BA10 | No display of notice required for equipment using residual oil | Post notice - forthwith | 120 | 120 | 300 | 185 | 185 | 185 | 185 |

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| 24-117 | BA11 | Unauthorized discontinuance of refuse burning equipment | Obtain incin. operation certificate or comply with subsection 117 & 119 - 90 days | 350 | 350 | 875 | 545 | No | 545 | No |
| 24-118 | BA12 | Installation of refuse burning equip. non-municipal, greater than 25sq. ft. | Remove incinerator - forthwith | No | 8,000 | 20,000 | 12,400 | No | 12,400 | No |
| 24-118 | BA13 | Installation of refuse burning equip. non-municipal, less than 25sq. ft | Remove incinerator - forthwith | No | 2,400 | 6,000 | 3,720 | No | 3,720 | No |
| 24-119(a) | BA14 | Failure to provide refuse compactor | Install compactor - 90 days | No | 1,600 | 4,000 | 2,480 | No | 2,480 | No |
| 24-120 | BA15 | Equipment installed/alterd w/out work permit | File plans and application - 30 days | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | No | Schedule E,F,G | No |
| 24-122(b)(1) | BA16 | Operating fuel burning equipment w/out an operating certificate | Obtain operating certificate - 90 days | Sch. E | Sch. E | Sch. E | Sch. E | No | Sch. E | No |
| 24-122(b)(2) | BA17 | Operating manufacturing equipment w/out an operating certificate | Obtain operating certificate - 90 days | Sch. F | Sch. F | Sch. F | Sch. F | No | Sch. F | No |
| 24-122(b)(3) | BA18 | Operating portable powered equipment w/out an operating certificate | Obtain operating certificate - 90 days | Sch. E | Sch. E | Sch. E | Sch. E | No | Sch. E | No |
| 24-122(b)(4) | BA19 | Operating refuse burning equipment w/out an operating certificate | Obtain operating certificate - 90 days | Sch. G | Sch G | Sch. G | Sch. G | No | Sch. G | No |
| 24-122(b)(5) | BA20 | Operating equipment w/out required operating certificate | Obtain operating certificate - 90 days | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | No | Schedule E,F,G | No |
| 24-123(e) | BA21 | Operating w/out renewal of expired operating certificate | File for renewal of operating certificate - 30 days | 350 | 350 | 875 | 545 | No | 545 | No |
| 24-141 | BA22 | Emission of air contaminant equipment requiring O.C. or registration | Operate without further emissions - forthwith | Schedule E,F,G | Sch E, F, G *(350) | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |

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| 24-141 | BA24 | Emission of air contaminant from unregulated source | Operate without further emissions forthwith | 400 | 400 | 1,000 | 620 | 620 | 620 | 620 |
| 24-142(a) | BA25 | Emission of air contaminant (smoke) | Operate without further emissions forthwith | Schedule E,F,G | Sch E, F, G *(350) | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-142 | BA26 | Emission of air contaminant from unregulated equipment | Operate without further emissions forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-143 | BA27 | Emission of air contaminant from motor vehicle (Diesel) | Operate without further emissions forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-144 | BA28 | Emission of sulphur compounds | Reduce sulphur emissions to legal limits - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-145 | BA29 | Emission of particulates from refuse or fuel burning equipment | Reduce particulate matter from becoming airborne - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-146(a) | BA30 | Particulate matter allowed to become airborne | Keep particulate matter from becoming airborne - forthwith | 700 | 700 | 1,750 | 1,085 | 1,085 | 1,085 | 1,085 |
| 24-146(b) | BA31 | Asbestos spraying w/out permit | Cease spraying until permit obtained - forthwith | No | 4,800 | 12,000 | 7,440 | No | 7,440 | No |
| 24-146(c) | BA32 | Particulate emissions from construction activity | Keep particulate matter from becoming airborne - forthwith | 700 | 700 | 1,750 | 1,085 | 1,085 | 1,085 | 1,085 |

