ADDITION TO ANY OTHER SANCTION UNDER THIS SUBTITLE, the Department or the Department of Natural Resources, as appropriate, or a political subdivision may bring a civil action against any person for any violation of this subtitle OR ANY REGULATION OR STORMWATER MANAGEMENT PLAN ADOPTED OR APPROVED UNDER THIS SUBTITLE. The action may seek the imposition of a civil penalty of not more than [$5,000] $10,000 against the person, an injunction to prohibit the person from continuing the violation or both.

(d)   For purposes of a civil action brought under subsection (c), each day during which a violation continues constitutes a separate offense.

(E) (1)   IN ADDITION TO ANY OTHER REMEDIES AVAILABLE AT LAW AND AFTER AN OPPORTUNITY FOR A HEARING WHICH MAY BE WAIVED IN WRITING BY THE PERSON ACCUSED OF A VIOLATION, THE DEPARTMENT MAY IMPOSE A PENALTY FOR VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR ANY REGULATION OR PLAN ADOPTED OR.APPROVED UNDER THIS SUBTITLE.

(2)   THE PENALTY IMPOSED ON A PERSON UNDER THIS SUBSECTION SHALL BE:

(I)   UP TO $1,000 FOR EACH VIOLATION, BUT NOT EXCEEDING $20,000 TOTAL FOR ANY ACTION; AND

(II)   ASSESSED WITH CONSIDERATION GIVEN TO:

1.   THE WILLFULNESS OF THE VIOLATION, THE EXTENT TO WHICH THE EXISTENCE OF THE VIOLATION WAS KNOWN TO BUT UNCORRECTED BY THE VIOLATOR, AND THE EXTENT TO WHICH THE VIOLATOR EXERCISED REASONABLE CARE;

2.   ANY ACTUAL HARM TO THE ENVIRONMENT OR TO HUMAN HEALTH, INCLUDING INJURY TO OR IMPAIRMENT OF THE USE OF THE WATERS OF THIS STATE OR THE NATURAL RESOURCES OF THIS STATE;

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;