

The annual fee may not be less than \$250 nor greater than \$5,000. However, the maximum paid by any one person may not exceed \$25,000. At the time the fund reaches its maximum of \$1,000,000, collection of the annual license fees shall be abated. Annual fees shall be paid by these facilities to the State Comptroller and upon receipt by him credited to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund. Annual fees shall be paid by these facilities not later than September 1, for the fiscal year beginning July 1 immediately preceding. The collection of license fees for any one year may not exceed the sum of \$250,000. Any excess over \$250,000 shall be credited or refunded to the licensees on a prorated basis.

(d) Same -- Conditions. -- As a condition precedent to the issuance or renewal of a license, the Department OF HEALTH AND MENTAL HYGIENE 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.

(f) Maryland Oil Disaster Containment, Clean-Up and Contingency Fund -- Established; purpose; reimbursement by polluters; credits; debits. -- 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, upon, or adjacent to the waters of the State; and restore natural resources damaged by discharges. The cost of containment, clean-up, removal, and restoration shall be reimbursed to the State by the person responsible for the discharge. The reimbursement shall be credited to the Fund. The Fund shall be limited to the sum of \$1,000,000. To this sum shall be credited every license fee, fine, if imposed by the circuit court for any county or the Criminal Court of Baltimore, as the case may be, and any other charge related to this subtitle. To this Fund shall be charged every expense the Department OF HEALTH AND MENTAL HYGIENE has which relates to this section.

(g) Same -- Use of funds not currently needed. -- Money in the Fund not needed currently to meet the [Department's] DEPARTMENT OF HEALTH AND MENTAL HYGIENE'S obligations in the exercise of its responsibility under this section shall be deposited with the State Treasurer to the credit of the Fund, and may be invested as provided by law. Interest received on the investment shall be credited to the Fund. The Secretary OF HEALTH AND MENTAL HYGIENE shall determine the proper allocation of the moneys credited to the Fund only for the following purposes:

(1) Administrative expenses, personnel expenses, and equipment costs of the Department related to the purposes of this section.

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