§ 71-2727. Enforcement of articles 27 and 71 of this chapter.

1. The commissioner, after investigation, notice and an opportunity to be heard, may issue, modify and revoke orders prohibiting violations of any of the provisions of article 27 or 71 or of any rule or regulation promulgated pursuant thereto and requiring the taking of such remedial measures as may be necessary or appropriate.

2. The attorney general, on his own initiative, or at the request of the commissioner, may initiate any appropriate action or proceeding to enforce any provision of article 27 or 71 or any rule or regulation promulgated pursuant thereto and any order issued or penalty assessed pursuant to this title.

3. a. The commissioner, after investigation, notice and an opportunity to be heard, may issue, modify and revoke orders requiring corrective action, including corrective action beyond the facility boundary where necessary to protect human health and the environment, for all releases of hazardous waste or constituents from any solid waste management unit at any treatment, storage or disposal facility which is either permitted or seeking a permit under title 7 or 9 of article 27 of this chapter, regardless of the time at which waste was placed in such unit.

b. Whenever on the basis of any information the commissioner determines that there is or has been a release of hazardous waste or constituents into the environment from a facility which has or has had interim status according to regulations adopted pursuant to title 7 or 9 of article 27 of this chapter but which has not received a final status permit pursuant to such regulations, the commissioner may issue an order requiring corrective action or such other response measures as he deems necessary to protect human health or the environment.