

(I) TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM UNDER TITLE 7, SUBTITLE 5 OF THE ENVIRONMENT ARTICLE; OR

(II) FOR THE IMPLEMENTATION OF A CORRECTIVE ACTION PLAN UNDER TITLE 4 OF THE ENVIRONMENT ARTICLE.

~~(3) (6) THE DEPARTMENT MAY ESTABLISH PROCEDURES AND ELIGIBILITY REQUIREMENTS FOR THE APPROVAL OF REQUESTS FOR LOANS AND GRANTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(E) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL DETERMINE WHETHER THERE IS A FINANCIALLY VIABLE RESPONSIBLE PERSON OR FINANCIALLY VIABLE PERSON RESPONSIBLE FOR THE DISCHARGE ASSOCIATED WITH A BROWNFIELDS SITE.~~

3-905.

This subtitle does not affect, and may not be construed as affecting[.]:

(1) [the] THE planning and zoning authority of a county or municipal corporation; OR

(2) ANY PROVISION OF THE ENVIRONMENT ARTICLE.

Article—Environment

7-505.1.

~~(A) THE DEPARTMENT SHALL ESTABLISH A PROCESS TO CERTIFY WHETHER A PERSON QUALIFIES AS AN INCULPABLE PERSON WHO MAY APPLY FOR A GRANT OR LOAN IN ACCORDANCE WITH ARTICLE 83A, § 3-902 OF THE CODE FOR CONDUCTING THE ENVIRONMENTAL SITE ASSESSMENTS NECESSARY FOR PARTICIPATING IN THE VOLUNTARY CLEANUP PROGRAM UNDER THIS SUBTITLE.~~

~~(B) TO SEEK CERTIFICATION AS AN INCULPABLE PERSON, AN APPLICANT SHALL SUBMIT AN APPLICATION, ON A FORM PROVIDED BY THE DEPARTMENT, THAT INCLUDES:~~

~~(1) INFORMATION DEMONSTRATING THE PERSON'S STATUS AS AN INCULPABLE PERSON;~~

~~(2) INFORMATION DEMONSTRATING THAT THE PROPERTY THAT WOULD BE THE SUBJECT OF THE ENVIRONMENTAL SITE ASSESSMENT IS AN ELIGIBLE PROPERTY AS DEFINED IN § 7-501 OF THIS SUBTITLE; AND~~

~~(3) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.~~

~~(C) (1) THE DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING, WITHIN 60 DAYS AFTER RECEIPT OF THE APPLICATION, WHETHER THE APPLICANT HAS BEEN CERTIFIED AS AN INCULPABLE PERSON.~~

~~(2) IF THE DEPARTMENT DENIES THE APPLICATION, THE DEPARTMENT SHALL PROVIDE TO THE APPLICANT THE REASONS FOR ITS DECISION IN WRITING.~~