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| 24-146(d) | BA33 | Particulate emissions from untreated open areas | Treat area to prevent particulates from becoming airborne - forthwith | 560 | 560 | 1,400 | 870 | 870 | 870 | 870 |
| 24-146(e) | BA34 | Spraying of insulation material w/o proper required precaution | Take proper precautions for spraying - forthwith | 700 | 700 | 1,750 | 870 | 870 | 870 | 870 |
| 24-146(f) | BA35 | Failure to take required precautions during demolition | Take proper precautions for demolition - forthwith | 1,200 | 1,200 | 3,000 | 1,860 | 1,860 | 1,860 | 1,860 |
| 24-147 | BA36 | Emission of air contaminant nitrogen oxides from boiler | Reduce nitrogen oxides emissions to legal limits - forthwith | 1,400 | 1,400 | 3,500 | 2,170 | 2,170 | 2,170 | 2,170 |
| 24-148 | BA37 | Sale or use of photo-chemical solvents | Stop sale or use of photo-chemical solvents - forthwith | 1,050 | 1,050 | 2,625 | 1,630 | 1,630 | 1,630 | 1,630 |
| 24-149 | BA38 | Caused or permitted air contaminant from open fire | Stop use of open fire - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-150 | BA39 | Smoking in elevator/failure to post no smoking sign | Do not smoke in elevator / post no smoking sign - forthwith | 200 | 200 | 500 | 310 | 310 | 310 | 310 |
| 24-151 | BA40 | Concealing or masking of air contaminant emission | Undo concealment or masking of air contaminant - 30 days | 1,400 | 1,400 | 3,500 | 2,170 | 2,170 | 2,170 | 2,170 |

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| 24-153 | BA41 | Air contaminant emission exceeding environmental rating | Reduce air contaminant level as prescribed by Env. Rating - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-154 | BA42 | Failure to file environmental rating report | File environmental rating report within 30 days - 30 days | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-155 | BA43 | Improper maintenance of equipment requiring O.C. or registration | Maintain equipment properly - forthwith | Schedule E,F,G | Sch E, F, G *(350) | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-155 | BA44 | Failure to maintain unregulated equipment | Maintain equipment properly - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-156 | BA45 | Use of equipment w/out required apparatus | Utilize apparatus while operating equipment - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-159 | BA46 | Use of burning equipment by person w/out a certificate of fitness | Operate equipment with qualified personnel - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-160 | BA47 | No air contaminant recorder for boiler | Install & Use air contaminant recorder - forthwith | Sch E | Sch E | Sch E | Sch E | Sch E | Sch E | Sch E |
| 24-161 | BA48 | Operating fuel burning equipment w/out certificate of instruction | Obtain a certificate of instruction - 180 days | 350 | 350 | 875 | 545 | 545 | 545 | 545 |

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| 24-166 | BA54 | Use of inadequate combustion shut-off device | Use properly functioning shut-off device - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-167 | BA55 | Improper use of equipment or apparatus | Use equipment in accordance with code - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-168 | BA56 | Use of improper fuel in fuel burning equipment | Use fuel specified for equipment - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-169(c) | BA57 | Use/purchase, for regulated equipment, of fuel with excess sulphur | Purchase and use fuel with proper sulphur content - forthwith | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-169 | BA58 | Use/purchase, for unregulated equipment of fuel with excess sulphur | Purchase and use fuel with proper sulphur content - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-169 | BA59 | Sale, offer, storage or transport of fuel with excess sulphur content | Comply with code - forthwith | 2,400 | 2,400 | 6,000 | 3,720 | 3,720 | 3,720 | 3,720 |
| 24-173 | BA60 | Improper use of solid fuel in fuel burning equipment | Cease use of high sulphur fuel - forthwith | Sch E | Sch E | Sch E | Sch E | Sch E | Sch E | Sch E |
| 24-174(a) | BA61 | Sale, offer, transport or storage of gasoline with excessive lead content | Cease handling of gasoline with high lead content - forthwith | 1,060 | 1,060 | 2,650 | 1,645 | 1,645 | 1,645 | 1,645 |
| 24-174(b) | BA62 | Use or purchase of gasoline with excessive lead content | Cease purchase or use of gasoline with high lead content - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |

