

monitor the dumping of all dredged spoil and similar type operations in the waters of the State. The frequency of monitoring during actual operations shall be sufficient to promptly identify any irregular or unanticipated occurrence within sufficient time to modify or terminate the operations before environmental damage occurs. All monitoring data shall be made available promptly to the public.

## DRAFTER'S NOTE:

Error: Punctuation omitted in § 4-414 of the Environment Article.

Occurred: Ch. 318, Acts of 1975.

4-416.

(a) The Attorney [General] GENERAL, on the request of the [Department] DEPARTMENT, shall prosecute criminal cases or bring an action for an injunction against any person violating the provisions of this title, or violating any valid order or permit issued by the Department. In any action for an injunction brought pursuant to this section, any finding of the Department after hearing shall be prima facie evidence of each fact found.

(b) Upon a showing by the Attorney [General] GENERAL, in behalf of the Department, that any person is violating or is about to violate the provisions of this subtitle or is violating or is about to violate any valid order or permit issued by the Department, an injunction shall be granted without the necessity of showing a lack of adequate remedy at law. In circumstances of emergency creating conditions of imminent danger to the public health, welfare or the environment, the Attorney General, on behalf of the Department, may institute a civil action for an immediate injunction to halt any pollution or other activity causing the danger.

## DRAFTER'S NOTE:

Error: Punctuation omitted in § 4-416 of the Environment Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

4-417.

(b) Any person who violates any of the provisions of, or who fails to perform any duty imposed by this subtitle, or any regulation or order issued under it, or the provisions of any permit of the Department made pursuant to this subtitle is guilty of a misdemeanor, and upon conviction, is subject to a fine not exceeding \$25,000 or by imprisonment not exceeding one year, or