

**Article—Environment**

~~4-411.~~

~~(a) In this section AND § 4-411.1 OF THIS SUBTITLE the following words and phrases have the [meaning] MEANINGS indicated.~~

~~(1) "BARREL" MEANS ANY MEASURE OF OIL THAT CONSISTS OF 42.0 U.S. GALLONS OF LIQUID MEASURE.~~

~~(2) (I) "BODILY INJURY" MEANS BODILY INJURY, SICKNESS, OR DISEASE SUSTAINED BY A PERSON, INCLUDING DEATH, RESULTING FROM A DISCHARGE OF OIL.~~

~~(H) "PROPERTY DAMAGE" MEANS:~~

~~1. PHYSICAL INJURY TO, DESTRUCTION OF, OR CONTAMINATION OF TANGIBLE PROPERTY, INCLUDING ALL RESULTING LOSS OF USE OF THAT PROPERTY; OR~~

~~2. LOSS OF USE OF TANGIBLE PROPERTY THAT IS NOT PHYSICALLY INJURED, DESTROYED, OR CONTAMINATED BUT HAS BEEN EVACUATED, WITHDRAWN FROM USE, OR RENDERED INACCESSIBLE BECAUSE OF A DISCHARGE.~~

~~(HH) "BODILY INJURY" AND "PROPERTY DAMAGE" MAY NOT INCLUDE THOSE LIABILITIES WHICH, CONSISTENT WITH STANDARD INSURANCE INDUSTRY PRACTICES, ARE EXCLUDED FROM COVERAGE IN LIABILITY INSURANCE POLICIES FOR BODILY INJURY AND PROPERTY DAMAGE. HOWEVER, SUCH EXCLUSIONS FOR PROPERTY DAMAGE MAY NOT INCLUDE CORRECTIVE ACTION ASSOCIATED WITH A DISCHARGE THAT IS COVERED UNDER THIS SECTION.~~

~~(3) (I) "CORRECTIVE ACTION" MEANS AN ACTION TO CONTAIN, ELIMINATE, REMEDIATE, REMOVE, OR MITIGATE THE EFFECTS OF A DISCHARGE OF OIL INTO THE ENVIRONMENT FROM AN OIL STORAGE TANK.~~

~~(H) "CORRECTIVE ACTION" INCLUDES MONITORING, ASSESSING, AND EVALUATING A DISCHARGE.~~

~~{(1)} (4) "Fund" means the Maryland Oil Disaster Containment, Clean Up and Contingency Fund.~~

~~(5) "OPERATOR" MEANS ANY PERSON IN CONTROL OF, OR HAVING RESPONSIBILITY FOR, THE OPERATION OF A PETROLEUM STORAGE TANK, COMMERCIAL VESSEL, TANK TRUCK, PIPELINE, OR ANY OTHER MEANS USED FOR TRANSPORTING OIL.~~

~~(6) "OWNER" MEANS THE POSSESSOR OF THE TITLE OF AN OIL STORAGE TANK OR A FEE SIMPLE OWNER OF A FACILITY.~~