

be liable to the county, municipality, or the State, as appropriate, in a civil action, for damages in an amount equal to double the cost of installing or maintaining the controls.]

IN ADDITION TO ANY OTHER SANCTION UNDER THIS SUBTITLE, A PERSON IS LIABLE FOR A CIVIL PENALTY AS PROVIDED IN THIS SUBSECTION IF THE PERSON PERSON:

(I) CLEARs, GRADES, TRANSPORTS, OR OTHERWISE DISTURBS LAND WITHOUT AN-APPROVED-PLAN;

~~{++}~~ --FAILS--TO-INSTALL FIRST INSTALLING EROSION AND SEDIMENT CONTROLS IN ACCORDANCE WITH AN APPROVED PLAN; OR

~~{+++}~~ (II) FAILS TO MAINTAIN ESTABLISH EROSION AND SEDIMENT CONTROLS IN ACCORDANCE WITH AN APPROVED PLAN AND-FOR WITHIN THE TIME SPECIFIED BY A STATE, COUNTY, OR MUNICIPAL ORDER OR TO MAINTAIN THOSE EROSION AND SEDIMENT CONTROLS.

(2) ANY THE APPROPRIATE COUNTY, MUNICIPAL, OR STATE AGENCY MAY RECOVER A CIVIL PENALTY UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A CIVIL ACTION IN AN AMOUNT EQUAL TO DOUBLE THE COST OF CORRECTIONS-FOR:

(I) THE INSTALLATION AND---MAINTENANCE OF NECESSARY EROSION AND SEDIMENT CONTROLS IN ACCORDANCE WITH AN APPROVED PLAN; AND

(II) MAINTAINING EROSION AND SEDIMENT CONTROLS IN ACCORDANCE WITH AN APPROVED PLAN; AND

~~{++}~~ (III) THE PERMANENT RESTORATION OF THE DISTURBED LAND TO A STABLE CONDITION.

(3) A THE APPROPRIATE COUNTY, MUNICIPAL, OR STATE AGENCY MAY RECOVER A CIVIL PENALTY UNDER PARAGRAPH (1) OF THIS SUBSECTION ON PROOF OF THE-COST-OF-THE-REQUIRED-CORRECTIONS COSTS AS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION, WITHOUT THE NECESSITY OF PROVING THAT THE AGENCY PERFORMED WORK OR INCURRED EXPENSES. THE--DAMAGES--ARE-RECOVERABLE-NOTWITHSTANDING-WHETHER THE HOWEVER, IF ANY PERSON RESPONSIBLE HAS SUBSEQUENTLY MADE THE REQUIRED CORRECTIONS WITHIN THE TIME SPECIFIED BY A STATE, COUNTY, OR MUNICIPAL ORDER, THE APPROPRIATE STATE, COUNTY, OR MUNICIPAL AGENCY MAY RECOVER A CIVIL PENALTY UNDER THIS SUBSECTION IN AN AMOUNT EQUAL TO NOT MORE THAN 50 PERCENT OF THE COSTS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

[(2)] (4) Any county, municipal, or State agency that recovers damages CIVIL PENALTIES in accordance with this subsection shall deposit them in a special fund, to be used solely for: