§ 4366. Enforcement. 1. The commissioner may revoke, suspend, limit or annul, a bank or storage facility license or may fine the holder thereof on proof that the license holder or one or more persons in its employ:

(a) has engaged in misrepresentation in obtaining the license or in the operation of the bank or storage facility;

(b) has engaged or attempted to engage in or represented itself as being entitled to perform any procurement or storage activity not authorized in the license;

(c) has demonstrated incompetence or has shown recurrent errors in the performance of procurement or storage activities;

(d) has been convicted of a felony.

2. No license shall be revoked, suspended, limited, or annulled or fine imposed without an opportunity for a hearing; provided, however, that a license may be temporarily suspended without a hearing for a period not in excess of sixty days upon notice to the license holder following a finding by the commissioner or his designee that the public health, safety, or welfare is in imminent danger.

(a) the commissioner or his designee shall fix a time and place for the hearing;

(b) a copy of the charges, together with a notice of the time and place of the hearing, shall be mailed to the license holder at the address of the bank or storage facility;

(c) all orders or determinations hereunder shall be subject to review as provided in article seventy-eight of the civil practice law and rules.

3. The supreme court may enjoin violations or threatened violations of any provisions of this article or of the rules and regulations issued thereunder. Upon request of the commissioner, the attorney general shall maintain an action in the supreme court in the name of the people of the state to enjoin any such violation.