

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN INCULPABLE PERSON IS NOT LIABLE FOR EXISTING CONTAMINATION AT THE ELIGIBLE PROPERTY.

(C) AN INCULPABLE PERSON SHALL BE LIABLE FOR:

(1) NEW CONTAMINATION THAT THE PERSON CAUSES OR CONTRIBUTES TO AT THE ELIGIBLE PROPERTY; AND

(2) EXACERBATION OF EXISTING CONTAMINATION AT THE ELIGIBLE PROPERTY.

7-506. APPLICATION REQUIREMENTS.

(A) TO PARTICIPATE IN THE PROGRAM, AN APPLICANT SHALL:

(1) SUBMIT AN APPLICATION, ON A FORM PROVIDED BY THE DEPARTMENT, THAT INCLUDES:

(I) INFORMATION DEMONSTRATING TO THE SATISFACTION OF THE DEPARTMENT THAT THE CONTAMINATION DID NOT RESULT FROM THE APPLICANT KNOWINGLY OR WILLFULLY VIOLATING ANY LAW OR REGULATION CONCERNING CONTROLLED HAZARDOUS SUBSTANCES;

(II) INFORMATION DEMONSTRATING THE PERSON'S STATUS AS A RESPONSIBLE PERSON OR AN INCULPABLE PERSON;

(III) INFORMATION DEMONSTRATING THAT THE PROPERTY IS AN ELIGIBLE PROPERTY AS DEFINED IN § 7-501 OF THIS SUBTITLE;

(IV) A DETAILED REPORT WITH ALL AVAILABLE RELEVANT INFORMATION ON ENVIRONMENTAL CONDITIONS INCLUDING CONTAMINATION AT THE ELIGIBLE PROPERTY KNOWN TO THE APPLICANT AT THE TIME OF THE APPLICATION;

(V) AN ENVIRONMENTAL SITE ASSESSMENT THAT INCLUDES ESTABLISHED PHASE I AND PHASE II SITE ASSESSMENT STANDARDS AND FOLLOWS PRINCIPLES ESTABLISHED BY THE AMERICAN SOCIETY FOR TESTING AND MATERIALS AND THAT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT THE ASSESSMENT HAS ADEQUATELY INVESTIGATED ALL POTENTIAL SOURCES AND AREAS OF CONTAMINATION; AND

(VI) A DESCRIPTION, IN SUMMARY FORM, OF A PROPOSED VOLUNTARY CLEANUP PROJECT THAT INCLUDES THE PROPOSED CLEANUP CRITERIA UNDER § 7-508 OF THIS SUBTITLE AND THE PROPOSED FUTURE USE OF THE PROPERTY, IF APPROPRIATE; AND

(2) PAY TO THE DEPARTMENT AN APPLICATION FEE OF \$6,000.

(B) (1) (I) THE DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING, WITHIN 60 DAYS AFTER RECEIPT OF THE APPLICATION, WHETHER: