

(c) The decision of the [Secretary] DIRECTOR shall be the final agency decision for purposes of judicial review[, and the Board of Review of the Department of Natural Resources does not have jurisdiction over any proceeding arising under this section].

[4-807] 10-807.

(a) The [Department] ADMINISTRATION may allow the release of part or all of a prime supplier's State set-aside volume into the prime supplier's normal statewide distribution system.

(b) During an energy emergency, the Governor may designate by executive order certain geographical areas within the State as suffering from an intrastate supply imbalance. At any time the [Department] ADMINISTRATION may issue an order requiring any prime supplier to release part or all of its State set-aside volume into such a designated area through its normal distribution system. Such orders shall be in writing and effective immediately upon receipt by the prime supplier's designated representative and shall represent an encumbrance on the prime supplier's State set-aside volume for the month of issuance regardless of the actual date of product delivery.

[4-808] 10-808.

The State set-aside volumes for a particular month cannot be accumulated or deferred, and shall be made available from stocks of prime suppliers, whether directly or through their wholesale purchaser-resellers.

[4-809] 10-809.

Within 120 days after the end of a fiscal year in which the [Department] ADMINISTRATION implements the State standby set-aside program, the [Department] ADMINISTRATION shall report on the implementation, subject to § 2-1312 of the State Government Article, to the General Assembly. The report shall include a description of the number and types of applications for State set-aside product received and approved by the [Department] ADMINISTRATION during that fiscal year.

[4-810] 10-810.

(a) Any person who knowingly violates the provisions of this subtitle, or any rules or regulations promulgated under this subtitle, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than \$1,000, or imprisonment for not more than 6 months, or both. In the event of a violation by a corporation or other entity organized for a common business purpose, this penalty shall extend to any officer, director, or employee who knowingly participated in the violation.

(b) Any supplier who refuses to provide product pursuant to an assignment under this subtitle shall be liable for a penalty of not more than \$10,000 which may be recovered in a civil action, and the supplier may be enjoined from continuing such a violation.

[4-811] 10-811.

This subtitle shall remain in effect only until July 1, [1992] 1995, and as of that date is repealed, unless a later enacted statute extends that date.