

Figure: 16 TAC §14.2016(a)(11) [~~§14.2015(k)~~]

Table 5. LNG Penalty Worksheet

	LNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
1	Tex. Nat. Res. Code, Chap. 116	Any violation of Chapter 116, Texas Natural Resources Code	\$1,000-2,500	\$
<u>2</u>	<u>16 TAC ' 14.2014(a)</u>	<u>Performing LNG activities without proper license</u>	<u>\$500</u>	<u>\$</u>
<u>3</u>	<u>16 TAC ' 14.2014(c)</u>	<u>Copies of licenses and/or certifications</u>	<u>\$100</u>	<u>\$</u>
<u>4</u>	<u>16 TAC ' 14.2014(h)</u>	<u>Performing container manufacturing activities without proper registration</u>	<u>\$500</u>	<u>\$</u>
52	16 TAC ' 14.2016 14.2014(j)	License and manufacturer registration renewal renewals lapse, 1-2 months	\$500	\$
63	16 TAC ' 14.2016 14.2014(j)	License and manufacturer registration renewal renewals lapse, 3-4 months	\$750	\$
74	16 TAC ' 14.2016 14.2014(j)	License and manufacturer registration renewal renewals lapse, 5-6 months	\$1,000	\$
85	16 TAC ' 14.2016 14.2014(j)	License and manufacturer registration renewal renewals lapse, >6 months	\$1,000-2,500	\$
<u>96</u>	<u>16 TAC ' 14.2019(a)</u>	<u>Performing LNG activities without proper certification Certification requirements</u>	\$500-1,500	\$
<u>10</u>	<u>16 TAC ' 14.2019(f)</u>	<u>Trainees</u>	<u>\$500-1,500</u>	<u>\$</u>
<u>11</u>	<u>16 TAC ' 14.2019(g)</u>	<u>Requirements for certificate holder renewal</u>	<u>\$250</u>	<u>\$</u>
127	16 TAC ' 14.2020	Employee transfer	\$100	\$
138	16 TAC ' 14.2025	Designation and responsibilities of company representative and outlet/operations supervisor	\$500	\$
<u>14</u>	<u>16 TAC ' 14.2028</u>	<u>Franchise tax certification and assumed name certificate</u>	<u>\$500</u>	<u>\$</u>
<u>15</u>	<u>16 TAC ' 14.2029</u>	<u>Changes in ownership, form of dealership or name of dealership</u>	<u>\$250</u>	<u>\$</u>
169	16 TAC ' 14.2031	Insurance requirements	\$1,000	\$
174 <u>0</u>	16 TAC ' 14.2034	Self-insurance requirements	\$1,000	\$
41	16 TAC ' 14.2037	Components of LNG stationary installations not specifically covered	\$1,000-1,500	\$
181 <u>2</u>	16 TAC ' 14.2040(b)	Filings for stationary installations Stationary-installation notification requirements-LNG Form 2501 2019 --1-5 occurrences	\$100	\$
191 <u>3</u>	16 TAC ' 14.2040(b)	Filings for stationary installations Stationary-installation notification requirements-LNG Form 2501 2019 -- 6-10 occurrences	\$200	\$
201 <u>4</u>	16 TAC ' 14.2040(b)	Filings for stationary installations Stationary-installation notification requirements-LNG Form 2501 2019 -- >10 occurrences	\$500	\$
211 <u>5</u>	16 TAC ' 14.2040(c)	Filings for stationary installations Stationary-installation notification requirements: LNG Form 2500	\$1,000	\$
221 <u>6</u>	16 TAC ' 14.2043	Temporary installations	\$250	\$
231 <u>7</u>	16 TAC ' 14.2046	Filings for school School bus, public transportation, mass transit and special transit vehicles vehicle	\$100-500	\$

	LNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
		<u>installations and inspections</u>		
24 8	16 TAC ' 14.2049	Accident report	\$1000	\$
25 9	16 TAC ' 14.2101	Uniform System protection requirements	\$100-750	\$
26	16 TAC ' 14.2102	<u>Installation and Maintenance</u>	<u>\$100-750</u>	<u>\$</u>
27 0	16 TAC ' 14.2104	Uniform safety requirements <u>Testing of containers</u>	\$100-750	\$
21	16 TAC ' 14.2107	Stationary LNG storage containers	\$1000	\$
28 2	16 TAC ' 14.2110	LNG container installation distance requirements	\$750-1,500	\$
23	16 TAC ' 14.2113	Maintenance tanks	\$250-1,000	\$
29 4	16 TAC ' 14.2116	Transfer <u>Venting of LNG</u>	\$250	\$
30 5	16 TAC ' 14.2119	Transport vehicle loading and unloading facilities and procedures	\$500-1,500	\$
31 6	16 TAC ' 14.2122	Transfer systems <u>Pumps and compressors used for LNG and Refrigerants</u>	\$250-1,000	\$
32 7	16 TAC ' 14.2125	Hoses and arms	\$250-750	\$
28	16 TAC ' 14.2128	Communications and lighting	\$500-750	\$
33 9	16 TAC ' 14.2131	Fire protection	\$750-1,500	\$
30	16 TAC ' 14.2134	Container purging procedures	\$250-1,000	\$
34 +	16 TAC ' 14.2137	Employee safety and training	\$500-1,500	\$
32	16 TAC ' 14.2140	Inspection and maintenance	\$250-1,000	\$
35 3	16 TAC ' 14.2304	General facility design	\$1,000	\$
34	16 TAC ' 14.2307	Indoors fueling	\$500-1,000	\$
35	16 TAC ' 14.2307	Indoor fueling stations notice requirements: LNG Form 2500	\$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 ' 14.2322	Protection of automatic and other dispensers	\$750	\$
40	16 TAC ' 14.2325	LNG transport unloading at fuel facilities	\$500-1,500	\$
41	16 TAC ' 14.2328	Training, written instructions and procedures	\$100-1,000	\$
39 2	16 TAC ' 14.2401	General provisions for piping systems and components	\$1,000	\$
43	16 TAC ' 14.2404	Piping materials	\$250-1,000	\$
44	16 TAC ' 14.2407	Fittings used in piping	\$250-1,000	\$
45	16 TAC ' 14.2410	Valves	\$250-1,000	\$
46	16 TAC ' 14.2413	Installation of piping	\$250-1,000	\$
40 7	16 TAC ' 14.2416	Installation of valves	\$250-1,000	\$
48	16 TAC ' 14.2419	Welding at piping installations	\$1,000	\$
49	16 TAC ' 14.2422	Pipe marking and identification	\$100-500	\$

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50	16 TAC '14.2425	Pipe supports	\$250	\$
51	16 TAC '14.2428	Inspection and testing of piping	\$1,000	\$
52	16 TAC '14.2431	Welded pipe tests	\$1,000	\$
53	16 TAC '14.2434	Purging of piping systems	\$250-750	\$
54	16 TAC '14.2437	Pressure and relief valves in piping	\$1,000	\$
55	16 TAC '14.2440	Corrosion control	\$750-1,500	\$
56	16 TAC '14.2501	Liquid level gauging	\$1,000	\$
57	16 TAC '14.2504	Pressure gauges	\$250-500	\$
58	16 TAC '14.2507	Vacuum gauges	\$250-500	\$
59	16 TAC '14.2510	Emergency failsafe	\$1,000	\$
60	16 TAC '14.2513	Electrical equipment	\$100-500	\$
61	16 TAC '14.2516	Electrical grounding and bonding	\$100-500	\$
41 2	16 TAC '14.2604	Systems component qualification	\$500	\$
63	16 TAC '14.2607	Vehicle fuel containers	\$100-1,000	\$
42 4	16 TAC '14.2610	Installation of vehicle fuel containers	\$100-750	\$
65	16 TAC '14.2613	Engine fuel delivery equipment	\$250-1,000	\$
66	16 TAC '14.2616	Installation of venting systems and monitoring sensors	\$250-750	\$
43 7	16 TAC '14.2619	Installation of piping	\$250-500	\$
68	16 TAC '14.2622	Installation of valves	\$250-500	\$
44 9	16 TAC '14.2625	Installation of pressure gauges	\$100-500	\$
70	16 TAC '14.2628	Installation of pressure regulators	\$500-1,000	\$
71	16 TAC '14.2631	Wiring	\$100	\$
45 2	16 TAC '14.2634	Vehicle fueling connection	\$500	\$
46 3	16 TAC '14.2637	Signs and labeling	\$100	\$
47 4	16 TAC '14.2640	System testing	\$1,000	\$
48 5	16 TAC '14.2643	Maintenance and repair	\$250-1,000	\$
49 6	16 TAC '14.2701	DOT requirements	\$1,000	\$
50 7	16 TAC '14.2704	Registration and transfer of LNG transports	\$500-1,500	\$
51 8	16 TAC '14.2705	Replacement decals Decals or letter of authority and fees	\$100	\$
52 9	16 TAC '14.2707	Testing requirements	\$1,000	\$
53 0	16 TAC '14.2710	Markings	\$250	\$
54 1	16 TAC '14.2713	Pressure gauge	\$100-500	\$
55 2	16 TAC '14.2716	Supports	\$1,000	\$

