

DEPARTMENT FINDS THAT A VIOLATION OF THIS SUBTITLE HAS OCCURRED, THE DEPARTMENT SHALL ISSUE AN ORDER THAT REQUIRES CORRECTION OF THE VIOLATION WITHIN A TIME SET IN THE ORDER.

(3) ANY ORDER ISSUED UNDER THIS SUBSECTION IS A FINAL CORRECTIVE ORDER AND THE PERSON TO WHOM THE ORDER IS DIRECTED IS NOT ENTITLED TO A HEARING BEFORE THE DEPARTMENT AS A RESULT OF THE ORDER.

(C) DUTIES OF DEPARTMENT TO ENFORCE ORDER.

THE DEPARTMENT SHALL:

(1) TAKE ACTION TO SECURE COMPLIANCE WITH ANY FINAL CORRECTIVE ORDER; AND

(2) IF THE TERMS OF THE FINAL CORRECTIVE ORDER ARE VIOLATED OR IF A VIOLATION IS NOT CORRECTED WITHIN THE TIME SET IN THE ORDER, SUE TO REQUIRE CORRECTION OF THE VIOLATION.

(D) OTHER ACTION PERMITTED.

THIS SECTION DOES NOT PREVENT THE DEPARTMENT OR THE ATTORNEY GENERAL FROM TAKING ACTION AGAINST A VIOLATOR BEFORE THE EXPIRATION OF THE TIME LIMITATIONS OR SCHEDULES IN THE ORDER.

REVISOR'S NOTE: This section is new language patterned after NR § 8-1414 and the third, fourth, and fifth sentences of the second paragraph of NR § 8-1412(a).

9-339. INJUNCTIVE RELIEF.

(A) IN GENERAL.

THE DEPARTMENT SHALL BRING AN ACTION FOR AN INJUNCTION AGAINST ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY RULE, REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED BY THE DEPARTMENT UNDER THIS SUBTITLE.

(B) DEPARTMENT FINDINGS.

IN ANY ACTION FOR AN INJUNCTION UNDER THIS SECTION, ANY FINDING OF THE DEPARTMENT AFTER A HEARING IS PRIMA FACIE EVIDENCE OF EACH FACT THE DEPARTMENT DETERMINES.

(C) GROUNDS FOR INJUNCTION.

ON A SHOWING THAT ANY PERSON IS VIOLATING OR IS ABOUT TO VIOLATE THIS SUBTITLE OR ANY RULE, REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED BY THE DEPARTMENT, THE COURT SHALL GRANT AN INJUNCTION WITHOUT REQUIRING A SHOWING OF A LACK OF AN ADEQUATE REMEDY AT LAW.