

(b) Upon a showing by the Attorney General in behalf of the [Department of Health and Mental Hygiene or, for purposes of § 8-1406 through § 8-1411.1 of this subtitle, the] Department [of Natural Resources,] that any person is violating or is about to violate the provisions of this subtitle or is violating or is about to violate any valid order or permit issued by [that department] THE DEPARTMENT, an injunction shall be granted without the necessity of showing a lack of adequate remedy at law. In circumstances of emergency creating conditions of imminent danger to the public health, welfare or the [environment] ENVIRONMENT, the Attorney General, on behalf of the [appropriate department] THE DEPARTMENT, may institute a civil action for an immediate injunction to halt any pollution or other activity causing the danger.

SUPPLEMENTAL REVISOR'S NOTE: Ch. \_\_\_\_, Acts of 1982, which enacted the Health - Environmental Article, also amended this section to delete the references to the Department of Health and Mental Hygiene. The substance of the deleted language now appears in the Health - Environmental Article.

8-1416.

(a) Any person who violates any provision of this subtitle, or any rule, regulation, order, or permit issued pursuant thereto, shall be liable for a penalty not exceeding \$10,000 for the violation, which may be recovered in a civil action, and the person may be enjoined from continuing the violation, as provided by this subtitle. Each day upon which the violation occurs constitutes a separate offense.

(b) Any person who violates any of the provisions of, or who fails to perform any duty imposed by this subtitle, or any regulation or order issued under it, or the provisions of any permit of the [Department of Health and Mental Hygiene or the] Department [of Natural Resources] made pursuant to this subtitle is guilty of a misdemeanor, and upon conviction, is subject to a fine not exceeding \$25,000 or by imprisonment not exceeding one year, or both, and, in addition, may be enjoined from continuing the violation. If the conviction is for a violation committed after a first conviction of the person under this subsection, punishment shall be by a fine of not more than \$50,000 per day of violation or by imprisonment not exceeding two years or both, and in addition, the person may be enjoined from continuing the violation. Each day upon which violation occurs constitutes a separate offense.

(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,