

Act in the Maryland Clean Water Fund; authorizing certain jurisdictions to receive certain penalties of up to a certain amount for certain purposes; requiring the Department to collect penalties imposed under this Act on a certain date and at certain subsequent times; excluding certain effluent limitations of certain sewage treatment plants from the application of this Act; providing for a delayed effective date; defining certain terms; and generally relating to the payment of ~~administrative penalties for the discharge of effluents from certain sewage treatment plants that significantly violate certain effluent limitations~~ certain penalties for certain violations of the water pollution control law.

BY repealing and reenacting, with amendments,

Article — Environment

Section 9-342

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

BY adding to

Article — Environment

Section 9-342.1

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article — Environment

9-342.

(a) In addition to being subject to an injunctive action under this subtitle, a person who violates any provision of this subtitle or of any rule, regulation, order, or permit adopted or issued under this subtitle is liable to a civil penalty not exceeding [\$10,000] \$25,000, to be collected in a civil action brought by the Department. Each day a violation occurs is a separate violation under this subsection.

(b) (1) In addition to any other remedies available at law or in equity and after an opportunity for a hearing which may be waived in writing by the person accused of a violation, the Department may impose a penalty for violation of any provision of this subtitle or any rule, regulation, order, or permit adopted or issued under this subtitle.

(2) The penalty imposed on a person under this subsection shall be:

(i) Up to [\$1,000] \$10,000 for each violation, but not exceeding [\$50,000] \$125,000 total; and

(ii) Assessed with consideration given to: