

Figure: 16 TAC §8.135(i)

Table 5. Penalty calculation worksheet.

Typical penalties from Table 1		
1. 16 TAC §3.70-Pipeline Permits Required	\$1,000	\$
2. 16 TAC §8.1-General Applicability and Standards	\$5,000	\$
3. 16 TAC §8.51-Organization Report	\$1,000	\$
4. 16 TAC §8.101-Pipeline Integrity Assessment and Management Plans	\$5,000	\$
5. 16 TAC §8.105-Records	\$5,000	\$
6. 16 TAC §8.110-Operations and Maintenance Procedures	\$5,000	\$
7. 16 TAC §8.115-Construction Commencement Report	\$5,000	\$
8. 16 TAC §8.201-Pipeline Safety Program Fees	10% of amt. due	\$
9. 16 TAC §8.203-Supplemental Regulations	\$5,000	\$
10. 16 TAC §8.205-Written Procedure for Handling Natural Gas Leak Complaints	\$1,000	\$
11. 16 TAC §8.210-Reports	\$5,000	\$
12. 16 TAC §8.215-Odorization of Gas	\$5,000	\$
13. 16 TAC §8.220-Master Metered Systems	\$5,000	\$
14. 16 TAC §8.225-Plastic Pipe Requirements	\$5,000	\$
15. 16 TAC §8.230-School Piping Testing	\$1,000	\$
16. 16 TAC §8.235-Natural Gas Pipelines Public Education and Liaison	\$5,000	\$
17. 16 TAC §8.240-Discontinuance of Service	\$10,000	\$
18. 16 TAC §8.301-Records and Reporting	\$5,000	\$
19. 16 TAC §8.305-Corrosion Control	\$2,500	\$
20. 16 TAC §8.310-Hazardous Liquids and Carbon Dioxide Public Education and Liaison	\$5,000	\$
21. 16 TAC §8.315-Hazardous Liquids and Carbon Dioxide Pipelines Located within 1,000 Feet of Public School	\$2,500	\$
22. 49 CFR 192.613-Continuing surveillance	\$5,000	\$
23. 49 CFR 192.619-Maximum allowable operating pressure	\$5,000	\$
24. 49 CFR 192.625-Odorization of gas	\$5,000	\$
25. 49 CFR 192 Subpart N-Qualification of Pipeline Personnel	\$2,500	\$
26. 49 CFR Part 192, Subpart O-Pipeline Integrity Management	\$5,000	\$
27. 49 CFR Part 192-Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards	\$1,000	\$
28. 49 CFR Part 193-Liquefied Natural Gas Facilities	\$1,000	\$
29. 49 CFR Part 195-Transportation of Hazardous Liquids by Pipeline	\$1,000	\$
30. 49 CFR Part 195.401-General Requirements	\$5,000	\$
31. 49 CFR Part 195.406-Maximum Operating Pressure	\$5,000	\$
32. 49 CFR Part 195.440-Public Awareness	\$2,500	\$
33. 49 CFR Part 195.452-Integrity Management	\$5,000	\$
34. 49 CFR Part 195 Subpart G-Qualification of Pipeline Personnel	\$2,500	\$
35. 49 CFR Part 199-Drug and Alcohol Testing	\$ 500	\$
36. Subtotal of typical penalty amounts from Table 1 (lines 1-35, inclusive)		\$
37. Reduction for settlement before hearing: up to 50% of line 36 amt.	_____ %	\$
38. Subtotal: amount shown on line 24 less applicable settlement reduction (line 37)		\$
Penalty enhancement amounts for threatened or actual pollution or safety hazard from Table 2		
39. Bay, estuary, or marine habitat	\$5,000-\$25,000	\$
40. Impact to a residential or public area	\$1,000-\$15,000	\$

41. Hazardous material release	\$2,000-\$25,000	\$
42. Reportable incident or accident	\$5,000-\$25,000	\$
43. Exceeding pressure control limits	\$5,000-\$20,000	\$
Penalty enhancements for severity of violation from Table 2		
44. Affected area exceeds 100 square feet	\$10 / square foot	\$
45. Time out of compliance	\$100-\$2,000 / mo.	\$
46. Subtotal: amount on line 38 plus all amounts on lines 39 through 45, inclusive		\$
Penalty enhancements for culpability of person charged from Table 2		
47. Reckless conduct of person charged	double line 46 amt.	\$
48. Intentional conduct of person charged	triple line 46 amt.	\$
Penalty enhancements for number of prior violations within past seven years from Table 3		
49. One	\$1,000	\$
50. Two	\$2,000	\$
51. Three	\$3,000	\$
52. Four	\$4,000	\$
53. Five or more	\$5,000	\$
Penalty enhancements for amount of penalties within past seven years from Table 4		
54. Less than \$10,000	\$1,000	\$
55. Between \$10,000 and \$25,000	\$2,500	\$
56. Between \$25, 000 and \$50,000	\$5,000	\$
57. Between \$50,000 and \$100,00	\$10,000	\$
58. Over \$100,000	10% of total amt.	\$
59. Subtotal: line 46 plus amounts on lines 47 and/or 48 plus the amount shown on any one line from 49 through 58, inclusive		\$
60. Reduction for demonstrated good faith of person charged		\$
TOTAL PENALTY AMOUNT: amount on line 59 less any amount shown on line 60		\$