

19-6-721 Violations -- Proceedings -- Orders.

- (1) A person who violates any provision of this part or any order, permit, rule, or other requirement issued or adopted 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, in addition to any fine otherwise imposed for violation of this part.
- (2)
 - (a) The director may bring suit in the name of the state to restrain the person from continuing the violation and to require the person to perform necessary remediation.
 - (b) Suit under Subsection (2)(a) may be brought in any court in the state having jurisdiction in the county of residence of the person charged or in the county where the violation is alleged to have occurred.
 - (c) The court may grant prohibitory and mandatory injunctions, including temporary restraining orders.
- (3) When the director finds a situation exists in violation of this part that presents an immediate threat to the public health or welfare, the director may issue an emergency order under Title 63G, Chapter 4, Administrative Procedures Act.
- (4) All penalties collected under this section shall be deposited in the account created in Section 19-6-719.

Amended by Chapter 360, 2012 General Session