

9-243. INSPECTION OF SEWAGE SLUDGE UTILIZATION SITES; STOP WORK ORDERS; AUTHORITY OF LOCAL HEALTH OFFICIALS.

(A) RIGHT TO ENTER AND INSPECT.

TO ENFORCE THIS PART III OF THIS SUBTITLE AND TO INSURE COMPLIANCE WITH EACH SEWAGE SLUDGE UTILIZATION PERMIT, A REPRESENTATIVE OF THE DEPARTMENT OR THE LOCAL HEALTH OFFICIAL MAY ENTER AND INSPECT, AT ANY REASONABLE TIME, ANY SITE WHERE SEWAGE SLUDGE IS UTILIZED.

(B) PROHIBITED ACTS DURING INSPECTION.

A SEWAGE SLUDGE UTILIZER MAY NOT:

(1) REFUSE ACCESS TO A SEWAGE SLUDGE UTILIZATION SITE TO ANY REPRESENTATIVE OF THE DEPARTMENT, OR TO A LOCAL HEALTH OFFICIAL, WHO REQUESTS ACCESS UNDER THIS SECTION; OR

(2) INTERFERE WITH ANY INSPECTION UNDER THIS SUBTITLE.

(C) AUTHORITY OF LOCAL HEALTH OFFICIAL.

A LOCAL HEALTH OFFICIAL MAY INSPECT, MONITOR, AND INVESTIGATE ANY SEWAGE SLUDGE UTILIZATION SITE IN THE COUNTY WHERE THE OFFICIAL IS EMPLOYED.

(D) ISSUANCE OF STOP WORK ORDER; INJUNCTIVE RELIEF; REPORT.

(1) WITH THE CONCURRENCE OF THE DEPARTMENT, A LOCAL HEALTH OFFICIAL MAY:

(I) ISSUE A STOP WORK ORDER TO STOP UTILIZING SEWAGE SLUDGE AT A SITE; AND

(II) SUSPEND A SEWAGE SLUDGE UTILIZATION PERMIT.

(2) IF A LOCAL HEALTH OFFICIAL RECOMMENDS ISSUANCE OF A STOP WORK ORDER AND THE DEPARTMENT DOES NOT CONCUR, THE DEPARTMENT SHALL INSPECT THE SEWAGE SLUDGE UTILIZATION SITE WITHIN 24 HOURS AFTER IT RECEIVES THE RECOMMENDATION.

(3) AFTER INSPECTING THE SITE AND IF NECESSARY, THE DEPARTMENT SHALL ISSUE A STOP WORK OR OTHER ORDER TO OBTAIN COMPLIANCE WITH STATE LAW, DEPARTMENTAL REGULATIONS, OR THE SEWAGE SLUDGE UTILIZATION PERMIT.

(4) A COUNTY MAY SEEK INJUNCTIVE RELIEF OR OTHER APPROPRIATE REMEDIES IN CIRCUIT COURT IF: