

a. The reasonableness of the fees, the use of the Voluntary Cleanup Fund established under this Act and whether the Voluntary Cleanup Fund is fully self-funded; and

b. The geographic location and other characteristics of applicants to the Voluntary Cleanup Program, the number of applications and response action plans approved and denied, and the reasons for the Department's denial; and

2. On or before July 1, 2000, on the status of the Voluntary Cleanup Program established under this Act, including the impact of having a cut-off date for eligibility on the effectiveness of the Program and on the ability of the Program to encourage the cleanup of the optimum number of contaminated sites.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Business and Economic Development shall report to the Governor and, subject to § 2-1312 of the State Government Article, to the House Environmental Matters Committee and the Senate Economic and Environmental Affairs Committee on or before July 1 of 1998, 1999, and 2000, on:

1. The geographic location and other characteristics of applicants to the Brownfields Revitalization Incentive Program, the number of requests to participate in the Program approved and denied, and the Department's reasons for the Department's denial;

2. The availability of financial incentives to qualified Brownfields sites, including information on the types of incentives available as well as on the amount of assistance provided under those incentives; and

3. The advisability of making responsible persons who did not cause or contribute to the contamination of a potential Brownfields site eligible to participate in the Brownfields Revitalization Incentive Program.

SECTION 4. AND BE IT FURTHER ENACTED, That Title 7, Subtitle 5 of the Environment Article as enacted by this Act does not affect, and may not be construed as affecting, any civil action pending against any applicant in the Voluntary Cleanup Program on the effective date of this Act.

~~SECTION 5. AND BE IT FURTHER ENACTED, That the first \$100,000 contributed to the Brownfields Revitalization Incentive Fund under § 9-109 of the Tax-Property Article shall be transferred to the State Hazardous Substance Control Fund under Title 7, Subtitle 2 of the Environment Article to be used by the Department of the Environment for costs incurred by the Department in the oversight and administration of cleanup activities under the State Hazardous Substance program for which the Department is currently restricted in its use of bond funds as a result of a ruling by the Internal Revenue Service.~~

SECTION 6. 5. AND BE IT FURTHER ENACTED, That the catchlines contained in this Act are not law and may not be considered to be enacted as part of this Act.

SECTION 7. 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and