

7. Other relevant factors.

(3) EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.

~~(3)~~ (4) Any penalty imposed under this subsection is payable to this State and collectible in any manner provided at law for the collection of debts.

~~(4)~~ (5) If any person who is liable to pay a penalty imposed under this subsection fails to pay it after demand, the amount, together with interest and any costs that may accrue, shall be:

(i) A lien in favor of this State on any property, real or personal, of the person; and

(ii) Recorded in the office of the clerk of court for the county in which the property is located.

~~(5)~~ (6) Any penalty collected under this subsection shall be placed in a special fund to be used for monitoring and surveillance by the Department to assure and maintain an adequate record of any discharge into the waters of this State.

9-342.

(b) (1) In addition to any other remedies available at law or in equity and after a hearing at which a violation is found to exist, the Department may impose a penalty for violation of any provision of this subtitle or any rule, regulation, order, or permit adopted or issued under this subtitle.

(2) The penalty imposed ON A PERSON under this subsection ~~shall be~~:

~~(i) Up to \$500 for each day of violation, but not exceeding \$10,000 total; 1. MAY BE IMPOSED FOR EACH VIOLATION;~~

~~2. FOR EACH VIOLATION, MAY NOT EXCEED \$1,000 FOR EACH DAY ON WHICH THE VIOLATION OCCURS; AND~~

~~3. FOR EACH DAY, MAY NOT EXCEED \$50,000;~~

and

(I) UP TO \$1,000 FOR EACH VIOLATION, BUT NOT EXCEEDING \$50,000 TOTAL; AND

(ii) ~~Assessed~~ SHALL BE ASSESSED with consideration given to:

1. The willfulness of the violation;