

1-810.

(A) A CIVIL ACTION FOR INJUNCTIVE OR OTHER EQUITABLE RELIEF FOR VIOLATION OF AN ENVIRONMENTAL COVENANT MAY BE MAINTAINED BY:

- (1) A PARTY TO THE COVENANT;
- (2) THE AGENCY OR, IF IT IS NOT THE AGENCY, THE DEPARTMENT;
- (3) ANY PERSON TO WHOM THE COVENANT EXPRESSLY GRANTS POWER TO ENFORCE;
- (4) A PERSON WHOSE INTEREST IN THE REAL PROPERTY OR WHOSE COLLATERAL OR LIABILITY MAY BE AFFECTED BY THE ALLEGED VIOLATION OF THE COVENANT; OR
- (5) THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE REAL PROPERTY SUBJECT TO THE COVENANT IS LOCATED.

(B) THIS SUBTITLE DOES NOT LIMIT THE REGULATORY AUTHORITY OF THE AGENCY OR THE DEPARTMENT UNDER LAW, OTHER THAN THIS SUBTITLE, WITH RESPECT TO AN ENVIRONMENTAL RESPONSE PROJECT.

(C) A PERSON IS NOT RESPONSIBLE FOR OR SUBJECT TO LIABILITY FOR ENVIRONMENTAL REMEDIATION SOLELY BECAUSE THE PERSON HAS THE RIGHT TO ENFORCE AN ENVIRONMENTAL COVENANT.

1-811.

(A) (1) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A REGISTRY THAT CONTAINS ALL ENVIRONMENTAL COVENANTS AND ANY AMENDMENT OR TERMINATION OF THOSE COVENANTS.

(2) THE REGISTRY MAY CONTAIN ANY OTHER INFORMATION CONCERNING ENVIRONMENTAL COVENANTS AND THE REAL PROPERTY SUBJECT TO THEM THAT THE DEPARTMENT CONSIDERS APPROPRIATE.

(3) FOR PURPOSES OF THE MARYLAND PUBLIC INFORMATION ACT, THE REGISTRY IS A PUBLIC RECORD.

(B) (1) AFTER AN ENVIRONMENTAL COVENANT OR AN AMENDMENT OR TERMINATION OF A COVENANT IS FILED IN THE REGISTRY ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION, A NOTICE OF THE COVENANT, AMENDMENT, OR TERMINATION THAT MEETS THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION MAY BE RECORDED IN THE LAND RECORDS IN LIEU OF RECORDING THE ENTIRE COVENANT.

(2) A NOTICE SHALL CONTAIN:

(I) A LEGALLY SUFFICIENT DESCRIPTION AND ANY AVAILABLE STREET ADDRESS OF THE REAL PROPERTY SUBJECT TO THE COVENANT;