

safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved February 25, 1997.

CHAPTER 2

(House Bill 409)

AN ACT concerning

Brownfields – Voluntary Cleanup and Revitalization Programs

FOR the purpose of establishing a Voluntary Cleanup Program in the Maryland Department of the Environment (MDE); establishing a Voluntary Cleanup Fund administered by MDE; requiring MDE to adopt certain regulations; establishing certain application requirements, including the payment of a certain fee; establishing certain requirements for MDE's determination of whether to approve an application; authorizing MDE to notify an applicant of a certain determination of no further requirements at the applicant's property, subject to certain conditions; establishing procedures for the payment of certain additional costs or the refund of certain application fees under certain circumstances; establishing certain requirements upon approval of an application; establishing certain requirements and procedures for the proposal and approval of response action plans; requiring a participant to file a certain bond or other security for certain purposes; requiring MDE to review certain standards in a certain time period and authorizing MDE to revise the standards; establishing certain procedures for public participation in MDE's process of approving response action plans; establishing certain requirements for MDE's decision on a proposed response action plan, including the issuance of a certain letter that provides the participant with certain assurances; establishing certain procedures and requirements for the withdrawal of an application or response action plan; requiring a participant to notify MDE that a response action plan has been completed; requiring MDE to issue a certificate of completion, that includes certain information and certain assurances, under certain circumstances; requiring MDE to send a copy of a certificate of completion to the Director of the Department of Assessments and Taxation within a certain time period; establishing certain conditions under which MDE retains enforcement authority against certain persons; authorizing the transfer of certain documents under certain circumstances; requiring certain documents to be recorded in certain land records under certain circumstances; defining certain terms; altering certain definitions applicable to certain programs to allow certain lenders to take certain actions under certain circumstances subject to certain conditions; providing that certain provisions of law apply to enforce certain violations; providing that this Act does not affect the planning and zoning authority of a county or municipal corporation and certain tort actions; establishing a Brownfields Revitalization Program in the Department of Business and Economic Development (DBED); authorizing taxing jurisdictions to elect whether to participate in the Program;