

(a) In this section the following words and phrases have the meaning indicated.

(1) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(2) "Fund" means the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund.

(3) (i) "Oil, petroleum products, and their by-products" means oil of any kind and in any liquid form including, but not limited to petroleum, fuel oil, sludge, oil refuse, oil mixed with other waste, crude oils and every other nonedible, liquid hydrocarbon regardless of specific gravity.

(ii) "Oil, petroleum products, and their by-products" does not include any edible oil.

(4) ["Oil terminal facility" means a facility of any kind and related appurtenances receiving, transferring, or discharging oil, petroleum products, and their by-products to or from any commercial vessel, tank truck, tank car, pipeline, or any other means used for transporting these products in the State and having a total storage capacity in excess of 3,000 barrels.] "TRANSFER" MEANS THE OFFLOADING OF OIL IN THE STATE FROM ANY COMMERCIAL VESSEL, TANK TRUCK, TANK CAR, PIPELINE, OR ANY OTHER MEANS USED FOR TRANSPORTING OIL.

(5) ["Operator" means any person owning or operating an oil terminal facility whether by lease, contract, or any other form of agreement.

(6) "Total storage capacity" means the aggregate capacity available to store oil, petroleum products, and their by-products at an oil terminal facility.

(7)] "Barrel" means any measure of petroleum products or its by-products which consists of 42.0 U. S. gallons of liquid measure.

(b) [A person may not operate or cause to be operated an oil terminal facility without a license.] A PERSON MAY NOT TRANSFER OIL IN THE STATE WITHOUT A LICENSE.

(c) (1) [A license required under this section shall be secured from the Department subject to terms and conditions set forth in this section, and by paying an annual fee according to the following schedule using the total storage capacity at an oil terminal facility as an indicator of the utilization, impact, and possible hazards to the State's natural resources:

License Designation	Total Storage Capacity, in Barrels	Annual License Fee
Class A	1,000,000 or greater	\$10,000
Class B	50,000 to 999,999	\$ 7,000