

~~(2) Subject to Title 10, Subtitle 1 of the State Government Article (Administrative Procedure Act - Regulations), the Department shall adopt rules and regulations for the management and use of the money in the Fund.~~

~~(3) At the end of the fiscal year, the Department shall prepare an annual report on the Maryland Clean Air Fund that includes an accounting of all financial receipts and expenditures to and from the Fund and shall:~~

~~(i) Provide a copy of the report to the General Assembly, as provided under § 2-1246 of the State Government Article; and~~

~~(ii) Upon request, make the report available to permit holders under this title.~~

~~(4) When the Fund equals or exceeds a maximum limit of \$750,000, additional moneys received for the Fund by the Department shall be deposited to the General Fund.~~

~~(D) ALL EXPENDITURES MADE BY THE DEPARTMENT TO ASSESS AIR QUALITY IMPACTS OF AN UNAUTHORIZED RELEASE OR POTENTIAL RELEASE OF AIR POLLUTANTS NOT OTHERWISE RECOVERABLE UNDER ANY STATE OR FEDERAL LAWS OR REGULATIONS SHALL BE REIMBURSED TO THE DEPARTMENT BY THE RESPONSIBLE PARTY.~~

~~(E) RECOVERIES COLLECTED UNDER SUBSECTION (D) OF THIS SECTION SHALL BE PAID INTO THE FUND.~~

~~(F) IN ADDITION TO ANY OTHER ACTION AUTHORIZED BY THIS TITLE, THE ATTORNEY GENERAL MAY BRING AN ACTION TO RECOVER COSTS AND INTEREST FROM ANY PERSON WHO FAILS TO REIMBURSE THE DEPARTMENT AS REQUIRED UNDER PARAGRAPH (D) OF THIS SECTION.~~

2-610.1.

~~(a) 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 title, Subtitle 4 of Title 6, or any rule, regulation, order, plan for compliance, registration, or permit adopted or issued under those provisions.~~

~~(b) Before taking any action under this section, the Department shall provide the alleged violator with written notice of the proposed action and an opportunity for an informal meeting.~~

~~(c) (1) The penalty imposed on a person under this section shall be:~~

~~(i) Up to [\$2,500] \$25,000 for each violation; AND~~

~~(ii) [Not more than \$50,000 total for any single administrative hearing; and~~

~~(iii)] Assessed with consideration given to:~~