

PUBLIC HEALTH, TO THE PUBLIC WELFARE, OR TO THE ENVIRONMENT, THE DEPARTMENT MAY SUE FOR AN IMMEDIATE INJUNCTION TO STOP THE ACTIVITY THAT IS CAUSING THE DANGER.

REVISOR'S NOTE: This section is new language patterned after the provisions of NR § 8-1415 that apply to this subtitle.

7-264. JUDICIAL REVIEW.

(A) IN GENERAL.

ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE DEPARTMENT IN CONNECTION WITH AN ORDER, HAULER CERTIFICATE, VEHICLE CERTIFICATE, OR FACILITY PERMIT ISSUED UNDER THIS SUBTITLE MAY NOT APPEAL TO THE BOARD OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

REVISOR'S NOTE: This section is new language patterned after NR § 8-1412(b).

7-265. SPECIFIC OFFENSES AND PENALTIES.

(A) SPECIFIC OFFENSES.

A PERSON WHO COMMITS ANY OF THE FOLLOWING OFFENSES IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$25,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS, OR BOTH:

(1) STORING, DUMPING, DISCHARGING, ABANDONING, OR OTHERWISE DISPOSING OF A CONTROLLED HAZARDOUS SUBSTANCE IN ANY PLACE OTHER THAN A CONTROLLED HAZARDOUS SUBSTANCE FACILITY FOR WHICH A CURRENT FACILITY PERMIT IS IN EFFECT;

(2) TRANSPORTING FOR TREATMENT, STORAGE, OR DISPOSAL A CONTROLLED HAZARDOUS SUBSTANCE TO ANY PLACE OTHER THAN A CONTROLLED HAZARDOUS SUBSTANCE FACILITY FOR WHICH A CURRENT FACILITY PERMIT IS IN EFFECT;

(3) FALSIFYING ANY INFORMATION REQUIRED BY THE DEPARTMENT UNDER THIS SUBTITLE OR ANY RULE, REGULATION, ORDER, HAULER CERTIFICATE, VEHICLE CERTIFICATE, OR FACILITY PERMIT ISSUED UNDER THIS SUBTITLE; OR

(4) AUTHORIZING, DIRECTING, OR PERMITTING ANY OFFENSE LISTED IN THIS SECTION.

(B) SEPARATE OFFENSES FOR EACH DAY.