

- 3. The cost of cleanup and the cost of restoration of natural resources;
- 4. The nature and degree of injury to or interference with general welfare, health, and property;
- 5. The extent to which the location of the violation, including location near waters of this State or areas of human population, creates the potential for harm to the environment or to human health or safety;
- 6. The available technology and economic reasonableness of controlling, reducing, or eliminating the violation;
- 7. The degree of hazard posed by the particular pollutant or pollutants involved;
- 8. The extent to which the current violation is part of a recurrent pattern of the same or similar type of violation committed by the violator; and
- 9. Whether or not penalties were assessed or will be assessed under other provisions of this subtitle.

(3) Each day a violation occurs is a separate violation under this subsection.

(4) Any penalty imposed under this subsection is payable to this State and collectible in any manner provided at law for the collection of penalties.

~~(5) IF ANY PERSON LIABLE TO PAY THE PENALTY FAILS TO PAY IT AFTER DEMAND, THE AMOUNT, TOGETHER WITH INTEREST AND ANY COSTS THAT MAY ACCRUE, SHALL, AFTER ADJUDICATION BY A COURT, BE:~~

~~(I) A LIEN IN FAVOR OF THE STATE ON ANY PROPERTY, REAL OR PERSONAL, OF THE PERSON; AND~~

~~(II) RECORDED IN THE OFFICE OF THE CLERK OF THE COURT FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED.~~

~~(6)~~ (5) Any penalty collected under this subsection or FOR A VIOLATION OF § 4-413 of this title shall be placed in the special fund under paragraph (c)(4) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.