

Figure: 16 TAC §14.2016(a)(11)

**Table 5. LNG Penalty Worksheet**

	<b>LNG Rule/Statute</b>	<b>General Description</b>	<b>Typical Minimum Penalty Amount/Range</b>	<b>Penalty Tally</b>
1	Tex. Nat. Res. Code, Chap. 116	Any violation of Chapter 116, Texas Natural Resources Code	\$1,000-2,500	\$
2	16 TAC §14.2014(a)	Performing LNG activities without proper license	\$500	\$
3	16 TAC §14.2014(c)	Copies of licenses and/or certifications	\$100	\$
4	16 TAC §14.2014(h)	Performing container manufacturing activities without proper registration	\$500	\$
5	16 TAC §14.2014(j)	License and manufacturer registration renewal lapse, 1-2 months	\$500	\$
6	16 TAC §14.2014(j)	License and manufacturer registration renewal lapse, 3-4 months	\$750	\$
7	16 TAC §14.2014(j)	License and manufacturer registration renewal lapse, 5-6 months	\$1,000	\$
8	16 TAC §14.2014(j)	License and manufacturer registration renewal lapse, >6 months	\$1,000-2,500	\$
9	16 TAC §14.2019(a)	Performing LNG activities without proper certification	\$500-1,500	\$
10	16 TAC §14.2019(f)	Trainees	\$500-1,500	\$
11	16 TAC §14.2019(g)	Requirements for certificate holder renewal	\$250	\$
12	16 TAC §14.2020	Employee transfer	\$100	\$
13	16 TAC §14.2025	Designation and responsibilities of company representative and operations supervisor	\$500	\$
14	16 TAC §14.2028	Franchise tax certification and assumed name certificate	\$500	\$
15	16 TAC §14.2029	Changes in ownership, form of dealership or name of dealership	\$250	\$
16	16 TAC §14.2031	Insurance requirements	\$1,000	\$
17	16 TAC §14.2034	Self-insurance requirements	\$1,000	\$
18	16 TAC §14.2040(b)	Filings for stationary installations LNG Form 2501-- 1-5 occurrences	\$100	\$
19	16 TAC §14.2040(b)	Filings for stationary installations LNG Form 2501-- 6-10 occurrences	\$200	\$
20	16 TAC §14.2040(b)	Filings for stationary installations LNG Form 2501-- >10 occurrences	\$500	\$
21	16 TAC §14.2040(c)	Filings for stationary installations: LNG Form 2500	\$1,000	\$
22	16 TAC §14.2043	Temporary installations	\$250	\$
23	16 TAC §14.2046	School bus, public transportation, mass transit and special transit vehicle installations and inspections	\$100-500	\$
24	16 TAC §14.2049	Accident report	\$1000	\$
25	16 TAC §14.2101	System protection requirements	\$100-750	\$
26	16 TAC §14.2102	Installation and Maintenance	\$100-750	\$
27	16 TAC §14.2104	Testing of containers	\$100-750	\$
28	16 TAC §14.2110	LNG container installation distance requirements	\$750-1,500	\$
29	16 TAC §14.2116	Venting of LNG	\$250	\$
30	16 TAC §14.2119	Transport vehicle loading and unloading facilities	\$500-1,500	\$

