

~~(5) (4) ON RECEIPT BY THE COMPTROLLER, THE ADDITIONAL LICENSE FEES FROM THE TRANSFER OF GASOLINE AND DIESEL FUEL SHALL BE CREDITED TO THE MARYLAND UNDERGROUND STORAGE TANK FUND.~~

~~(II) IN ADDITION, ON OR BEFORE JANUARY 1, 1991, A ONE TIME, \$50 FEE ON EACH UNDERGROUND OIL STORAGE TANK SHALL BE PAID BY AN OWNER TO THE DEPARTMENT AND CREDITED TO THE UST FUND.~~

~~(III) WHEN THE BALANCE IN THE UST FUND FROM THE MONTHLY LICENSE FEES PAID UNDER THIS SUBSECTION INTO THE UST FUND EQUALS OR EXCEEDS A MAXIMUM LIMIT OF \$12,000,000, COLLECTION OF SUBSEQUENT MONTHLY LICENSE FEES SHALL BE ABATED UNTIL:~~

~~1. THE BALANCE IN THE UST FUND BECOMES LESS THAN OR EQUAL TO \$8,000,000; OR~~

~~2. THERE IS EVIDENCE THAT THE BALANCE IN THE UST FUND COULD BE SIGNIFICANTLY REDUCED BY THE RECENT OCCURRENCE OF A MAJOR DISCHARGE OR SERIES OF DISCHARGES.~~

~~{(4)} (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)} (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,~~