

Section 4-401 and 4-419

Annotated Code of Maryland

(1987 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Environment

4-401.

(a) In this subtitle, the following words have the meanings indicated.

(B) "CLEANUP" MEANS ABATEMENT, CONTAINMENT, REMOVAL, AND DISPOSAL OF OIL AND ~~TO THE EXTENT POSSIBLE~~, THE RESTORATION OF THE ENVIRONMENT TO ITS EXISTING STATE PRIOR TO A DISCHARGE.

(C) (1) "DAMAGES" MEANS ANY DAMAGES FOR WHICH LIABILITY EXISTS UNDER THE LAWS OF THIS STATE RESULTING FROM, ARISING OUT OF, OR RELATED TO THE DISCHARGE OR THREATENED DISCHARGE OF OIL.

(2) IN ADDITION, "DAMAGES" INCLUDES:

(I) THE COST OF ASSESSING THE DAMAGES;

(II) DAMAGES FOR INJURY TO, DESTRUCTION OF, LOSS OF, OR LOSS OF USE OF NATURAL RESOURCES, INCLUDING THE REASONABLE COSTS OF ASSESSING THE DAMAGE;

(III) DAMAGES FOR INJURY TO OR ECONOMIC LOSSES RESULTING FROM THE DESTRUCTION OF REAL OR PERSONAL PROPERTY THAT SHALL BE RECOVERABLE BY A CLAIMANT WHO OWNS OR LEASES THAT PROPERTY;

(IV) DAMAGES FOR LOSS OF SUBSISTENCE USE OF NATURAL RESOURCES, THAT SHALL BE RECOVERABLE BY ANY CLAIMANT WHO SO USES NATURAL RESOURCES THAT HAVE BEEN INJURED, DESTROYED, OR LOST, WITHOUT REGARD TO THE OWNERSHIP OR MANAGEMENT OF THE RESOURCES;

(V) DAMAGES EQUAL TO THE NET LOSS OF TAXES, ROYALTIES, RENTS, FEES, OR NET PROFIT SHARES DUE TO THE INJURY, DESTRUCTION, OR LOSS OF REAL PROPERTY, PERSONAL PROPERTY, OR NATURAL RESOURCES, THAT SHALL BE RECOVERABLE BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE;