

REVISOR'S NOTE: Subsection (a) of this section is new language added to avoid repetition of the phrase "water, sewerage, or sanitary district".

Subsections (b), (c), and (d) of this section are new language derived without substantive change from former HE § 9-225.

In the introductory language of subsection (b) of this section, the former reference to "county, municipality ... corporation, company, institution" is deleted as included in the definitions of "person" in §§ 1-101 and 9-201 of this article. The former reference to an "officer of a corporation, company or institution upon whom the duty to act is cast" also is deleted in light of these definitions. No substantive change is intended by its deletion.

In subsection (d) of this section, the former phrase "forfeit to this State" is deleted as unnecessary and redundant.

9-269. SAME -- SEWAGE SLUDGE.

(A) IN GENERAL.

IF ANY PERSON WHO HAS A PERMIT TO COLLECT, HANDLE, BURN, STORE, OR TRANSPORT SEWAGE SLUDGE VIOLATES ANY CONDITION OF THE PERMIT OR ANY REGULATION OF THE DEPARTMENT RELATING TO THE USE, COLLECTION, HANDLING, BURNING, STORING, OR TRANSPORTATION OF SEWAGE SLUDGE, THE PERSON IS LIABLE TO THE STATE FOR CIVIL PENALTIES.

(B) AMOUNT OF CIVIL PENALTIES.

THESE CIVIL PENALTIES ARE:

- (1) A BASIC CIVIL PENALTY NOT EXCEEDING \$10,000; AND
- (2) AN ADDITIONAL PENALTY NOT EXCEEDING \$10,000 A DAY FOR EACH DAY THAT THE VIOLATION CONTINUES, UP TO A MAXIMUM OF \$50,000.

(C) CIVIL ACTION.

~~THE DEPARTMENT SHALL FILE A CIVIL ACTION IF IT WISHES TO RECOVER CIVIL PENALTIES UNDER THIS SECTION. THE STATE SHALL RECOVER THE CIVIL PENALTIES UNDER THIS SECTION IN A CIVIL ACTION.~~

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-210.1(n).