	<b>LNG Rule/Statute</b>	<b>General Description</b>	<b>Typical Minimum Penalty Amount/Range</b>	<b>Penalty Tally</b>
		and procedures		
31	16 TAC §14.2122	Pumps and compressors used for LNG and Refrigerants	\$250-1,000	\$
32	16 TAC §14.2125	Hoses and arms	\$250-750	\$
33	16 TAC §14.2131	Fire protection	\$750-1,500	\$
34	16 TAC §14.2137	Employee safety and training	\$500-1,500	\$
35	16 TAC §14.2304	General facility design	\$1,000	\$
36	16 TAC §14.2310	Emergency refueling	\$1,000	\$
37	16 TAC §14.2313	Fuel dispensing systems	\$250-1,000	\$
38	16 TAC §14.2319	Automatic fuel dispenser safety requirements	\$250-1,000	\$
39	16 TAC §14.2401	General provisions for piping systems and components	\$1,000	\$
40	16 TAC §14.2416	Installation of valves	\$250-1,000	\$
41	16 TAC §14.2604	Systems component qualification	\$500	\$
42	16 TAC §14.2610	Installation of vehicle fuel containers	\$100-750	\$
43	16 TAC §14.2619	Installation of piping	\$250-500	\$
44	16 TAC §14.2625	Installation of pressure gauges	\$100-500	\$
45	16 TAC §14.2634	Vehicle fueling connection	\$500	\$
46	16 TAC §14.2637	Signs and labeling	\$100	\$
47	16 TAC §14.2640	System testing	\$1,000	\$
48	16 TAC §14.2643	Maintenance and repair	\$250-1,000	\$
49	16 TAC §14.2701	DOT requirements	\$1,000	\$
50	16 TAC §14.2704	Registration and transfer of LNG transports	\$500-1,500	\$
51	16 TAC §14.2705	Replacement decals	\$100	\$
52	16 TAC §14.2707	Testing requirements	\$1,000	\$
53	16 TAC §14.2710	Markings	\$250	\$
54	16 TAC §14.2713	Pressure gauge	\$100-500	\$
55	16 TAC §14.2716	Supports	\$1,000	\$
56	16 TAC §14.2719	Electrical equipment and lighting	\$100-500	\$
57	16 TAC §14.2722	Liquid level gauging devices	\$1,000	\$
58	16 TAC §14.2725	Exhaust system	\$100-250	\$
59	16 TAC §14.2728	Extinguishers required	\$100-250	\$
60	16 TAC §14.2731	Manifests	\$250	\$
61	16 TAC §14.2734	Transfer of LNG on public highways, streets or alleys	\$250-1,000	\$
62	16 TAC §14.2737	Parking of LNG transports and container delivery vehicles	\$250-500	\$
63	16 TAC §14.2740	Uniform protection standards	\$100-750	\$
64	16 TAC §14.2746	Delivery of inspection report to licensee	\$100	\$
65	16 TAC §14.2801	NFPA 52 adopted by reference unless otherwise listed	\$250-2,500	\$
66	16 TAC §14.2803	Sections in NFPA 52 not adopted by reference or adopted with changes or additional requirements	\$250-2,500	\$
67	16 TAC §14.2901	NFPA 59A adopted by reference unless otherwise listed	\$250-2,500	\$
68	16 TAC §14.2903	Sections in NFPA 59A not adopted by reference or adopted with changes or additional requirements	\$250-2,500	\$
70	<b>Subtotal of typical penalty amounts from Table 1 (lines 1-68, inclusive)</b>			\$

	LNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
71		<b>Reduction for settlement before hearing: up to 50% of line 70 amt.</b>		\$
72		<b>Subtotal: amount shown on line 70 less applicable settlement reduction on line 71</b>		\$
<b>Penalty enhancement amounts for threatened or actual safety hazard from Table 2</b>				
73		Death or personal injury	\$5,000-20,000	\$
74		Taking facility out of service	\$1,000-5,000	\$
75		Gas ignition or release requiring emergency response	\$1,000-15,000	\$
76		Damage to LNG installation or vehicle	\$1,000-5,000	\$
77		Property damage exceeding \$5,000	\$1,000-\$15,000	\$
78		Rerouting of traffic or evacuation of premises	\$1,000-5,000	\$
<b>Penalty enhancement for severity of violation from Table 2</b>				
79		Time out of compliance	\$100-2,000/mo.	\$
80		<b>Subtotal: amount shown on line 72 plus all amounts on lines 73 through 79, inclusive</b>		\$
<b>Penalty enhancements for culpability of person charged from Table 2</b>				
81		Reckless conduct of person charged	Up to double line 80	\$
82		Intentional conduct of person charged	Up to triple line 80	\$
<b>Penalty enhancements for number of prior violations within past seven years from Table 3</b>				
83		One	\$1,000	\$
84		Two	\$2,000	\$
85		Three	\$3,000	\$
86		Four	\$4,000	\$
87		Five or more	\$5,000	\$
<b>Penalty enhancements for amount of penalties within past seven years from Table 4</b>				
88		Less than \$10,000	\$1,000	\$
89		Between \$10,000 and \$25,000	\$2,500	\$
89		Between \$25,000 and \$50,000	\$5,000	\$
90		Between \$50,000 and \$100,000	\$10,000	\$
91		Over \$100,000	10% of total amt	\$
92		<b>Subtotal: Line 80 amt. plus amt. on line 81 and/or 82 plus the amt. shown on any line from 83-91, inclusive</b>		\$
93		<b>Reduction for demonstrated good faith of person charged</b>		\$
94		<b>TOTAL PENALTY AMOUNT: amount on line 92 less any amount shown on line 93</b>		\$