

(d) In addition to any other remedies available at law or in equity, a civil penalty may be assessed for violation of any provisions of this subtitle, or rules, regulations, orders or permits issued pursuant thereto. The penalty may be assessed by the Secretary of Health and Mental Hygiene OR, FOR PURPOSES OF § 8-1406 THROUGH § 1411.1 OF THIS SUBTITLE, THE SECRETARY OF NATURAL RESOURCES, OR EITHER SECRETARY WITH RESPECT TO SEDIMENT POLLUTION, or a hearing officer designated in writing by the APPROPRIATE Secretary, after a hearing at which it is determined that a violation exists. The civil penalty assessed shall be \$500 for each day of violation, not exceeding a total sum of \$10,000; consideration shall be given to the willfulness of the violation; to the damage or injury to the waters of the State or the impairment of its uses; to the cost of clean-up; to the nature and degree of injury to or interference with general welfare, health, and property; to the suitability of the waste source to its geographic location, including priority of location; to the available technology and economic reasonableness of controlling, reducing, or eliminating the waste; and other relevant factors. It is payable to the State and collectible in any manner provided at law for the collection of debts. If any person liable to pay the penalty neglects or refuses to pay it after demand, the amount, together with interest and any costs that may accrue, shall be a lien in favor of the State upon the property, both real and personal, of the person and shall be recorded in the clerk of court's office for the political subdivision in which the property is located. The moneys shall be placed in a special fund to be used for monitoring and surveillance by the APPROPRIATE DEPARTMENT DEPARTMENT [of Health and Mental Hygiene] to be used to assure and maintain an adequate record of any discharge to the waters of the State.

Article 25 - County Commissioners

171.

The county commissioners shall, at their first meeting after receiving such petition and report, examine them, and if they are found not to be in due form and in accordance with the law they shall be referred back to the petitioners to be corrected and returned to the county commissioners at a subsequent meeting. If the petition and report are found to be in due form and in accordance with the law, the county commissioners shall appoint a day for a public hearing upon the report and petition and shall give not less than ten days' notice of the time and place of the hearing. Such notice shall be published in a newspaper or newspapers having a general circulation in the county or counties in which the lands in the watershed association are located. During this time a copy of the report shall be on file in the office of the clerk of county commissioners, and shall be open to the inspection of any landowners or other person interested, and the notices shall so state. A notice of this and all subsequent hearings shall be sent to the State