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| 24-175(a) | BA63 | Sale, offer, store, transport or storage of gasoline exceeding volatility limits | Cease handling of gasoline exceeding legal volatility - forthwith | 1,060 | 1,060 | 2,650 | 1,645 | 1,645 | 1,645 | 1,645 |
| 24-175 | BA64 | Use or purchase of gasoline exceeding volatility limits | Cease purchase or use of gasoline with high volatility forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-176 | BA65 | Failure to report shipment of fuel to NYC as required | File fuel trip tickets - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-178(b)(8) | BA66 | Breaking a Board ordered seal | Cease tampering with seal - forthwith | 1,600 | 1,600 | 4,000 | 2,480 | No | 2,480 | No |
| 24-122(a) | BA67 | Use or operation of equipment w/out an operating certificate | Obtain an operating certificate - 90 days | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G | Schedule E,F,G |
| 24-131 | BA80 | Failure to comply with conditions of certificate or permit | Comply with terms on permit or certificate - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-170 | BA81 | Failure to supply fuel supply information to the Commissioner | Supply fuel info to Commissioner - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-172 | BA82 | Excess volatile matter (by weight) in boiler fuel | Cease use of high volatile matter fuel - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-177(a) | BA83 | Fail to have required statement on fuel information ticket | Supply required info on fuel tickets - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-177(b) | BA84 | Failure to retain fuel information tickets by shipper | Retain fuel info tickets - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 24-177(c) | BA85 | Failure to retain fuel records for one year | Retain fuel info tickets for one year - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |

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| 24-131(c) | BA86 | Failure to comply with Conditions of Certificate/Regulation of operation or Permit | Comply with conditions of Certificate/Regulation of operation or Permit - forthwith | 265 | 265 | 875 | 400 | 400 | 400 | 400 |
| 24-143 | BA87, AE87 | Emission of Air contaminant from vehicle (non-diesel fuel) | Operate without further emissions - forthwith | 300 | 300 | 875 | 460 | 460 | 460 | 460 |
| 24-163 | 1st Offense: AE88, BA88 2nd Offense: AE1G, BA1G 3rd Offense: AE1H, BA1H | Idling of Motor Vehicle engine over three minutes (non-diesel fuel) | Do not idle motor vehicle more than 3 minutes - forthwith | 300 | 300 | 1 st : 1000, 2nd: 1500, 3rd and Subsq: 2000 | 460 | 460 | 620 | 620 |
| 24-163(f) | 1st Offense: BA1L, AE1L 2nd Offense: BA1M, AE1M, 3rd Offense: BA1N, AE1N | Idling of Motor Vehicle engine over one minute while adjacent to school (Non-diesel) | | 300 | 300 | 1st: 1,000, 2nd: 1500, 3rd & subsq: 2000 | 460 | 460 | 620 | 620 |
| 24-163.3(b)(1) | BA92 | Failed to use ultra low sulfur diesel fuel in nonroad vehicle | Use low sulfur fuel in nonroad vehicle - forthwith | 1,000 | 1,000 | 10,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| 24-163.3(b)(1) | BA93 | Failed to use ultra low sulfur diesel fuel in nonroad vehicle (aggravated penalty for excess profit) | Use low sulfur fuel in nonroad vehicle - forthwith | No | 1000 (plus agg. pen for excess profit) | 10,000 | 5,000 (Plus agg. pen for excess profit) | No | 5,000 (Plus agg. pen for excess profit) | No |

