

7530.1000 CIVIL PENALTIES.

Subpart 1. **Proceedings.** When the office has good cause to believe that a pipeline operator is engaging or has engaged in conduct that involves a violation of minimum pipeline safety requirements, the office shall conduct proceedings under parts 7530.0100 to 7530.1100 to determine the nature and extent of the violation and assess and, if appropriate, negotiate a civil penalty under Minnesota Statutes, section 299F.60.

Subp. 2. **Assessment considerations.** In assessing a civil penalty under this part, the office shall consider the following factors:

- A. the nature, circumstances, and gravity of the violation;
- B. the degree of the pipeline operator's culpability;
- C. the pipeline operator's history of previous offenses;
- D. the pipeline operator's ability to pay;
- E. good faith on the part of the pipeline operator in attempting to achieve compliance;
- F. the effect of the penalty on the pipeline operator's ability to continue in business; and
- G. whether the pipeline is a hazardous liquid pipeline or a gas or other pipeline.

Subp. 3. **Payment procedures.** The pipeline operator shall pay a civil penalty that has been proposed, assessed, or compromised by submitting to the office a certified check or money order in the correct amount, payable to the commissioner of public safety.

Statutory Authority: *MS s 299F.57; 299J.04*

History: *15 SR 83*

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