

(3) THE DEPARTMENT MAY NOT BRING AN ENFORCEMENT ACTION AGAINST THE PARTICIPANT AT THE ELIGIBLE PROPERTY; AND

(4) THE PARTICIPANT:

(I) IS RELEASED FROM FURTHER LIABILITY FOR THE REMEDIATION OF THE ELIGIBLE PROPERTY UNDER THIS TITLE FOR ANY CONTAMINATION IDENTIFIED IN THE ENVIRONMENTAL SITE ASSESSMENT; AND

(II) MAY NOT BE SUBJECT TO A CONTRIBUTION ACTION INSTITUTED BY A RESPONSIBLE PERSON.

(C) WITHIN 10 DAYS AFTER THE ISSUANCE OF A CERTIFICATE OF COMPLETION, THE DEPARTMENT SHALL SEND A COPY OF THE CERTIFICATE OF COMPLETION TO THE DIRECTOR OF THE DEPARTMENT OF ASSESSMENTS AND TAXATION.

(D) A REQUIREMENT FOR LONG-TERM MONITORING AND MAINTENANCE IN THE APPROVED RESPONSE ACTION PLAN MAY NOT DELAY THE ISSUANCE OF THE CERTIFICATE OF COMPLETION UNDER SUBSECTION (A) OF THIS SECTION.

7-514. EFFECT OF RESPONSE ACTION PLAN APPROVAL LETTER AND CERTIFICATE OF COMPLETION ON DEPARTMENT'S AUTHORITY AND PARTICIPANT'S LIABILITY.

(A) A RESPONSE ACTION PLAN APPROVAL LETTER DOES NOT:

(1) SUBJECT TO THE PROVISIONS OF § 7-505 OF THIS SUBTITLE, PREVENT THE DEPARTMENT FROM TAKING ACTION AGAINST ANY PERSON TO PREVENT OR ABATE AN IMMINENT AND SUBSTANTIAL ENDANGERMENT TO THE PUBLIC HEALTH OR THE ENVIRONMENT AT THE ELIGIBLE PROPERTY;

(2) REMAIN IN EFFECT IF THE RESPONSE ACTION PLAN APPROVAL LETTER IS OBTAINED THROUGH FRAUD OR A MATERIAL MISREPRESENTATION;

(3) AFFECT THE AUTHORITY OF THE DEPARTMENT TO TAKE ANY ACTION AGAINST ANY PERSON CONCERNING NEW CONTAMINATION OR THE EXACERBATION OF EXISTING CONTAMINATION AT AN ELIGIBLE PROPERTY AFTER A RESPONSE ACTION PLAN APPROVAL LETTER HAS BEEN ISSUED BY THE DEPARTMENT;

(4) AFFECT THE AUTHORITY OF THE DEPARTMENT TO TAKE ANY ACTION AGAINST A RESPONSIBLE PERSON CONCERNING PREVIOUSLY UNDISCOVERED CONTAMINATION AT AN ELIGIBLE PROPERTY AFTER A RESPONSE ACTION PLAN APPROVAL LETTER HAS BEEN ISSUED BY THE DEPARTMENT;

(5) PREVENT THE DEPARTMENT FROM TAKING ACTION AGAINST ANY PERSON WHO ~~AGREES TO PERFORM THE~~ IS RESPONSIBLE FOR LONG-TERM MONITORING AND MAINTENANCE AS PROVIDED IN THE RESPONSE ACTION PLAN; OR