

1. THE APPLICATION, INCLUDING THE APPLICANT'S STATUS AS A RESPONSIBLE PERSON OR AN INCULPABLE PERSON, IS APPROVED;
2. THE APPLICATION IS DENIED; OR
3. THE DEPARTMENT HAS NO FURTHER REQUIREMENTS RELATED TO THE INVESTIGATION OF CONTROLLED HAZARDOUS SUBSTANCES AT THE ELIGIBLE PROPERTY AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION.

(II) IF THE DEPARTMENT DENIES THE APPLICATION, THE DEPARTMENT SHALL PROVIDE TO THE APPLICANT THE REASONS FOR ITS DECISION IN WRITING.

(2) (I) AN APPLICANT MAY RESUBMIT AN APPLICATION WITHIN 60 DAYS AFTER RECEIPT OF NOTICE OF THE DEPARTMENT'S DECISION TO DENY THE INITIAL APPLICATION.

(II) THE DEPARTMENT SHALL APPROVE OR DENY A RESUBMITTED APPLICATION WITHIN 30 DAYS AFTER RECEIPT.

(3) IF THE DEPARTMENT NOTIFIES THE APPLICANT THAT THE DEPARTMENT HAS NO FURTHER REQUIREMENTS AT THE ELIGIBLE PROPERTY IN ACCORDANCE WITH PARAGRAPH (1)(I)3 OF THIS SUBSECTION, THE DEPARTMENT SHALL INCLUDE A STATEMENT THAT THIS NOTICE DOES NOT:

(I) 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;

(II) REMAIN IN EFFECT IF THE NOTICE OF NO FURTHER REQUIREMENTS IS OBTAINED THROUGH FRAUD OR A MATERIAL MISREPRESENTATION;

(III) AFFECT THE AUTHORITY OF THE DEPARTMENT TO TAKE ANY ACTION AGAINST A RESPONSIBLE PERSON CONCERNING PREVIOUSLY UNDISCOVERED CONTAMINATION AT AN ELIGIBLE PROPERTY AFTER A NO FURTHER REQUIREMENTS NOTICE HAS BEEN ISSUED BY THE DEPARTMENT; OR

(IV) AFFECT THE AUTHORITY OF THE DEPARTMENT TO REQUIRE ADDITIONAL CLEANUP FOR FUTURE ACTIVITIES AT THE SITE THAT RESULT IN CONTAMINATION BY HAZARDOUS SUBSTANCES.

(C) (1) THE DEPARTMENT SHALL DENY AN APPLICATION IF:

(I) THE APPLICANT IS NOT AN ELIGIBLE APPLICANT;

(II) THE PROPERTY IS NOT AN ELIGIBLE PROPERTY; OR

(III) THE PROPERTY WAS INITIALLY CONTAMINATED BY A RELEASE OF HAZARDOUS SUBSTANCES AFTER OCTOBER 1, 1997 UNLESS: