

WILLIAM DONALD SCHAEFER, Governor

[(4)] (5) (6) If a licensee fails to remit the fee and accompanying certification required by this section, the amount of the license fee due shall be determined by the Department from information as may be available. Notice of this determination shall be given to the licensee liable for payment of the license fee. The determination shall finally and irrevocably fix the fee unless the licensee against whom it is assessed, within 30 days after receiving notice of the determination, shall apply to the Department for a hearing or unless the Department, on its own, shall redetermine the fee.

[(5)] (6) (7) The Department shall promulgate rules and regulations, establish audit procedures for the audit of licensees, and prescribe and publish forms as may be necessary to effectuate the purposes of this section.

(d) As a condition precedent to the issuance or renewal of a license, the Department shall require satisfactory evidence that the applicant has implemented or is in the process of implementing State and federal plans and regulations to control pollution related to oil, petroleum products, and their by-products and the abatement thereof when a discharge occurs.

(e) Any person who violates subsection (b) or (c) of this section is guilty of a misdemeanor and upon conviction in a court of competent jurisdiction is subject to a fine not exceeding \$10,000 plus any accrued but unpaid licensee fees, INCLUDING INTEREST ON THE UNPAID BALANCE.

~~(f) -- There is a Maryland Oil Disaster Containment, Clean-up and Contingency Fund for the Department to use to develop equipment, personnel, and plans, for contingency actions to respond to, contain, clean-up, and remove from the land and waters of the State discharges of oil, petroleum products, and their by-products into, upon, or adjacent to the LAND AND waters of the State, and restore natural resources damaged by discharges. [The cost of containment, clean-up, removal, and restoration shall be reimbursed to the State by the person responsible for the discharge. The reimbursement shall be credited to the Fund.] The Fund shall be limited in accordance with the limits set forth in this section. To this sum shall be credited every license fee, fine, if imposed by the circuit court for any county, and any other charge related to this subtitle. To this Fund shall be charged every expense the Department of the Environment has which relates to this section.~~

(F) (1) THERE IS A MARYLAND OIL DISASTER CONTAINMENT, CLEAN-UP AND CONTINGENCY FUND AND A MARYLAND UNDERGROUND STORAGE TANK FUND.

(2) (1) THE COST OF CONTAINMENT, CLEANUP, REMOVAL AND RESTORATION OF NATURAL RESOURCES INCURRED FROM THE FUND SHALL BE