

(1) "Department" means the State Department of Natural Resources.

(2) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(3) "Fund" means the Maryland Oil Disaster ~~Research, Development~~ CONTAINMENT, CLEAN-UP and Contingency Fund.

(4) "Oil, petroleum products, and their by-products" means oil of any kind and in any liquid form including, but not limited to petroleum, fuel oil, sludge, oil refuse, oil mixed with other wastes, crude oils and all other liquid hydrocarbons regardless of specific gravity.

(5) "Oil terminal facility" means any facility of any kind and related appurtenances receiving, TRANSFERRING or discharging oil, PETROLEUM PRODUCTS AND THEIR BY-PRODUCTS to or from any commercial vessel, TANK TRUCK, TANK CAR OR ANY OTHER VEHICLE used for transporting oil in the waters THE SAME IN THE STATE of Maryland AND HAVING A TOTAL STORAGE CAPACITY IN EXCESS OF 3,000 BARRELS.

(6) "Operate or operator" means any person owning or operating an oil terminal facility whether by lease, contract, or any other form of agreement.

(7) "Person" means individual, partnership, joint venture corporation, or any group of the foregoing organized or united for a business purpose.

(8) "TOTAL STORAGE CAPACITY" MEANS THE AGGREGATE CAPACITY AVAILABLE FOR THE STORAGE OF OIL, PETROLEUM PRODUCTS, AND THEIR BY-PRODUCTS AT AN OIL TERMINAL FACILITY.

(9) "BARREL" MEANS ANY MEASURE OF PETROLEUM PRODUCT OR THEIR BY-PRODUCTS WHICH CONSISTS OF 42.0 U.S. GALLONS OF LIQUID MEASURE.

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(a) No person shall operate or cause to be operated an oil terminal facility as described in this subtitle without a license.

(b) Any person who fails to comply with the provisions of this section shall be fined upon conviction in an amount not less than five hundred dollars or more than ten thousand dollars.

(c) (B) Licenses required under this subtitle shall be secured from the Department subject to terms and conditions set forth in this subtitle, and by paying an annual fee according to a schedule to be established through regulations of the department THE FOLLOWING SCHEDULE USING THE TOTAL STORAGE CAPACITY AT AN OIL TERMINAL FACILITY AS AN INDICATOR OF THE UTILIZATION, IMPACT, AND POSSIBLE HAZARDS TO THE NATURAL RESOURCES OF MARYLAND: The schedule shall be based upon physical size, capacity for handling