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|----------------|---|--|---|-------------------|---|-----------------|---|-----------|---|--------------------|
| 24-163.3(b)(2) | BA94 | Failed to use best available technology for emission reduction in nonroad vehicle | Use best available technology - forthwith | 1,000 | 1,000 | 10,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| 24-163.3(b)(2) | BA95 | Failed to use best available technology for emission reduction in nonroad vehicle (aggravated penalty for excess profit) | Use best available technology - forthwith | No | 1000 (plus agg. pen for excess profit) | 10,000 | 5000 (plus agg. pen for excess profit) | No | 5000 (plus agg. pen for excess profit) | No |
| 24-163.3(o) | BA96 | Made false claim regarding compliance with emission reduction requirements for diesel non-road vehicles | | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |
| 24-163.3(o) | BA97 | Made false claim regarding compliance with emission reduction requirements for diesel non-road vehicles (aggravated penalty for excess profit) | | No | 20000 (plus agg. pen for excess profit) | 25,000 | 20000 (plus agg. pen for excess profit) | No | 20000 (plus agg. pen for excess profit) | No |
| 24-163.8(b)(1) | 1st Offense: BA1O, 2nd Offense: BA1P, 3rd Offense: BA1Q | Failed to use ultra low sulfur diesel fuel in generator for Film/TV/Ad/Street Fair | | 500 | 500 | 500 | 500 | 500 | 500 | 500 |
| 24-163.8(c) | 1st Offense: BA1R, 2nd Offense: BA1S | Made false claim regarding use of ultra low sulfur diesel fuel in generator | | No | 500 | 500 | 500 | No | 500 | No |
| 24-117(j) | BA90 | Failure to cease operation of refuse burning equipment | Cease operation of refuse burning equipment - forthwith | No | 875 | 875 | 875 | No | 875 | No |

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| 24-125(c) | BA91 | Failure to comply with appropriate criteria referred to in this section | Comply with appropriate criteria referred to in this section - forthwith | No | 350 | 875 | 545 | No | 545 | No |
| | | VAPOR RECOVERY REGULATIONS | | | | | | | | |
| 15 RCNY 4-03(a)(1) | BA68 | No Stage 1 Vapor Collection System at Gas dispensing site | Install stage 1 vapor collection system - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-03(a)(2)(3) | BA69 | Fail to maintain Stage 1 Vapor Collection and control system | Properly maintain stage 1 vapor collection/control system at site - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-03(a)(2)(IV) | BA70 | Fail to connect and operate vapor collection system loading and unloading at site | Connect and operate vapor collection system while loading/unloading at site - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-03(a)(3) | BA71 | No Stage 1 Vapor Recovery System Capacity at least 250 gallons | Install stage 1 vapor recovery system at gas dispensing site - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-03(b) | BA72 | No certificate of registration for gasoline dispensing site | Obtain certificate of registration for gas dispensing site - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-04(a)(3) | BA73 | No NYSDEC date for pressure test on gasoline transporting vehicle | Post NYS DEC marking indicating last date pressure/vacuum test - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |

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| 15 RCNY 4-04(c) | BA74 | Fail to keep dome covers closed on gas transport vehicle | Keep dome cover closed while transport vehicle loading/unloading motion - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-04(d)(1) | BA75 | No Stage 1 Vapor collect/control system on gasoline transport vehicle | Install stage 1 vapor collection and control system on gas transport - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-04(d)(2) | BA76 | Fail to provide adequate training for operator of gasoline transport vehicle | Provide training for operator of gas transport vehicle - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-04(d)(3) | BA77 | Failure to maintain Stage 1 vapor collection/control system on gas transport vehicle | Properly maintain stage 1 vapor collection and control system on gas transport vehicle - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-04(d)(4) | BA78 | Failure to connect/operate vapor collection/control system on gas transport vehicle | Connect and operate vapor collection/control system on gas transport vehicle - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| 15 RCNY 4-05 | BA79 | Failure to control visible leaks from vehicle vapor collection/control system | Control visible leaks from vapor collection and control system loading/unloading vehicle - forthwith | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| | | PERCHLOROETHYLENE DRY CLEANING FACILITIES | | | | | | | | |
| 15 RCNY 12-04(a) | BA2D | Installation of perc dry cleaning machine in residential building after 7/13/06 | | No | 750 | 875 | 875 | No | 875 | No |

