

Hygiene shall take into account the existing physical conditions, the character of the area involved, including the character of surrounding land uses, priority ranking of waters with regard to effluent limits, zoning classifications, the nature of the existing receiving body of water, the technical feasibility and economic reasonableness of measuring or reducing the particular type of water pollution, and any other standard as expressed in the intent and purpose of this title. The generality of this grant of authority shall only be limited by the specifications of particular classes of regulations elsewhere in this subtitle. Any regulation may (i) prescribe different provisions as required by circumstances for different pollutant sources and for different geographical areas and (ii) apply to sources located outside this State which cause, contribute to, or threaten environmental damage in Maryland and (iii) make special provisions for alert and abatement standards and procedures respecting occurrences or emergencies of pollution or on other short-term conditions constituting an acute danger to health or to the environment.]

[(d)] (B) The Department [of Natural Resources] shall prescribe by rule or regulation approved methods, facilities, standards, and devices for transfer, storage, separating, removing, treating, or disposing of oil and other unctuous substances to prevent pollution of waters of the State, including rules and regulations outlining procedures for addressing water pollution episodes or emergencies which constitute an acute danger to health or the environment. A person may not engage in any commercial or industrial operation involving these activities unless he has obtained a permit from the Department [of Natural Resources,] indicating that the activities are in conformity with the prescribed rules and regulations.

[(e)] (C) Whenever there occurs in the waters of the State any condition indicative of damage to aquatic resources, including, but not limited to, mortality of fish and other aquatic life, the Department [of Natural Resources] shall investigate the incident, determine the nature and extent of the damage, and establish the cause and source of the occurrence. The Department [of Natural Resources] shall act on these findings and require repair of any damage done and restoration of water resources to a degree necessary to protect the best interest of the people of the State. Any person who is determined to be responsible for the discharge or spillage of any such substance shall be personally and/or severally responsible to immediately clean up and abate the effects of the spillage and restore the natural resources of the State. If the Department [of Natural Resources] believes instituting suit is advisable, it shall turn over to the Attorney General all pertinent information and data. The Attorney General then shall file suit against the person causing the condition. The person