

DEPARTMENT FOR A HEARING OR UNLESS THE DEPARTMENT, ON ITS OWN, SHALL REDETERMINE THE FEE.

(5) 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 subsections (b) through (d) 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.] 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.

(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, 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.] IN ACCORDANCE WITH THE LIMITS SET FORTH IN THIS SECTION. To this sum shall be credited every license fee, fine, if imposed by the circuit court for any county, and any other charge related to this subtitle. To this Fund shall be charged every expense the Department of Natural Resources has which relates to this section.

(g) Money in the Fund not needed currently to meet the Department of Natural Resources' 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 Natural Resources 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.

(2) Prevention, control, containment, clean-up, and removal of discharges into, upon, or adjacent to waters of the