

4-409.

(a) The person responsible for the oil spillage shall be liable to any other person for any damage to his real or personal property directly caused by the spillage.

(b) (1) In this subsection, "owner of an underground oil storage tank" [means] **INCLUDES** any person who:

(i) Causes an underground oil storage tank to be installed; or

(ii) Acquires~~§~~, other than through a lease or rental, and uses~~§~~ an underground oil storage tank.

(2) The Department shall adopt regulations requiring the owner of an underground oil storage tank to provide evidence of financial responsibility for costs of cleanup, corrective action, and third party liability in the event of a discharge.

(3) Tanks subject to [these] **THE FINANCIAL RESPONSIBILITY** requirements **OF THIS SUBSECTION** shall be the same as those **TANKS** [required to provide] **FOR WHICH** financial assurance **IS REQUIRED** under Subtitle I of the Resource Conservation and Recovery Act, and limits of coverage shall be the same as those imposed under that act.

4-410.

(a) Except in case of emergency imperiling life or property, unavoidable accident, collision, or stranding, or as authorized by a permit issued under § 9-323 of this article, it is unlawful for any person to discharge or permit the discharge of oil in any manner into or on waters of this State.

(b) Notwithstanding any provision of this subtitle, any person discharging or permitting the discharge of oil, or who either actively or passively participates in the discharge or spilling of oil [into the waters of the State] either from a land-based installation, including **ABOVE OR UNDERGROUND STORAGE TANKS AND** vehicles in transit, or from any vessel, barge, ship, or boat of any kind, shall report the incident immediately to the Department of the Environment. He shall remain available until clearance to leave is given by the appropriate officials designated by the Department.

(c) To administer this section the Department of the Environment may use the organization, equipment, and units, including engineering, clerical, and other personnel, employed in the improvement and preservation of waters and natural resources of the State to enforce the laws for the preservation and protection of the waters and natural resources of the State. Any person authorized by law to make arrests may apply for a warrant, arrest, and take into custody, with or without process, any person who violates any provision of this section. However, a person may not be arrested without process for a violation not committed in the presence of one of the aforesaid officials. If any person is arrested under the provisions of this section, the person arrested immediately shall be brought before a judge, or court of the State for examination of the offense alleged against him.