

**6132.5100 CIVIL PENALTIES.**

Subpart 1. **Violation.** If a permittee violates any provision of Minnesota Statutes, sections 93.44 to 93.51, parts 6132.0100 to 6132.5300, or a permit to mine issued under them, the commissioner may order imposition of a civil penalty.

Subp. 2. **Beginning of proceedings.** A proceeding to assess civil penalties begins by serving on the permittee:

- A. a notice of hearing under part 6132.5000; and
- B. the proposed civil penalty imposition order.

Subp. 3. **Determining the amount.** In determining the amount of a penalty, the commissioner shall consider the severity of the violation, the need to deter future violations, and the magnitude of potential or actual gains resulting from the violation.

Subp. 4. **Duration.** The assessment of the civil penalty shall remain in effect until the violation that necessitated the penalty is corrected.

Subp. 5. **Collection.** The commissioner shall collect an assessed civil penalty in the same manner as any other debt owed the state.

**Statutory Authority:** *MS s 93.44 to 93.51; 103G.222*

**History:** *17 SR 2207*

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