

(1) CERTIFY THAT THE DISCHARGE IS NOT THE RESULT OF A WILLFUL OR DELIBERATE ACT;

(2) SUBMIT A CORRECTIVE ACTION PLAN, SCHEDULE, AND COST ESTIMATE TO THE DEPARTMENT THAT SHALL INCLUDE PROVISIONS FOR THE ENVIRONMENTALLY SOUND TREATMENT OR DISPOSAL OF CONTAMINATED SOILS THAT MEET ALL FEDERAL AND STATE REQUIREMENTS AND STANDARDS; AND

(3) CERTIFY THAT THE DISCHARGE IS FROM A TANK REGISTERED UNDER § 4-411.1 OF THIS TITLE.

(D) IF THE OWNER OR OPERATOR KNOWINGLY SUBMITS A FALSE CERTIFICATION UNDER SUBSECTION (C) OF THIS SECTION, THAT OWNER OR OPERATOR IS NOT ELIGIBLE FOR REIMBURSEMENT UNDER THIS SUBTITLE.

(E) ONLY EXPENSES THAT ARE COST-EFFECTIVE, REASONABLE, AND CONSISTENT WITH A CORRECTIVE ACTION PLAN APPROVED BY THE DEPARTMENT MAY BE ELIGIBLE FOR REIMBURSEMENT FROM THE FUND.

~~(F) THE COST FOR REPLACEMENT OR RETROFITTING OF UNDERGROUND OIL STORAGE TANKS AND ASSOCIATED PIPING IS NOT ELIGIBLE FOR REIMBURSEMENT OR GUARANTEE TO A CONTRACTOR, AND THE DEPARTMENT MAY NOT INCUR THESE COSTS OR EXPEND MONEYS FROM THE FUND FOR THESE PURPOSES.~~

4-707.

~~(A) TO ENCOURAGE EARLY DETECTION AND SITE REHABILITATION AT CONTAMINATED UNDERGROUND OIL STORAGE TANK SITES, THE DEPARTMENT SHALL ESTABLISH AN EARLY DETECTION INCENTIVE PROGRAM IN ACCORDANCE WITH THIS SECTION.~~

~~(B) REIMBURSEMENT FOR COSTS INCURRED OR A GUARANTEE TO A CONTRACTOR FOR SITE REHABILITATION ACTIVITIES OCCURRING BETWEEN JANUARY 1, 1993 AND DECEMBER 31, 1995 SHALL BE SUBJECT TO A DEDUCTIBLE OF \$25,000 PER OCCURRENCE.~~

4-708: ~~4-706.~~

(A) IF THE DEPARTMENT HAS ASSUMED CONTROL OF AN OIL SPILL SITUATION INVOLVING AN UNDERGROUND OIL STORAGE TANK UNDER ~~§ 4-415.1~~ OF THIS TITLE, THE DEPARTMENT MAY OBTAIN FROM THE FUND, ON OR AFTER JANUARY 1, 1994 OCTOBER 1, 1993:

(1) REIMBURSEMENT FOR USUAL, CUSTOMARY, AND REASONABLE COSTS INCURRED IN PERFORMING SITE REHABILITATION; ~~OR~~

(2) A GUARANTEE OF PAYMENT TO A QUALIFIED CONTRACTOR FOR THE USUAL, CUSTOMARY, AND REASONABLE COSTS OF PERFORMING SITE REHABILITATION; OR