

(3) At the end of the fiscal year, the Department shall prepare an annual report on the Maryland Clean Air Fund that includes an accounting of all financial receipts and expenditures to and from the Fund and shall:

(i) Provide a copy of the report to the General Assembly, as provided under § 2-1246 of the State Government Article; and

(ii) Upon request, make the report available to permit holders under this title.

(4) ~~When the Fund equals or exceeds a maximum limit of \$750,000~~ **\$2,000,000**, additional moneys received for the Fund by the Department shall be deposited to the General Fund. ~~MONEYS IN THE FUND MAY NOT REVERT OR BE TRANSFERRED TO THE GENERAL FUND OF THE STATE.~~

2-403.

(a) (1) The Department, by regulation, shall require and collect a fee for each permit issued under § 2-401 of this subtitle.

(2) In adopting the regulations under this section, the Department shall consult with industry to determine that the permit fee is reasonable and directly related to the actual cost of the permitting and regulatory activity, and does not exceed a certain dollar amount.

(b) (1) The amount of the fees shall cover:

(i) The reasonable cost of reviewing and acting on the application for the permits;

(ii) The reasonable costs incurred in implementing and enforcing the terms and conditions of the permits, exclusive of any court costs or other costs associated with any enforcement actions; and

(iii) The costs identified in § 502(b)(3) of the Clean Air Act Amendments of 1990.

(2) Fees assessed and collected under this section shall be used exclusively for the development and administration of the permit program under this subtitle.

(c) ~~(1)~~ The fee established under this section may not exceed~~1~~:

~~(i) For calendar year 1993, \$15 per ton of regulated emissions;~~