

Figure: 16 TAC §13.15(k)

Table 5. CNG Penalty Worksheet

	CNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
1	Tex. Nat. Res. Code, Chapter 116	Any violation of Chapter 116, Texas Natural Resources Code	\$1,000-2,500	\$
2	16 TAC ' 13.22	Odorization	\$1,000-2,500	\$
3	16 TAC ' 13.24	Filing required for school and transit vehicles	\$100-500	\$
4	16 TAC ' 13.25(c)	Filings for stationary installations Form 1501: 1-5 occurrences	\$100	\$
5	16 TAC ' 13.25(c)	Filings for stationary installations Form 1501: 6-10 occurrences	\$200	\$
6	16 TAC ' 13.25(c)	Filings for stationary installations Form 1501: >10 occurrences	\$500	\$
7	16 TAC ' 13.25(b)	Filings for stationary installations Form 1500	\$1,000	\$
8	16 TAC ' 13.26	Construction of cylinders and pressure vessels	\$1,000	\$
9	16 TAC ' 13.27	Pressure relief devices	\$1,000	\$
10	16 TAC ' 13.28	Pressure gauges	\$250	\$
11	16 TAC ' 13.29	Pressure regulators	\$500-1,000	\$
12	16 TAC ' 13.30	Piping	\$500-1,000	\$
13	16 TAC ' 13.31	Valves	\$500-1,000	\$
14	16 TAC ' 13.32	Hose and hose connections	\$500-1,000	\$
15	16 TAC ' 13.33	Compression equipment	\$500-1,500	\$
8 [16]	16 TAC ' 13.34	Vehicle fuel connection	\$500	\$
9 [17]	16 TAC ' 13.36	CNG incident/accident report	\$1,000	\$
10 [18]	16 TAC ' 13.38	Removal from CNG service	\$1,000-2,500	\$
11 [19]	16 TAC ' 13.39	Filing unapproved cylinders	\$500-1,500	\$
12 [20]	16 TAC ' 13.40	Manufacturer's nameplates and ASME markings	\$1,000	\$
13	16 TAC ' 13.61(d)	<u>Performing CNG activities without proper license</u>	<u>\$500</u>	\$
14	16 TAC ' 13.61(g)	<u>Copies of licenses and/or certifications</u>	<u>\$100</u>	\$
15	16 TAC ' 13.61(l)	<u>Performing container manufacturing activities without proper registration</u>	<u>\$500</u>	\$
16 [21]	16 TAC ' 13.61(n)	<u>License and manufacturer registration renewal [and related fees;] lapse 1-2 months</u>	\$500	\$
17 [22]	16 TAC ' 13.61(n)	<u>License and manufacturer registration renewal [and related fees;] lapse 3-4 months</u>	\$750	\$
18 [23]	16 TAC ' 13.61(n)	<u>License and manufacturer registration renewal [and related fees;] lapse 5-6 months</u>	\$1,000	\$
19 [24]	16 TAC ' 13.61(n)	<u>License and manufacturer registration renewal [and related fees;] lapse more than [≥] 6 months</u>	\$1,000-2,500	\$
20 [25]	16 TAC ' 13.62	Insurance requirements	\$1,000	\$
21 [26]	16 TAC ' 13.67	Change in ownership	\$250	\$
27	16 TAC ' 13.68	Dealership name change	\$250	\$
22 [28]	16 TAC ' 13.69	Registration and transfer of transports	\$500-1,500	\$
23	16 TAC ' 13.70(a)	<u>Performing CNG activities without proper certifications</u>	<u>\$500</u>	\$

	CNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
<u>24</u>	<u>16 TAC ' 13.70(f)</u>	Trainees	\$500-1,000	\$
<u>25</u>	<u>16 TAC ' 13.70(g)</u>	General installers and repairman exemption	\$500-1,000	\$
<u>26</u> [29]	<u>16 TAC ' 13.70(h)</u>	Requirements for certificate holder renewal [Examination requirements and renewals]	\$250	\$
<u>27</u> [30]	<u>16 TAC ' 13.72</u>	Designation and responsibilities of company representatives and operations [Operations] supervisor	\$500	\$
<u>28</u> [31]	<u>16 TAC ' 13.73</u>	Employee transfers	\$100	\$
<u>29</u>	<u>16 TAC ' 13.75</u>	Franchise tax certification and assumed name certificate	\$500	\$
<u>30</u> [32]	<u>16 TAC ' 13.93</u>	General requirements	\$100-750	\$
<u>33</u>	<u>16 TAC ' 13.94</u>	Locations of installations	\$500-1,000	\$
<u>34</u>	<u>16 TAC ' 13.95</u>	Installation of cylinders and appurtenances	\$100-750	\$
<u>35</u>	<u>16 TAC ' 13.96</u>	Installation of pressure relief devices	\$1,000	\$
<u>36</u>	<u>16 TAC ' 13.97</u>	Installation of pressure regulators	\$500-1,000	\$
<u>37</u>	<u>16 TAC ' 13.98</u>	Installation of pressure gauges	\$250-1,000	\$
<u>38</u>	<u>16 TAC ' 13.99</u>	Installation of piping and hoses	\$250-1,000	\$
<u>39</u>	<u>16 TAC ' 13.100</u>	Testing	\$1,000	\$
<u>40</u>	<u>16 TAC ' 13.101</u>	Emergency shutdown equipment	\$1,000	\$
<u>41</u>	<u>16 TAC ' 13.102</u>	Electrical equipment	\$100-500	\$
<u>42</u>	<u>16 TAC ' 13.103</u>	Stray or impressed currents and bonding	\$100-500	\$
<u>43</u>	<u>16 TAC ' 13.104</u>	Operations	\$500-1,500	\$
<u>44</u>	<u>16 TAC ' 13.105</u>	Fire protection	\$100-250	\$
<u>31</u> [45]	<u>16 TAC ' 13.106</u>	Maintenance	\$250-1,000	\$
<u>32</u> [46]	<u>16 TAC ' 13.107</u>	Dispenser accuracy	\$250	\$
<u>47</u>	<u>16 TAC ' 13.132</u>	System component qualification	\$500	\$
<u>33</u> [48]	<u>16 TAC ' 13.133</u>	Installation of fuel supply cylinders	\$250-1,500	\$
<u>49</u>	<u>16 TAC ' 13.134</u>	Installation of venting systems	\$250	\$
<u>50</u>	<u>16 TAC ' 13.135</u>	Installation of piping	\$250-500	\$
<u>51</u>	<u>16 TAC ' 13.136</u>	Installation of valves	\$250-500	\$
<u>52</u>	<u>16 TAC ' 13.137</u>	Installation of pressure gauges	\$100-500	\$
<u>53</u>	<u>16 TAC ' 13.138</u>	Installation of pressure regulators	\$500-1,000	\$
<u>54</u>	<u>16 TAC ' 13.139</u>	Installation of fueling connection	\$500	\$
<u>55</u>	<u>16 TAC ' 13.140</u>	Labeling	\$100	\$
<u>56</u>	<u>16 TAC ' 13.141</u>	System testing	\$1,000	\$
<u>34</u> [57]	<u>16 TAC ' 13.142</u>	Maintenance and repair	\$250-1,000	\$
<u>35</u> [58]	<u>16 TAC ' 13.143</u>	Venting of CNG to atmosphere	\$250-750	\$
<u>59</u>	<u>16 TAC ' 13.184</u>	General requirements	\$750	\$
<u>60</u>	<u>16 TAC ' 13.185</u>	Installation	\$500-1,000	\$
<u>61</u>	<u>16 TAC ' 13.186</u>	Outdoor installations	\$250	\$
<u>36</u> [62]	<u>16 TAC ' 13.187</u>	Installation of pressure relief valves	\$100-500	\$
<u>63</u>	<u>16 TAC ' 13.189</u>	Pressure regulation	\$250-750	\$
<u>37</u> [64]	<u>16 TAC ' 13.190</u>	Piping and hose	\$250-1,000	\$
<u>65</u>	<u>16 TAC ' 13.191</u>	Testing	\$1,000	\$

	CNG Rule/Statute	General Description	Typical Minimum Penalty Amount/Range	Penalty Tally
66	16 TAC '13.192	Installation of emergency shutdown equipment	\$250-1,000	\$
67	16 TAC '13.193	Operation	\$500-1,000	\$
68	16 TAC '13.194	Maintenance and inspection	\$250-1,000	\$
38	16 TAC '13.201	NFPA 52 adopted by reference unless otherwise listed	\$250-2,500	\$
39	16 TAC '13.203	Sections in NFPA 52 not adopted by reference or adopted with changes or additional requirements	\$250-2,500	\$
40	16 TAC '13.301	NFPA 55 adopted by reference unless otherwise listed	\$250-2,500	\$
41	16 TAC '13.303	Sections in NFPA 55 not adopted by reference or adopted with changes or additional requirements	\$250-2,500	\$
42 [69]	Subtotal of typical penalty amounts from Table 1 (lines 1-41 [68], inclusive)			\$
43 [70]	Reduction for settlement before hearing: up to 50% of line 42 [69] amt.		_____ %	\$
44 [71]	Subtotal: amount shown on line 42 [69] less applicable settlement reduction on line 43 [70]			\$
Penalty enhancement amounts for threatened or actual safety hazard from Table 2				
45 [72]	Death or personal injury		\$5,000-20,000	\$
46 [73]	Taking facility out of service		\$1,000-5,000	\$
47 [74]	Gas ignition or release requiring emergency response		\$1,000-15,000	\$
48 [75]	Damage to CNG installation or vehicle		\$1,000-5,000	\$
49 [76]	Property damage exceeding \$5,000		\$1,000-15,000	\$
50 [77]	Rerouting of traffic or evacuation of premises		\$1,000-5,000	\$
Penalty enhancement for severity of violation from Table 2				
51 [78]	Time out of compliance		\$100-\$2,000/mo.	\$
52 [79]	Subtotal: amount shown on line 44 [71] plus all amounts on lines 45-51 [72-78], inclusive			\$
Penalty enhancements for culpability of person charged from Table 2				
53 [80]	Reckless conduct of person charged		Up to double line 79	\$
54 [81]	Intentional conduct of person charged		Up to triple line 79	\$
Penalty enhancements for number of prior violations within past seven years from Table 3				
55 [82]	One		\$1,000	\$
56 [83]	Two		\$2,000	\$
57 [84]	Three		\$3,000	\$
58 [85]	Four		\$4,000	\$
59 [86]	Five or more		\$5,000	\$
Penalty enhancements for amount of penalties within past seven years from Table 4				
60 [87]	Less than \$10,000		\$1,000	\$
61 [88]	Between \$10,000 and \$25,000		\$2,500	\$
62 [89]	Between \$25,000 and \$50,000		\$5,000	\$
63 [90]	Between \$50,000 and \$100,000		\$10,000	\$
64 [91]	Over \$100,000		10% of total amt.	\$
65 [92]	Subtotal: Line 52 [79] amt. plus amt. on line 53 [80] and/or 54 [81] plus the amt. shown on any line from 55-64 [82-91], inclusive			\$
66 [93]	Reduction for demonstrated good faith of person charged			\$
67 [94]	TOTAL PENALTY AMOUNT: amount on line 65 [92] less any amount shown on line 66 [93]			\$