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568 3	16 TAC ' 14.2719	Electrical equipment and lighting	\$100-500	\$
578 4	16 TAC ' 14.2722	Liquid level gauging devices	\$1,000	\$
588 5	16 TAC ' 14.2725	Exhaust system	\$100-250	\$
598 6	16 TAC ' 14.2728	Extinguishers required	\$100-250	\$
608 7	16 TAC ' 14.2731	Manifests	\$250	\$
618 8	16 TAC ' 14.2734	Transfer of LNG on public highways, streets or alleys	\$250-1,000	\$
628 9	16 TAC ' 14.2737	Parking of LNG transports and container delivery vehicles	\$250-500	\$
639 0	16 TAC ' 14.2740	Uniform protection standards	\$100-750	\$
649 1	16 TAC ' 14.2746	Delivery of inspection report to licensee	\$100	\$
92	16 TAC ' 14.2749	Issuance of LNG Form 2004 decal	\$500-1,500	\$
65	16 TAC ' 14.2801	<u>NFPA 52 adopted by reference unless otherwise listed</u>	<u>\$250-2,500</u>	<u>\$</u>
66	16 TAC ' 14.2803	<u>Sections in NFPA 52 not adopted by reference or adopted with changes or additional requirements</u>	<u>\$250-2,500</u>	<u>\$</u>
67	16 TAC ' 14.2901	<u>NFPA 59A adopted by reference unless otherwise listed</u>	<u>\$250-2,500</u>	<u>\$</u>
68	16 TAC ' 14.2903	<u>Sections in NFPA 59A not adopted by reference or adopted with changes or additional requirements</u>	<u>\$250-2,500</u>	<u>\$</u>
709 3	Subtotal of typical penalty amounts from Table 1 (lines 1-6892, inclusive)			\$
719 4	Reduction for settlement before hearing: up to 50% of line 7092 amt.			\$
729 5	Subtotal: amount shown on line 7093 less applicable settlement reduction on line 7194			\$
Penalty enhancement amounts for threatened or actual safety hazard from Table 2				
739 6	Death or personal injury		\$5,000-20,000	\$
749 7	Taking facility out of service		\$1,000-5,000	\$
759 8	Gas ignition or release requiring emergency response		\$1,000-15,000	\$
769 9	Damage to LNG installation or vehicle		\$1,000-5,000	\$
771 00	Property damage exceeding \$5,000		\$1,000-\$15,000	\$
781 01	Rerouting of traffic or evacuation of premises		\$1,000-5,000	\$
Penalty enhancement for severity of violation from Table 2				
791 02	Time out of compliance		\$100-2,000/mo.	\$
801 03	Subtotal: amount shown on line 7295 plus all amounts on lines 7396 through 79102, inclusive			\$

	LNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
Penalty enhancements for culpability of person charged from Table 2				
<u>81+</u> <u>04</u>		Reckless conduct of person charged	Up to double line 103	\$
<u>82+</u> <u>05</u>		Intentional conduct of person charged	Up to triple line 103	\$
Penalty enhancements for number of prior violations within past seven years from Table 3				
<u>83+</u> <u>06</u>		One	\$1,000	\$
<u>84+</u> <u>07</u>		Two	\$2,000	\$
<u>85+</u> <u>08</u>		Three	\$3,000	\$
<u>86+</u> <u>09</u>		Four	\$4,000	\$
<u>87+</u> <u>10</u>		Five or more	\$5,000	\$
Penalty enhancements for amount of penalties within past seven years from Table 4				
<u>88+</u> <u>11</u>		Less than \$10,000	\$1,000	\$
<u>89+</u> <u>12</u>		Between \$10,000 and \$25,000	\$2,500	\$
<u>89+</u> <u>13</u>		Between \$25,000 and \$50,000	\$5,000	\$
<u>90+</u> <u>14</u>		Between \$50,000 and \$100,000	\$10,000	\$
<u>91+</u> <u>15</u>		Over \$100,000	10% of total amt	\$
<u>92+</u> <u>16</u>		Subtotal: Line 80103 amt. plus amt. on line 81104 and/or 82105 plus the amt. shown on any line from 83106-91116, inclusive		\$
<u>931</u> <u>17</u>		Reduction for demonstrated good faith of person charged		\$
<u>92+</u> <u>18</u>		TOTAL PENALTY AMOUNT: amount on line 92116 less any amount shown on line 93117		\$