

The Maryland Port Administration and the Department OF HEALTH AND MENTAL HYGIENE shall charge and collect a compensatory fee from the person responsible for any oil spillage. This fee shall cover the cost of labor, equipment operation, and material necessary to eliminate the residue of oil spillage, and the cost of restoring the area damaged by the spillage to its original condition. The fee is retained by the unit charging the fee.

8-1410. Vessels discharging oil.

(b) Duty to report discharge. -- Notwithstanding any provision of this subtitle, any person discharging or permitting the discharge of oil, or who either actively or passively participates in the discharge or spilling of oil into the waters of the State either from a land-based installation, including vehicles in transit, or from any vessel, ship, or boat of any kind, shall report the incident immediately to the appropriate federal authority or the Department OF HEALTH AND MENTAL HYGIENE, or both. He shall remain available until clearance to leave is given by the appropriate officials.

(c) Administration and enforcement of section. -- To administer this section the Department OF HEALTH AND MENTAL HYGIENE may use the organization, equipment, and units, including engineering, clerical, and other personnel, employed in the improvement and preservation of waters and natural resources of the State to enforce the laws for the preservation and protection of the waters and natural resources of the State. Any person authorized by law to make arrests may apply for a warrant, arrest, and take into custody, with or without process, any person who violates any provision of this section. However, a person may not be arrested without process for a violation not committed in the presence of one of the aforesaid officials. If any person is arrested under the provisions of this section, the person arrested immediately shall be brought before a judge, or court of the State for examination of the offense alleged against him.

(d) Notice to Department OF HEALTH AND MENTAL HYGIENE of violations. -- Whenever any person or ship is accused of violating any provision of this section, the arresting officer shall notify the Department OF HEALTH AND MENTAL HYGIENE in writing to permit the Department to take any advisable action. The provisions of this subsection are directory only.

8-1411. Oil discharge containment, control and clean-up.

(c) Same -- Procedure to obtain; fee; disposition of fees. -- A license required under this section shall be secured from the Department OF HEALTH AND MENTAL HYGIENE