

(4) "SEISMIC SECTION" MEANS A GRAPHIC, NEAR-VERTICAL DISPLAY OF WAVEFORM DATA THAT IS USUALLY PROCESSED BY A COMPUTER PROGRAM TO FACILITATE THE INTERPRETATION OF SUBSURFACE CONDITIONS.

(B) (1) UNLESS A PERSON OBTAINS A PERMIT FROM THE DEPARTMENT, A PERSON MAY NOT CONDUCT SEISMIC OPERATIONS IN THE STATE.

(2) AN APPLICANT FOR A PERMIT TO CONDUCT SEISMIC OPERATIONS SHALL SUBMIT AN APPLICATION THAT INCLUDES THE INFORMATION REQUIRED BY THE DEPARTMENT.

(3) (1) IN ADDITION TO ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT, AN APPLICANT FOR A PERMIT TO CONDUCT SEISMIC OPERATIONS ON THE WATERS OF THE CHESAPEAKE BAY AND ITS NAVIGABLE TRIBUTARIES SHALL PROVIDE TO THE DEPARTMENT A WRITTEN AGREEMENT TO SUBMIT TO THE DEPARTMENT PROCESSED SEISMIC SECTIONS FOR ANY OPERATION CONDUCTED ON THE WATERS OF THE CHESAPEAKE BAY AND ITS NAVIGABLE TRIBUTARIES.

(II) THE DEPARTMENT SHALL HOLD PROCESSED SEISMIC SECTIONS SUBMITTED UNDER THIS SUBSECTION CONFIDENTIAL.

(4) THE DEPARTMENT SHALL DETERMINE THE TERMS AND CONDITIONS FOR THE ISSUANCE OF A PERMIT TO CONDUCT SEISMIC OPERATIONS.

(5) AN APPLICANT FOR A PERMIT TO CONDUCT SEISMIC OPERATIONS SHALL DEMONSTRATE EVIDENCE OF SUFFICIENT LIABILITY INSURANCE COVERAGE, IN AN AMOUNT DETERMINED BY THE DEPARTMENT, FOR ANY PERSONAL INJURY OR PROPERTY DAMAGE RESULTING FROM A SEISMIC OPERATION.

(6) THE DEPARTMENT MAY DENY AN APPLICATION FOR A PERMIT IF:

(I) THE APPLICANT DOES NOT SUBMIT THE INFORMATION REQUIRED BY THE DEPARTMENT;

(II) THE PROPOSED ACTIVITY IS FOUND BY THE DEPARTMENT TO POSE ANY UNDUE ENVIRONMENTAL OR CULTURAL RISKS POSES A SUBSTANTIAL RISK OF CAUSING ENVIRONMENTAL DAMAGE THAT CANNOT BE MITIGATED BY THE APPLICANT, PARTICULARLY TO:

1. THE CHESAPEAKE BAY CRITICAL AREA;
2. A NONTIDAL WETLAND;