

(E) SUBJECT TO § 7-516(A) OF THIS SUBTITLE, IF AN OWNER OF AN ELIGIBLE PROPERTY THAT HAS LIMITED PERMISSIBLE USES WANTS TO CHANGE THE USE OF THE ELIGIBLE PROPERTY, THE OWNER, SUBJECT TO APPROVAL BY THE DEPARTMENT, IS RESPONSIBLE FOR THE COST OF CLEANING UP THE ELIGIBLE PROPERTY TO THE APPROPRIATE STANDARD.

7-515. ENFORCEMENT PROVISIONS.

THE PROVISIONS OF §§ 7-256 THROUGH 7-268 OF THIS TITLE SHALL BE USED AND SHALL APPLY TO ENFORCE VIOLATIONS OF:

- (1) THIS SUBTITLE; OR
- (2) ANY REGULATION ADOPTED UNDER THIS SUBTITLE.

7-516. APPLICATION OF SUBTITLE.

(A) THIS SUBTITLE DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, THE PLANNING OR ZONING AUTHORITY OF A COUNTY OR MUNICIPAL CORPORATION.

(B) THIS SUBTITLE DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, ANY TORT ACTION AGAINST ANY ~~APPLICANT~~ PARTICIPANT.

Article 83A - Department of Business and Economic Development

SUBTITLE 9. BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM.

3-901. DEFINITIONS.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "BROWNFIELDS SITE" MEANS:

(I) AN ELIGIBLE PROPERTY, AS DEFINED IN § 7-501 OF THE ENVIRONMENT ARTICLE, THAT IS:

1. OWNED OR OPERATED BY AN INculpABLE PERSON, AS DEFINED IN § 7-501 OF THE ENVIRONMENT ARTICLE; AND

2. LOCATED IN A TAXING JURISDICTION THAT HAS ELECTED TO PARTICIPATE IN THE BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM IN ACCORDANCE WITH § ~~9-199~~ 9-229 OF THE TAX - PROPERTY ARTICLE; OR

(II) PROPERTY WHERE THERE IS A RELEASE, DISCHARGE, OR THREATENED RELEASE OF OIL, AS DEFINED IN § 4-401 OF THE ENVIRONMENT ARTICLE, THAT IS:

1. SUBJECT TO A CORRECTIVE ACTION PLAN APPROVED BY THE DEPARTMENT OF THE ENVIRONMENT IN ACCORDANCE WITH TITLE 4 OF THE ENVIRONMENT ARTICLE; AND