

pair the operation of the underground storage reservoir, or result in the pollution of gas stored therein, or permit the escape of any gas therefrom.

695H.

No right to take by eminent domain under Sections 695B or 695C of this subheading may be exercised unless the gas storage company desiring such right shall first obtain an order from the Public Service Commission, made after public hearing, finding the underground storage project to be in the public interest., AND ALSO OBTAIN AN UNDERGROUND GAS STORAGE PERMIT, AS PROVIDED IN SECTION 690 TO 695, INCLUSIVE, OF THIS SUBTITLE, PROVIDED, HOWEVER, THAT NO PERMIT SHALL BE ISSUED WITHOUT THE CONSENT OF THE DEPARTMENT OF WATER RESOURCES.

695-I.

Gas injected into underground storage in Prince George's County AND WHICH REMAINS UNDER THE SURFACE OF LAND IN SAID COUNTY shall, unless and until it is disposed of with the consent of the gas storage company, be and remain the personal property of the gas storage company, and shall not be subject to production taking, reduction to possession, waste, or interference by the owner of the surface of the land or by any person whomsoever except the gas storage company or its authorized agents. GAS INJECTED INTO UNDERGROUND STORAGE IN PRINCE GEORGE'S COUNTY AND WHICH IS FOUND UNDER THE SURFACE OF ANY LAND IN CHARLES COUNTY ANNE ARUNDEL, CALVERT, CHARLES AND ST. MARY'S COUNTIES OTHER THAN IN GAS MAINS SHALL BE SUBJECT TO THE PROPERTY RIGHTS OF THE CAPTOR OF SUCH GAS OR THE OWNER OF SUCH LAND, IN ALL RESPECTS AS THOUGH SUCH GAS OCCURRED THERE NATURALLY, AND THE OWNER OF SUCH LAND MAY ALTERNATIVELY ELECT TO PROCEED AGAINST THE GAS STORAGE COMPANY FOR HIS DAMAGES.

695J.

Gas injected into underground storage in Prince George's County by any gas storage company shall be classified and assessed by the State Department of Assessments and Taxation as operating property of such gas storage company. The taxing situs of such gas shall be the county in which such gas is injected.

695K.

For the privilege of using geological strata beneath the surface of the earth in Prince George's County, for underground storage of gas in volumes greater than the minimum volume specified herein, a gas storage company shall pay such County an annual underground storage use fee. Such fee (a) shall apply annually to all gas in storage, except such specified minimum volume, on the last day of each calendar year, (b) shall be computed on the commodity charge paid for such gas by such gas storage company, as evidenced by the tariff pursuant to which such gas was so purchased, and (c) shall be computed at the following annual rates: