

FAILURE TO CORRECT CIVIL PENALTY ASSESSMENT MATRIX - TABLE 1

THESE PENALTY GUIDELINES APPLY WHEN YOU DO NOT CORRECT A VIOLATION BY
THE DATE INDICATED IN A NOTICE OF NONCOMPLIANCE UNDER 30 C.F.R. §§ 1241.50-1241.52

The Penalty Amount Applicable to Your Violation Type Accrues Daily Until the Violation is Corrected

Violation Type	Very Small Business <i>(<25 Employees)</i>	Small Business <i>(25-500 Employees)</i>	Large Business <i>(>500 Employees)</i>	How We Count the Number of Violations
Failure to submit or correct Oil and Gas Operations Reports, Form ONRR-4054 (OGORs) or Solid Minerals Production and Royalty Reports, Form ONRR-4430 (P&Rs).	\$1 ~ \$2 ~ \$10	\$2 ~ \$4 ~ \$20	\$4 ~ \$8 ~ \$40	<i>Each line (well, disposition, and/or inventory) at issue per month.</i>
Failure to submit or correct Reports of Sales and Royalty Remittance, Form ONRR-2014 (2014s) or solid minerals sales summaries (using Form ONRR-4440 or otherwise).	\$2 ~ \$4 ~ \$20	\$4 ~ \$8 ~ \$40	\$8 ~ \$16 ~ \$80	<i>Each line at issue per report month.</i>
Failure to comply with a final order or an appealed order not suspended under 30 C.F.R. Part 1243.	\$2 ~ \$5 ~ \$25	\$5 ~ \$10 ~ \$50	\$10 ~ \$20 ~ \$100	<i>Per unresolved item for each product, month, and property.</i>
Failure to pay non-royalty obligation.	\$10 ~ \$20 ~ \$100	\$20 ~ \$40 ~ \$200	\$40 ~ \$80 ~ \$400	<i>Each unpaid or underpaid aggregate monthly non- royalty obligation or bill.</i>
Failure to produce records or requested information.	\$10 ~ \$20 ~ \$100	\$20 ~ \$40 ~ \$200	\$40 ~ \$80 ~ \$400	<i>Each category of records or information requested.</i>
Failure to timely file or update the Designation Form for Royalty Payment Responsibility, Form ONRR-4425 (4425).	\$12 ~ \$25 ~ \$125	\$25 ~ \$50 ~ \$250	\$50 ~ \$100 ~ \$500	<i>Each unfiled or substantially inaccurate 4425 for each lease.</i>
Failure to timely file or update the Addressee of Record Designation for Service of Official Correspondence, Form ONRR-4444 (4444).	\$12 ~ \$25 ~ \$125	\$25 ~ \$50 ~ \$250	\$50 ~ \$100 ~ \$500	<i>Each unfiled or substantially inaccurate 4444 for each applicable correspondence type.</i>
Failure to pay electronically.	\$62 ~ \$125 ~ \$625	\$125 ~ \$250 ~ \$1,250	\$250 ~ \$500 ~ \$2,500	<i>Each payment submitted by non-electronic means.</i>
Failure to properly identify payment.	\$62 ~ \$125 ~ \$625	\$125 ~ \$250 ~ \$1,250	\$250 ~ \$500 ~ \$2,500	<i>Each payment submitted without identifying information.</i>

Notes:

- The amounts in this Table are guidelines to foster penalty amount consistency. Bolded figures are the applicable standard assessments assuming no prior history of noncompliance. Upward and downward departures (aggravating and mitigating circumstances) must be justified in the case file and approved by the supervisor.
- To determine the size of the business, ONRR includes the number of employees in the company, as well as the number of employees in any parent company(ies) plus any subsidiaries and contractors as allowed by 30 C.F.R. § 1241.70(a)(3).
- The assessed penalty amount will be doubled after 40 days of continued noncompliance (from the date the Notice of Noncompliance was received).
- The civil penalty rates for repeated violations are doubled for second violations, tripled for third violations, quadrupled for fourth violations, and quintupled for fifth violations, subject to the maximum amounts provided in 30 C.F.R. § 1241.52.
- The failure to make ordered corrections or pay additional royalties as ordered may subject you to an Immediate Liability Civil Penalty Notice if your conduct was knowing or willful. (See Immediate Liability Civil Penalty Assessment Matrix - Table 2).
- Where the number of lines for production report (OGORs & P&Rs) or royalty report (2014s & sales summaries) violations cannot be computed or if counting at the line level produces unreasonable results, the violation may be counted on a product, well, lease, or property basis, with supervisory approval.
- This Table will be updated periodically in accordance with 30 C.F.R. § 1241.70.

Approved Effective 11/16/2020