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| 15 RCNY 12-04(b) | BA3D | Failure to eliminate perc use in specified machines by 7/13/09 | | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-05(a) | BA1A | Failure to install vapor barrier or room enclosure and general exhaust ventilation | Install vapor barrier or room enclosure and general exhaust ventilation - 30 days | No | 750 | 875 | No | 875 | No | 875 |
| 15 RCNY 12-06(a) | BA2A | Improper vapor barrier or room enclosure and general exhaust ventilation | Install proper vapor barrier or room enclosure and general exhaust ventilation - 30 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(a)(4)(i) | BA3A | Improper process emission point location | Relocate process ventilation point - 30 days | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(a)(4)(iii) | BA4A | Process emissions greater than 20 ppm | Retrofit to meet 20ppm standard - 30 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(a)(4)(iv) | BA5A | Failure to properly operate exhaust damper | Close or repair exhaust damper - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(a)(5), 15 RCNY 12-06(a)(6) | BA6A | Failure to have proper emission control systems | install proper emission controls - 30 days | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(b) | BA7A | Failure to remove equipment from service | Remove equipment - forthwith | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(b) | BA8A | Failure to properly replace, retrofit, or convert equipment | Replace, retrofit, or convert equipment - 30 days | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-06(b) | BA9A | Fugitive emission greater than 50 ppm | Control fugitive emissions - 30 days | No | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-07(a), 15 RCNY 12-07(b) | BA1B | Failure to inspect or self-monitor | Start inspection or self monitoring - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |

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| 15 RCNY 12-07(g) | BA2B | Failure to repair leak w/in 24 hrs. | Repair leak - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-08 | BA3B | Failure to comply with O&M requirements | Comply with O&M requirements - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-08(d)(7) | BA4B | Failure to have proper spill control equipment | Install spill control equipment - 30 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-08(d)(8) | BA5B | Failure to keep solvent containers closed | Close solvent containers - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-10 | BA6B | Failure to properly manage hazardous waste | Manage hazardous waste - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-11(a) | BA7B | Failure to seal floor drains | Seal floor drains - 30 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-11(b) | BA8B | Failure to install proper spill containment system | Install proper spill containment system - 30 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-11(c) | BA9B | Failure to report release, fire or explosion | | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-11(d) | BA1C | Failure to record emergency response actions | | 400 | 400 | 875 | 500 | No | 500 | No |
| 15 RCNY 12-12 | BA2C | Failure to maintain proper records | Commence maintaining proper records - forthwith | 400 | 400 | 875 | 500 | No | 500 | No |
| 15 RCNY 12-13 | BA3C | Installation of uncertified equipment | Remove uncertified equipment - forthwith | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-14(a)(1) | BA4C | Failure to have owner or manager certification | Register for certification course within - 60 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-14(a)(2) | BA5C | Failure to have operator certification | Register for certification course within - 60 days | 750 | 750 | 875 | 875 | No | 875 | No |

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| Section of Law | ECB Computer Code | Violation Description | Compliance | 1st Offense Stip. | 1st Offense | Default Penalty | 2nd Offense | 2nd Stip. | 3rd and Subsq. Offense | 3rd & Subsq. Stip. |
|--------------------------|-------------------|--|--|-------------------|-------------|-----------------|-------------|-----------|------------------------|--------------------|
| 15 RCNY 12-14(e) | BA4D | Failure to attend required DEC training and hold valid DEC certificate | | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-15(a) | BA6C | Failure to submit notice of alteration or modifications | Submit notices within - 14 days | 400 | 400 | 875 | 500 | No | 500 | No |
| 15 RCNY 12-15(b) | BA7C | Failure to have work permit or operating certificate | File for work permit or operating certificate within - 14 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-16 | BA8C | Failure to have 3d. Party inspection | Obtain 3d. Party inspection within - 14 days | 750 | 750 | 875 | 875 | No | 875 | No |
| 15 RCNY 12-18 | BA9C | Failure to post public notice in conspicuous location | Post public notice in a conspicuous location - forthwith | 400 | 400 | 875 | 500 | No | 500 | No |
| 15 RCNY 12 | BA1D | Violation of perc dry cleaner rules | Comply with perc drycleaner rule - forthwith | No | 750 | 875 | 875 | No | 875 | No |
| NYC Admin. Code Title 24 | BA99 | Misc. Violation of Air Pollution Control Code | | 350 | 350 | 875 | 545 | 545 | 545 | 545 |
| | | CONSTRUCTION DUST RULES | | | | | | | | |
| 15 RCNY13-01(d) | BAA1, BAD3 | No access to inspect site | | 700 | 700 | 1750 | 1085 | 1085 | 1085 | 1085 |
| 15 RCNY13-01(e) | BAA2, BAD4 | Interference w/DEP employee | | 700 | 700 | 1750 | 1085 | 1085 | 1085 | 1085 |
| 15 RCNY13-04(a) | BAA3, BAD5 | Failed to control release of dust from construction by wetting or other acceptable means | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-04(b) | BAA4, BAD6 | Failed to cover trucks used to transport particulate matter | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-04(c) | BAA5, BAD7 | Failed to provide adequate water to perform wet method of dust control | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-04(e) | BAA6, BAD8 | Failed to provide suitable drainage for water and sludge | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |

