

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF OCEAN ENERGY MANAGEMENT,  
REGULATION AND ENFORCEMENT**

NTL No 2011-N05

Effective Date: July 30, 2011

Expiration Date: July 30, 2016

NATIONAL NOTICE TO LESSEES AND OPERATORS OF FEDERAL  
OIL AND GAS AND SULPHUR LEASES IN THE OUTER CONTINENTAL SHELF

**Revised Assessment Matrix**

The purpose of this Notice to Lessees and Operators (NTL) is to provide updated information in the BOEMRE OCS Civil Penalties Program. This NTL replaces the assessment matrix provided in NTL No. 2007-N02. The Oil Pollution Act of 1990 (OPA 90) requires the Secretary of the Interior to adjust the maximum civil penalty to reflect any increases in the Consumer Price Index.

In accordance with OPA 90 and the Office of Management and Budget guidelines, BOEMRE has increased the maximum amount of the civil penalty to \$40,000 per day per violation. The assessment matrix below, revised to reflect the increased maximum penalty, will apply to any violation occurring on or after July 30, 2011.

**Civil Penalty Assessment Table**

**July 30, 2011**

**(maximum penalty based on the October 2010 Consumer Price Index)**

<b>GENERALIZED TABLE FOR CIVIL PENALTY ASSESSMENTS IN \$/DAY/VIOLATION</b>			
<b>Enforcement Code</b>	<b>Category A</b>	<b>Category B</b>	<b>Category C</b>
<b>W</b>	\$5,000 – <b>40,000</b> (\$15,000)*	\$10,000 – <b>40,000</b> (\$20,000)*	\$20,000 – <b>40,000</b> (\$25,000)*
<b>C</b>	\$10,000 – <b>40,000</b> (\$20,000)*	\$15,000 – <b>40,000</b> (\$25,000)*	\$30,000 – <b>40,000</b> (\$35,000)*
<b>S</b>	\$15,000 – <b>40,000</b> (\$25,000)*	\$20,000 – <b>40,000</b> (\$30,000)*	\$35,000 – <b>40,000</b> (\$37,000)*

Note: W = Warning, C = Component Shut-in, and S = Facility Shut-in;

\* = Starting Point for Assessment

<u>Category A</u>	<u>Category B</u>	<u>Category C</u>
<p>Threat of injury to humans. Threat of harm or damage to the marine or coastal environment, including mammals, fish, and other aquatic life (threat may or may not involve endangered/threatened species). Threat of pollution. Threat of damage to any mineral deposit or property.</p>	<p>Injury to humans that result in 1-3 days away from work or 1-3 days on restricted work or job transfer. Minor harm or damage to the marine or coastal environment, including mammals, fish, and other aquatic life (harm to aquatic life did not involve an endangered/threatened species.) Pollution caused by liquid hydrocarbon spillage of up to 50 bbl. Minor damage to any mineral deposit. Minor property damage equal to or less than \$25,000. Additional incidents required to be reported under 30 CFR 250.188, except a(6), (b)(1), and b(4).</p>	<p>Loss of human life. Injury to humans that result in more than 3 days away from work or more than 3 days on restricted work or job transfer. Serious harm or damage to the marine or coastal environment, including mammals, fish, and other aquatic life (harm to aquatic life involved numerous individuals <u>or</u> involved one or more members of an endangered/threatened species.) Pollution caused by liquid hydrocarbon spillage of more than 50 bbl. Serious damage to any mineral deposit. Serious property damage greater than \$25,000.</p>

Additional information about this program can be found on the BOEMRE home page at: <http://www.boemre.gov>.

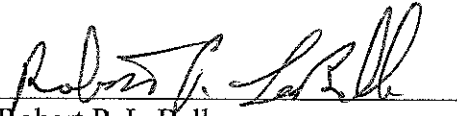
**Contacts:**

If you have any questions regarding this NTL, please contact Joanne McCammon of the Safety and Enforcement Branch by calling (703) 787-1292 or by email at [joanne.mccammon@boemre.gov](mailto:joanne.mccammon@boemre.gov).

**Paperwork Reduction Act of 1995 Statement:**

This NTL imposes no information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

*June 6, 2011*  
Dated

  
Robert P. LaBelle  
Acting Associate Director for Offshore  
Energy and Minerals Management