

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

(c) (1) A license required under this section shall be secured from the Department of the Environment subject to the terms and conditions set forth in this section. The license fee shall be based on a 0.75 cents per barrel fee for oil transferred in the State. However, the fee on any barrel shall be imposed only once, at the point of first transfer in the State.

(2) The license fee shall be paid monthly to the Department and on receipt by the Comptroller, credited to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund. The fee shall be paid no later than the last day of each month or postmarked 2 days before the end of each month for the number of barrels transferred the preceding month. At the time of payment, the licensee shall certify to the Department, on forms as may be prescribed by the Department, the number of barrels of oil transferred by the licensee during the fee month. These records shall be kept confidential by the Department.

(3) When the BALANCE IN THE FUND FROM THE MONTHLY LICENSE FEES PAID UNDER THIS SUBSECTION INTO THE Fund equals or exceeds a maximum limit of \$750,000, collection of subsequent monthly license fees shall be abated until:

(i) The balance in the Fund FROM THE LICENSE FEES becomes less than or equal to \$500,000; or