

Annotated Code of Maryland  
(2007 Replacement Volume and 2007 Supplement)

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

**Article - Environment**

7-222.

~~(A) NOTWITHSTANDING ANY PROVISION OF THIS SUBTITLE OR ANY FEDERAL REPORTING REQUIREMENT, ANY PERSON WHO DISCHARGES OR RELEASES, ACTIVELY OR PASSIVELY PARTICIPATES IN THE DISCHARGE OR RELEASE, OR POSSESSES EVIDENCE OF A DISCHARGE OR RELEASE OF A HAZARDOUS SUBSTANCE SHALL REPORT THE INCIDENT OR FINDING IMMEDIATELY TO THE DEPARTMENT.~~

{(a)} ~~(B)~~ If any hazardous substance is released or there is a substantial threat of a release into the environment, unless the Secretary determines that a removal and remedial action will be done properly and in a timely manner by the owner or operator of the facility from which the release or threat of release emanates, or by any other responsible party, the Secretary may:

(1) Enter any site or facility to carry out the provisions of this section;  
and

(2) (i) Act consistent with the State Hazardous Substance Response Plan to remove or arrange for the removal of and provide for remedial action relating to the hazardous substance at any time, including its removal from any contaminated natural resources;

(ii) When the Secretary determines that there may be an imminent and substantial endangerment to the public health or welfare or the environment, take any other response measure consistent with the State Hazardous Substance Response Plan necessary to protect the public health or welfare or the environment; or

(iii) In addition to any other action authorized under this subtitle, when the Secretary determines that there may be an imminent and substantial endangerment to the public health or welfare or to the environment, issue orders to or seek injunctive relief against responsible persons as may be necessary to protect the public health and welfare or the environment.