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|-----------------------|--------------------------|--|-------------------|--------------------------|--------------------|------------------------|--------------------|------------------|-------------------------------|-------------------------------|
| 15 RCNY13-05(a) | BAA7, BAD9 | Failed to wet (& maintain wet) all exterior building surfaces prior to & during demolition | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-05(b) | BAA8, BAE1 | Failed to wet and/or cover construction materials before & during loading and transport | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-05(c) | BAA9, BAE2 | Failed to use wetting to control dust during drilling, grinding or other similar construction activities | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-05(d) | BAB1, BAE3 | Failed to control dust produced at transfer points | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-05(e) | BAB2, BAE4 | Failed to have sprinklers at transfer points capable of being operated by person responsible for loading | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-05(f) | BAB3, BAE5 | Failed to moisten soil or debris piles to prevent windblown dust | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-06(a) | BAB4, BAE6 | Failed to properly remove debris during hand demolition | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-06(b) | BAB5, BAE7 | Failed to board up windows to prevent dust emission during renovation | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-06(c) | BAB6, BAE8 | Failed to suppress dust during sandblasting | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-06(d) | BAB7, BAE9 | Failed to cover trucks used to transport dust-producing materials | | 1000 | 1000 | 1750 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-06(e) | BAB8, BAF1 | Failed to remove earth or other materials daily | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-06(g) | BAB9, BAF2 | Used blowers for mud or dirt removal | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-06(h) | BAC1, BAF3 | Failed to operate construction vehicles slowly to minimize dust emissions | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-06(i) | BAC2, BAF4 | Failed to properly stabilize disturbed areas | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-07(b) | BAC3, BAF5 | Failed to wet adequately before and during demolition | | 1000 | 1000 | 3000 | 1500 | 1500 | 1500 | 1500 |
| 15 RCNY13-07(c) | BAC4, BAF6 | Failed to use chutes/buckets to transport debris | | 1000 | 1000 | 3000 | 1500 | 1500 | 1500 | 1500 |

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|-----------------------|--------------------------|--|-------------------|--------------------------|--------------------|------------------------|--------------------|------------------|-------------------------------|-------------------------------|
| 15 RCNY13-07(d) | BAC5, BAF7 | Failed to remove dust/debris daily from adjacent areas | | 800 | 800 | 3000 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-08(a) | BAC6, BAF8 | Performed dry sandblasting | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-08(b) | BAC7, BAF9 | Failed to use containment during sandblasting | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-08(c) | BAC8, BAG1 | Failed to use curtains during sandblasting | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-08(d) | BAC9, BAG2 | Failed to give required advance notice of sandblasting | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |
| 15 RCNY13-09 | BAD1, BAG3 | Failed to register dust-emitting construction equipment with DEP | | 875 | 875 | 1750 | 1315 | 1315 | 1315 | 1315 |
| 15 RCNY13-10 | BAD2, BAG4 | Failed to prevent dust emission from open areas after demolition | | 800 | 800 | 1750 | 1200 | 1200 | 1200 | 1200 |

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|----------------|-------------------|-----------------------|------------|-------------------|-------------|-----------------|-------------|-----------|------------------------|--------------------|
|----------------|-------------------|-----------------------|------------|-------------------|-------------|-----------------|-------------|-----------|------------------------|--------------------|

This schedule is to be used with the Air Code Penalty Schedule

| SCHEDULE E - PENALTIES FOR FUEL BURNING EQUIPMENT | | | | |
|--|------------------------------------|------------------|-----------------|-------|
| Gross Input or Designed Fuel Consumption of Equipment in Million of BTU/Hr | | | | |
| #4 or #6 Fuel Oil & Solid Fuels | Gasoline, #2 Fuel Oil and Nat. Gas | Civil Penalties | | |
| | | 1st. Viol./Stip. | 2nd Viol./Stip. | Max |
| Less than 2.8 | Less than 2.8 | 560 | 870 | 1,400 |
| 2.8 to less than 2.1 | 2.8 to less than 50 | 720 | 1,115 | 1,800 |
| 21 to less than 42 | 50 or greater | 1,200 | 1,860 | 3,000 |
| 42 or greater | | 1,600 | 2,480 | 4,000 |

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|----------------|-------------------|-----------------------|------------|-------------------|-------------|-----------------|-------------|-----------|------------------------|--------------------|
|----------------|-------------------|-----------------------|------------|-------------------|-------------|-----------------|-------------|-----------|------------------------|--------------------|

| SCHEDULE F - PENALTIES FOR OTHER THAN FUEL OR REFUSE BURNING EQUIPMENT | | | |
|---|---|-----------------|--------|
| Emission Rate in cubic feet per minute | Civil Penalties Based on Environmental Ratings as Contained in Section 24-153 | | |
| Env. Rating A | | | |
| | 1st Viol./ Stip | 2nd Viol./Stip. | Max |
| Less than 5,000 | 2,400 | 3,720 | 6,000 |
| 5,000 to less than 20,000 | 3,200 | 4,960 | 8,000 |
| 20,000 or greater | 4,800 | 7,440 | 12,000 |
| Env. Rating B | | | |
| | 1st Viol./ Stip | 2nd Viol./Stip. | Max |
| Less than 5,000 | 1,600 | 2,480 | 4,000 |
| 5,000 to less than 20,000 | 2,400 | 3,720 | 6,000 |
| 20,000 or greater | 3,200 | 4,960 | 8,000 |
| Env. Rating C | | | |
| | 1st Viol./ Stip | 2nd Viol./Stip. | Max |
| Less than 5,000 | 1,200 | 1,860 | 3,000 |
| 5,000 to less than 20,000 | 1,600 | 2,480 | 4,000 |
| 20,000 or greater | 2,400 | 3,720 | 6,000 |
| Env. Rating D | | | |
| | 1st Viol./ Stip | 2nd Viol./Stip. | Max |
| Less than 5,000 | 800 | 1,240 | 2,000 |
| 5,000 to less than 20,000 | 1,200 | 1,860 | 3,000 |
| 20,000 or greater | 2,000 | 3,100 | 5,000 |

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| Section of Law | ECB Computer Code | Violation Description | Compliance | 1st Offense Stip. | 1st Offense | Default Penalty | 2nd Offense | 2nd Stip. | 3rd and Subsq. Offense | 3rd & Subsq. Stip. |
|----------------|-------------------------|-----------------------|------------|-------------------------|----------------|--------------------|----------------|-----------|------------------------------|--------------------------|
|----------------|-------------------------|-----------------------|------------|-------------------------|----------------|--------------------|----------------|-----------|------------------------------|--------------------------|

| SCHEDULE G - PENALTIES FOR REFUSE BURNING EQUIP | | | |
|---|---------------------|----------------|-------|
| Maximum Horizontal inside Cross Sectional Area of Primary Combustion Chamber in Square Feet | Civil Penalties | | |
| | 1st. Viol./Stip. | 2nd Viol./Stip | Max |
| 25 or less | 640 | 995 | 1,600 |
| 25-40 | 800 | 1,240 | 2,000 |
| Above 40 | 1,200 | 1,860 | 3,000 |