M3 3lr0102

By: Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Environment)

Introduced and read first time: February 6, 2023 Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

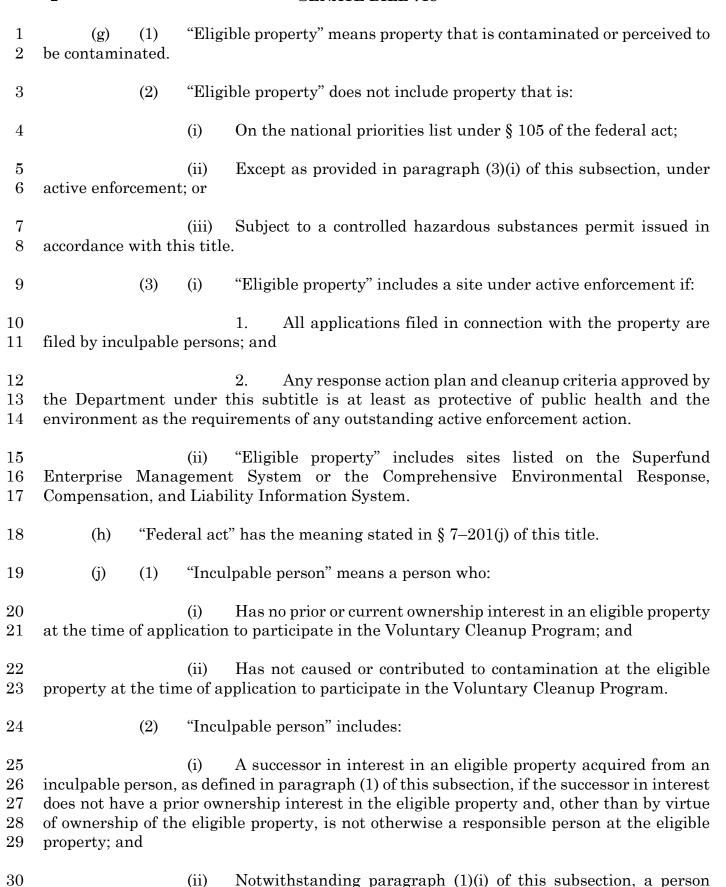
1	AN ACT concerning	

- 2 Voluntary Cleanup Program Determination and Recordation Deadlines
- FOR the purpose of altering determination and recordation deadlines for the Voluntary Cleanup Program; and generally relating to the Voluntary Cleanup Program.
- 5 BY repealing and reenacting, without amendments,
- 6 Article Environment
- 7 Section 7–501(a), (c), (g), (h), (j), (k), and (n) and 7–514(d)(2)
- 8 Annotated Code of Maryland
- 9 (2013 Replacement Volume and 2022 Supplement)
- 10 BY repealing and reenacting, with amendments,
- 11 Article Environment
- 12 Section 7–506(e)(1) and (i)(1), 7–513(a), and 7–514(d)(1)
- 13 Annotated Code of Maryland
- 14 (2013 Replacement Volume and 2022 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 16 That the Laws of Maryland read as follows:

17 Article – Environment

- 18 7–501.
- 19 (a) In this subtitle the following words have the meanings indicated.
- 20 (c) "Applicant" means a person who applies to participate in the Voluntary
- 21 Cleanup Program.

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who is not considered a responsible person under § 7–201(t)(2) of this title.

- "Participant" means an applicant accepted into the Voluntary Cleanup 1 (k) 2 Program. 3 (n) "Responsible person" has the meaning stated in § 7–201(t) of this title. 7-506. 4 5 (1) (e) (i) The Department shall notify the applicant in writing, within [45] 6 **60** days after receipt of the application, whether: 7 The application, including the applicant's status as a 1. responsible person or an inculpable person, is approved; 8 9 2. The application is denied or incomplete; or 10 3. The Department has no further requirements related to 11 the investigation of controlled hazardous substances at the eligible property as provided in 12 paragraph (3) of this subsection. 13 If the Department denies the application or determines that the 14 application is incomplete, the Department shall provide to the applicant the reasons for its 15 decision in writing. 16 If a determination by the Department that it has no further 17 requirements is conditioned on certain uses of the property or on the maintenance of certain 18 conditions, the participant shall record the determination in the land records of the local jurisdiction within [30] **60** days after receiving the determination. 19 20 7-513. 21Upon completion of the requirements of the response action plan, the (a) (1)22participant shall notify the Department in writing that the response action plan has been 23completed. 24Within [30] **60** days after receipt of the notice of completion under (2)25 paragraph (1) of this subsection: 26 (i) The Department shall review the implementation and 27 completion of the response action plan at the eligible property; and
- 28 (ii) If the Department determines that the requirements of the 29 response action plan have been completed to the satisfaction of the Department and the 30 response action plan has achieved the cleanup criteria, the Department shall issue a 31 certificate of completion.
- 32 7–514.

- 1 (d) (1) If a certificate of completion is conditioned on the permissible use of the 2 property, the participant shall record the certificate of completion in the land records of the 3 local jurisdiction within [30] **60** days after receiving the certificate.
- 4 (2) If the certificate of completion has a conditioned use and the participant fails to record the certificate of completion in the land records in accordance with paragraph (1) of this subsection, the certificate of completion shall be void.
- 7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 8 October 1, 2023.