



**U.S. Department of the Interior
Minerals Management Service
Office of Communications**

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RELEASE:

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CIVIL PENALTY PROCESS CLARIFIED

The U.S. Department of the Interior's Minerals Management Service (MMS) will publish a final rule on August 8 to amend Title 30, Code of Federal Regulations, Part 250, Subpart N-- Remedies and Penalties. Written in "plain English" and using a question-and-answer format, Subpart N has been rewritten to clarify the administrative procedures for the civil penalties process.

"The MMS strives to ensure safe and clean offshore operations in the Outer Continental Shelf (OCS). The civil penalty process has been simplified and designed to encourage compliance with our statutes and regulations by pursuing, assessing, and collecting penalties," said MMS Director Cynthia Quarterman. In addition to simplifying the regulations, the final rule increases the maximum civil penalty to \$25,000 per day per violation.

The Oil Pollution Act of 1990 expanded and strengthened the authority of the MMS to impose penalties for violating applicable regulations. Under the Act, the Secretary of the Interior is authorized to assess a civil penalty without providing notice and time for corrective action where a failure to comply with applicable regulations results in a threat of serious, irreparable, or immediate harm or damage to human life or the environment.

As of July 1997, MMS has taken the following actions:

- initiated 148 compliance reviews, which resulted in 144 civil penalty cases;
- assessed 88 civil penalties; collected \$1,013,820 in fines;
- dismissed 16 cases; and 46 cases are pending.

In 1998, MMS will begin publishing the names of those companies that fail to comply with applicable regulations or take corrective actions.

MMS is the federal agency that manages the Nation's oil, natural gas, and other mineral resources on the OCS. MMS also collects, accounts for, and disburses about \$4 billion yearly in revenues from offshore federal mineral leases and from onshore mineral leases on federal and Indian lands.

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