

RESIDENT OF MARYLAND TO AN ENVIRONMENT FREE FROM POLLUTION TO THE EXTENT POSSIBLE. IT FURTHER FINDS THAT THE COURTS OF THE STATE OF MARYLAND ARE AN APPROPRIATE FORUM FOR SEEKING THE PROTECTION OF THE ENVIRONMENT AND THAT AN UNREASONABLY STRICT PROCEDURAL DEFINITION OF "STANDING TO SUE" IN ENVIRONMENTAL MATTERS IS NOT IN THE PUBLIC INTEREST.

1-503. ACTIONS FOR DECLARATORY AND EQUITABLE RELIEF.

(A) THE FOLLOWING PERSONS HAVE STANDING TO BRING AND MAINTAIN AN ACTION PROVIDED FOR IN THIS SECTION IN THE COURTS OF EQUITY OF THIS STATE:

(1) THE STATE OF MARYLAND, OR ANY AGENCY OR OFFICER OF THE STATE, ACTING THROUGH THE ATTORNEY GENERAL;

(2) ANY POLITICAL SUBDIVISION OF THE STATE OF MARYLAND, OR ANY AGENCY OR OFFICER OF IT ACTING ON ITS BEHALF; AND

(3) ANY OTHER PERSON, REGARDLESS OF WHETHER HE POSSESSES A SPECIAL INTEREST DIFFERENT FROM THAT POSSESSED GENERALLY BY THE CITIZENS RESIDENTS OF MARYLAND, OR WHETHER SUBSTANTIAL PERSONAL OR PROPERTY DAMAGE TO HIM IS THREATENED. HOWEVER, AN INDIVIDUAL CITIZEN EITHER SHALL RESIDE IN THE COUNTY OR BALTIMORE CITY WHERE THE ACTION IS BROUGHT, OR SHALL DEMONSTRATE THAT THE ALLEGED CONDITION, ACTIVITY, OR FAILURE COMPLAINED OF AFFECTS THE ENVIRONMENT WHERE HE RESIDES.

~~(B) ANY PERSON GIVEN STANDING BY SUBSECTION (A) MAY BRING AND MAINTAIN AN ACTION AGAINST ANY OTHER PERSON WHO IS CAUSING, ENGAGING IN, OR MAINTAINING, OR IS ABOUT TO CAUSE, ENGAGE IN, OR MAINTAIN, A CONDITION OR ACTIVITY WHICH INVOLVES FAILURE TO MEET AN APPLICABLE ENVIRONMENTAL QUALITY STANDARD FOR THE PROTECTION OF THE AIR, WATER, OR OTHER NATURAL RESOURCES OF THE STATE, AS EXPRESSED IN A STATUTE, ORDINANCE, RULE, REGULATION, LICENSE, PERMIT, OR ORDER OF THE STATE, OF ANY POLITICAL SUBDIVISION, OR OF ANY OFFICER OR AGENCY OF THE STATE OR POLITICAL SUBDIVISION.~~

~~(C) ANY PERSON GIVEN STANDING BY SUBSECTION (A) MAY BRING AND MAINTAIN AN ACTION FOR MANDAMUS AGAINST ANY OFFICER OR AGENCY OF THE STATE OR POLITICAL SUBDIVISION FOR FAILURE ON THE PART OF THE DEFENDANT TO PERFORM A NON-DISCRETIONARY MINISTERIAL DUTY IMPOSED UPON THE DEFENDANT UNDER AN ENVIRONMENTAL STATUTE, ORDINANCE, RULE, REGULATION, LICENSE, PERMIT, OR ORDER. THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO ANY DISCRETIONARY ACTION LAWFULLY TAKEN BY ANY OFFICER OR AGENCY OF THE STATE OR POLITICAL SUBDIVISION.~~

(B) ANY PERSON GIVEN STANDING BY SUBSECTION (A) MAY BRING AND MAINTAIN AN ACTION FOR MANDAMUS OR EQUITABLE RELIEF, INCLUDING DECLARATORY RELIEF AGAINST ANY OFFICER OR AGENCY OF THE STATE OR POLITICAL SUBDIVISION FOR FAILURE ON THE PART OF THE OFFICER OR AGENCY OF THE STATE OR POLITICAL SUBDIVISION TO PERFORM A NONDISCRETIONARY MINISTERIAL DUTY