

(C) THE FAILURE OF THE DEPARTMENT TO ADOPT FINAL REGULATIONS UNDER THIS SUBTITLE MAY NOT PREVENT THE DEPARTMENT FROM APPROVING A RESPONSE ACTION PLAN ON AN INDIVIDUAL PLAN BASIS.

7-511. DECISION ON RESPONSE ACTION PLAN AND RESPONSE ACTION PLAN LETTER.

(A) WITHIN 120 DAYS AFTER THE DEPARTMENT HAS RECEIVED A PROPOSED RESPONSE ACTION PLAN, THE DEPARTMENT, AFTER CONSIDERING ANY COMMENTS THE DEPARTMENT HAS RECEIVED UNDER § 7-509 OF THIS SUBTITLE, SHALL NOTIFY THE PARTICIPANT IN WRITING THAT:

(1) THE RESPONSE ACTION PLAN HAS BEEN APPROVED; OR

(2) THE RESPONSE ACTION PLAN HAS BEEN REJECTED AND SHALL STATE THE MODIFICATIONS IN THE RESPONSE ACTION PLAN THAT ARE NECESSARY TO RECEIVE THE DEPARTMENT'S APPROVAL.

(B) (1) (I) IF THE DEPARTMENT NOTIFIES A PARTICIPANT THAT MODIFICATIONS IN A RESPONSE ACTION PLAN ARE NECESSARY TO RECEIVE THE DEPARTMENT'S APPROVAL, THE PARTICIPANT MAY RESUBMIT THE PLAN WITHIN 120 DAYS AFTER RECEIPT OF THE DEPARTMENT'S NOTIFICATION.

(II) IF THE PARTICIPANT DOES NOT RESUBMIT THE PLAN WITHIN 120 DAYS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PARTICIPANT WILL BE CONSIDERED TO HAVE WITHDRAWN THE PARTICIPANT'S APPLICATION IN ACCORDANCE WITH § 7-512 OF THIS SUBTITLE.

(2) WITHIN 30 DAYS AFTER RECEIPT OF A RESUBMITTED PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL NOTIFY THE PARTICIPANT WHETHER THE PLAN HAS BEEN APPROVED.

(C) THE RESPONSE ACTION PLAN APPROVAL LETTER SHALL STATE THAT, SUBJECT TO THE REQUIREMENTS OF § 7-514 OF THIS SUBTITLE:

(1) NO FURTHER ACTION WILL BE REQUIRED TO ACCOMPLISH THE OBJECTIVES SET FORTH IN THE APPROVED RESPONSE ACTION PLAN OTHER THAN THOSE ACTIONS DESCRIBED IN THE APPROVED RESPONSE ACTION PLAN; AND

(2) THE PARTICIPANT WILL RECEIVE A CERTIFICATE OF COMPLETION SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF § 7-514(B) OF THIS SUBTITLE IF:

(I) THE APPROVED RESPONSE ACTION PLAN IS IMPLEMENTED TO THE SATISFACTION OF THE DEPARTMENT; AND

(II) THE RESPONSE ACTION PLAN HAS ACHIEVED THE CLEANUP CRITERIA.

(D) A RESPONSE ACTION PLAN APPROVAL LETTER ~~MAY~~, IF APPLICABLE, SHALL INCLUDE A LIMITATION ON THE PERMISSIBLE USES OF THE PROPERTY THAT IS CONSISTENT WITH THE RESPONSE ACTION PLAN.