

[(2)] (II) The Secretary may waive the requirements of [paragraph (1) of this subsection] SUBPARAGRAPH (I) OF THIS PARAGRAPH under such terms and conditions and for such periods as the Department considers appropriate if the Department determines that a scrap tire recycling system:

[(i)] 1. Does not exist; or

[(ii)] 2. Has insufficient capacity to accommodate the amount of scrap tires generated in the State.

(2) A PERSON MAY NOT DISPOSE OF SCRAP TIRES EXCEPT THROUGH A LICENSED SCRAP TIRE HAULER OR BY DELIVERING THE TIRES TO AN APPROVED FACILITY.

~~9-267.1, 9-268.1.~~

~~(A) (1) A PERSON WHO VIOLATES § 9-228 OF THIS SUBTITLE, OR A REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER § 9-228 OF THIS SUBTITLE IS SUBJECT TO THE PENALTIES PROVIDED IN THIS SUBSECTION.~~

~~(A) IN ADDITION TO OTHER PENALTIES AUTHORIZED UNDER THIS SUBTITLE:~~

~~(2) (1) A PERSON WHO VIOLATES § 9-228(F)(2) OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000, OR IMPRISONMENT NOT EXCEEDING 30 DAYS OR BOTH;~~

~~(2) (2) A PERSON WHO VIOLATES § 9-228(F)(2) OF THIS SUBTITLE FOR MONETARY OR FINANCIAL GAIN IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$25,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH; AND~~

~~(3) (3) A PERSON WHO VIOLATES § 9-228(B), (H)(1), (I)(1), OR (J)(1) OF THIS SUBTITLE, OR A REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER § 9-228(B), (H)(1), (I)(1), OR (J)(1) OF THIS SUBTITLE, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000.~~

~~(B) THE DEPARTMENT MAY BRING AN ACTION TO ENJOIN A PERSON WHO VIOLATES ANY PROVISION OF § 9-228 OF THIS SUBTITLE OR A REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED BY THE DEPARTMENT UNDER § 9-228 OF THIS SUBTITLE.~~

~~(C) A PERSON WHO VIOLATES § 9-228 OF THIS SUBTITLE OR A REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER § 9-228 OF THIS SUBTITLE IS LIABLE FOR A CIVIL PENALTY NOT EXCEEDING \$10,000, TO BE COLLECTED IN A CIVIL ACTION BROUGHT BY THE DEPARTMENT. EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.~~

~~(D) (1) A PERSON ACCUSED OF A VIOLATION MAY WAIVE AN OPPORTUNITY FOR A HEARING UNDER THIS SUBSECTION IN WRITING.~~

~~(2) THE DEPARTMENT MAY IMPOSE A PENALTY FOR A VIOLATION OF § 9-228 OF THIS SUBTITLE OR A REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER § 9-228 OF THIS SUBTITLE.~~