

FOR the purpose of ~~altering the amount of certain penalties that the Department of the Environment is authorized to impose for violations of certain provisions of law relating to air quality; repealing a certain cap on the amount of penalties that may be imposed for any single administrative hearing; authorizing the use of the Maryland Clean Air Fund and the State Radiation Control Fund for certain costs related to emergency response, environmental monitoring, and related activities; authorizing recovery of certain costs and requiring reimbursement of the funds for certain expenses; providing for a three year statute of limitations for a criminal prosecution or a civil action to collect a civil penalty for violations of certain air quality and radiation laws; providing for the application of this Act; and generally relating to the recovery of costs in certain circumstances and the imposition of penalties for certain environmental violations.~~

BY repealing and reenacting, with amendments,

~~Article - Environment~~

~~Section 2-101, 2-107, 8-101, and 8-306~~

BY adding to

Article - Environment

Section 2-610.2 and 8-509.1

Annotated Code of Maryland

(1996 Replacement Volume and 2001 Supplement)

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

Article - Environment

~~2-101.~~

(a) ~~In this title the following words have the meanings indicated.~~

(b) ~~"Air pollution" means the presence in the outdoor atmosphere of any substance that is present in such quantities and is of such duration that it:~~

(1) ~~May be predicted with reasonable certainty to be injurious to property or to human, plant, or animal life; or~~

(2) ~~Unreasonably interferes with the proper enjoyment of the property of others because of the emission of odors, solids, vapors, liquids, or gases.~~

(c) ~~"Council" means the Air Quality Control Advisory Council.~~

(d) ~~"Emergency" means:~~

(1) ~~A condition of such public gravity and urgency that it requires immediate response; or~~

(2) ~~A condition that is predicted to a reasonable degree of certainty to require immediate action to carry out the provisions of this title.~~