

**CALIFORNIA CODE OF REGULATIONS  
TITLE 14. NATURAL RESOURCES  
DIVISION 1. FISH AND GAME COMMISSION - DEPARTMENT OF FISH & GAME  
SUBDIVISION 4. OFFICE OF SPILL PREVENTION AND RESPONSE  
CHAPTER 7. COMPLIANCE  
SUBCHAPTER 1. ADMINISTRATIVE COMPLIANCE ACTIONS AND HEARING  
PROCEDURES  
ARTICLE 1. ADMINISTRATIVE COMPLIANCE ACTIONS AND CIVIL PENALTIES**

**~~§ 873.7. Discharge of Oil; Administrative Civil Liability; Government Code  
Section 8670.67.5.~~**

~~In addition to any penalty assessed pursuant to Section 873.5 of this subchapter:~~

~~(a) Without regard to intent or negligence, any person who causes or permits oil to be spilled or discharged shall be strictly liable for a civil penalty assessed for up to ten dollars (\$10.00) per gallon for every gallon of spilled or discharged oil.~~

~~(b) Whenever the spill or discharge results from gross negligence or reckless misconduct, the Administrator shall assess a civil penalty at thirty dollars (\$30.00) per gallon of spilled or discharged oil.~~

~~(c) Any civil penalty assessed pursuant to either subsection (a) or (b) shall be reduced for every gallon of spilled oil that is:~~

~~(1) recovered; and~~

~~(2) properly reprocessed, reused, and/or disposed of in accordance with applicable laws.~~

~~(d) The Administrator shall take into consideration the nature, circumstances, extent and gravity of the spill, including the spiller's efforts to prevent, abate or clean up a discharge, when determining the appropriate penalty amounts.~~

~~(e) The determination of the amount of oil recovered shall be conducted pursuant to the provisions of Title 14 California Code of Regulations, Sections 877, et seq.~~

~~Authority cited: Sections 8670.7 and 8670.67.5, Government Code. Reference: Section 8670.67.5, Government Code.~~