

19-6-306 Penalties -- Lawsuits.

- (1) Any person who violates any final order or rule issued or made under this part is subject in a civil proceeding to a penalty of not more than \$10,000 per day for each day of violation.
- (2) Any person who violates the terms of any agreement made under authority of this part is subject in a civil proceeding to pay:
 - (a) any penalties stipulated in the agreement; or
 - (b) if no penalties are stipulated in the agreement, a penalty of not more than \$10,000 per day for each day of violation.
- (3) The executive director shall deposit all civil penalties collected under the authority of this section into the General Fund.
- (4)
 - (a) The executive director may enforce any orders issued under authority of this part by bringing a suit to enforce the order in the district court in Salt Lake County or in the district court in the county where the hazardous substances release occurred.
 - (b) After a remedial investigation has been completed, the executive director may bring a suit in district court against all responsible parties, asking the court for injunctive relief and to apportion liability among the responsible parties for performance of remedial action.

Amended by Chapter 324, 1995 General Session