

(F) "THIRD PARTY CLAIM" MEANS ANY CIVIL ACTION BROUGHT OR ASSERTED BY ANY PERSON AGAINST ANY OWNER OR OPERATOR OF ANY UNDERGROUND OIL STORAGE TANK FOR DAMAGES TO PERSON OR PROPERTY WHICH DAMAGES ARE THE DIRECT RESULT OF OIL RELEASED FROM TANKS COVERED UNDER THIS SUBTITLE.

(G) "UNDERGROUND OIL STORAGE TANK" HAS THE MEANING PROVIDED IN § 4-401(K) OF THIS TITLE.

4-702.

(A) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(1) THE STORAGE OF OIL IN UNDERGROUND OIL STORAGE TANKS IS A MAJOR CAUSE OF GROUNDWATER CONTAMINATION IN THIS STATE;

(2) GROUNDWATER RESOURCES ARE VITAL TO THE POPULATION AND ECONOMY OF THIS STATE; AND

(3) THE PRESERVATION OF THE STATE'S GROUNDWATER RESOURCES IS IN THE PUBLIC INTEREST.

(B) THE GENERAL ASSEMBLY FURTHER FINDS THAT WHERE CONTAMINATION OF GROUNDWATER HAS OCCURRED DUE TO LEAKING UNDERGROUND OIL STORAGE TANKS, REMEDIAL MEASURES HAVE OFTEN BEEN DELAYED FOR LONG PERIODS DUE TO HIGH COSTS OF SUCH REMEDIAL MEASURES. THESE DELAYS RESULT IN THE CONTINUATION AND INTENSIFICATION OF THE THREAT TO THE PUBLIC HEALTH, SAFETY, AND WELFARE, IN GREATER DAMAGES TO THE ENVIRONMENT, AND IN SIGNIFICANTLY HIGHER COSTS TO CLEAN UP THE CONTAMINATION AND REHABILITATE THE SITE.

(C) THE GENERAL ASSEMBLY INTENDS THIS SUBTITLE TO PROVIDE ADEQUATE FINANCIAL RESOURCES AND INCENTIVES FOR THE EXPEDITIOUS CLEANUP AND REHABILITATION OF CONTAMINATED SITES WITHOUT DELAY.

4-703.

(A) THIS SUBTITLE MAY NOT BE CONSTRUED AS ALTERING THE RIGHTS, RESPONSIBILITIES, OR LIABILITIES OF A PARTY RESPONSIBLE FOR THE DISCHARGE OF OIL.

(B) THIS SUBTITLE IS NOT INTENDED TO PROVIDE EVIDENCE OF FINANCIAL RESPONSIBILITY FOR OWNERS AND OPERATORS OF UNDERGROUND OIL STORAGE TANKS UNDER SUBTITLE I OF THE RESOURCE CONSERVATION AND RECOVERY ACT, THE SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986, OR ANY OTHER FEDERAL LAW.

4-704.

(A) THERE IS AN OIL CONTAMINATED SITE ENVIRONMENTAL CLEANUP FUND.

(B) THE FUND SHALL BE USED TO: