

TITLE 2: NATURAL RESOURCES
DIVISION 3: THE ENVIRONMENT

§ 3519. Penalties.

(a) The chief may issue any order to enforce the provisions of this chapter. The order may require the person to do any of the following:

- (1) To cease and desist from the violation;
- (2) To take mitigating measures to correct the violation;
- (3) To pay a civil fine of not more than \$1,000 for each violation.

(b) The chief may institute a civil action to seek any lawful remedy, including exemplary damages and contempt for failing to abide by an order, to enforce the provisions of this chapter.

(c) The chief may modify, suspend, summarily suspend, or revoke any permit issued by Division of Environmental Quality for violation of provisions of this chapter, subject to the provisions of the Administrative Procedure Act (1 CMC § 9101 et seq.).

(d) Any person who violates any hazardous waste management provision of this chapter or any regulation issued under the authority of this chapter, or who refuses or neglects to comply with an order issued by the chief shall pay to the Division of Environmental Quality a civil penalty of not less than \$10,000 per day for each violation.

(e) Any person subject to civil penalties is entitled to prior written notice and to a hearing upon written request to the chief.

(f) In addition to the other penalties provided for in this chapter, a person is guilty of criminal offense if the person knowingly and willingly commits any act prohibited by this chapter. Any violation of this chapter shall be punishable by a fine of not more than \$50,000, or by imprisonment for not more than one year, or both.

(g) Each day of continued violation is a separate offense.

Source: PL 6-30, § 9.

Commission Comment: With respect to the references to the “chief” of the Division of Environmental Quality and to the division itself, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.