

AN ACT concerning

Controlled Hazardous Substances and Water Pollution
Control - Administrative Penalties

FOR the purpose of altering the administrative penalties assessed by the Department of Health and Mental Hygiene for violation of certain regulatory requirements relating to controlled hazardous substances and water pollution control.

BY repealing and reenacting, with amendments,

Article - Health - Environmental
Section 7-266(b) and 9-342(b)
Annotated Code of Maryland
(1982 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - Environmental

7-266.

(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, hauler certificate, vehicle certificate, DRIVER CERTIFICATE, or facility permit adopted or issued under this subtitle.

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

(i) Up to [\$500] \$1,000 for each [day of] violation, but not exceeding [\$10,000] \$50,000 total; and

(ii) Assessed with consideration given to:

1. The willfulness of the violation;
2. The damage to, injury to, and impairment of the use of the waters of this State;
3. The cost of clean up;
4. The nature and degree of injury to or interference with general welfare, health, and property;
5. The suitability of the waste source to its geographic location, including priority of location;
6. The available technology and economic