

IMMEDIATE LIABILITY CIVIL PENALTY ASSESSMENT MATRIX - TABLE 2

THESE PENALTY GUIDELINES APPLY WHEN YOU COMMIT

A NON-CURABLE VIOLATION UNDER 30 C.F.R. § 1241.60

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
Knowing or willful failure to pay royalties timely.	\$25 ~ \$50 ~ \$500	\$50 ~ \$100 ~ \$1,000	\$100 ~ \$200 ~ \$2,000	<i>Each late aggregate monthly royalty obligation or bill.</i>
Knowing or willful failure to pay royalties.	\$50 ~ \$100 ~ \$1,000	\$100 ~ \$200 ~ \$2,000	\$200 ~ \$400 ~ \$4,000	<i>Each unpaid or underpaid aggregate monthly royalty obligation or bill.</i>
Failure to permit an audit.	\$50 ~ \$100 ~ \$1,000	\$100 ~ \$200 ~ \$2,000	\$200 ~ \$400 ~ \$4,000	<i>Each major audit step (volume/ value/ royalty rate/ transportation allowance/ processing allowance) per property and product that could not timely be performed.</i>
Knowing or willful <i>maintenance of inaccurate</i> information.	\$12 ~ \$25 ~ \$250	\$25 ~ \$50 ~ 500	\$50 ~ \$100 ~ \$1,000	<i>Each inaccurate report line or statement maintained.</i>
Knowing or willful <i>maintenance of false or misleading</i> information.	\$50 ~ \$100 ~ \$1,000	\$100 ~ \$200 ~ \$2,000	\$200 ~ \$400 ~ \$4,000	<i>Each false or misleading report line or statement maintained.</i>
Knowing or willful <i>submission of inaccurate</i> information.	\$25 ~ \$50 ~ \$500	\$50 ~ \$100 ~ \$1,000	\$100 ~ \$200 ~ \$2,000	<i>Each inaccurate report line or statement submitted.</i>
Knowing or willful <i>submission of false or misleading</i> information.	\$100 ~ \$200 ~ \$2,000	\$200 ~ \$400 ~ \$4,000	\$400 ~ \$800 ~ \$8,000	<i>Each false or misleading report line or statement submitted.</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 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 civil penalty assessed for a knowing or willful failure to pay royalties (including failure to pay royalties timely) will be initially capped at three times the principal amount of the unpaid or under paid royalties. Should a violation not be cured within 30 days of the issuance date of an ILCP, additional penalties at the applicable assessment will accrue daily.
- For a failure to permit audit violation, the total penalty is limited to the maximum amount provided in 30 C.F.R. § 1241.60(b) for each audit.
- This Table will be updated periodically in accordance with 30 C.F.R. § 1241.70.