

(2) A DEMONSTRATION TO THE SATISFACTION OF THE DEPARTMENT THAT THE PROPOSED RESPONSE ACTION PLAN:

(I) WILL ACHIEVE THE APPROPRIATE CRITERIA UNDER SUBSECTION (B) OF THIS SECTION; AND

(II) WILL PROTECT PUBLIC HEALTH AND THE ENVIRONMENT ~~ONCE COMPLETED~~;

(3) A CERTIFIED WRITTEN STATEMENT THAT THE PROPERTY MEETS ALL APPLICABLE COUNTY AND MUNICIPAL ZONING REQUIREMENTS; AND

(4) ANY OTHER INFORMATION RELATED TO THE PROPOSED RESPONSE ACTION PLAN THAT THE DEPARTMENT MAY REASONABLY REQUIRE TO DETERMINE THAT THE PLAN MEETS THE REQUIREMENTS OF THIS SUBTITLE.

(B) A PARTICIPANT SHALL SELECT ONE OR MORE OF THE FOLLOWING CRITERIA THAT PROTECTS PUBLIC HEALTH AND THE ENVIRONMENT, AS MAY BE APPROPRIATE WHEN PROPOSING A RESPONSE ACTION PLAN:

(1) UNIFORM NUMERIC RISK-BASED STANDARDS;

(2) MEASURABLE STANDARDS BASED ON SITE-SPECIFIC RISK ASSESSMENTS;

(3) BACKGROUND LEVELS;

(4) FEDERAL OR STATE SOIL STANDARDS OR WATER QUALITY STANDARDS;

(5) STANDARDS BASED ON FEDERAL OR STATE MAXIMUM CONTAMINANT LEVELS (MCLS); OR

(6) ANY OTHER FEDERAL OR STATE STANDARDS.

(C) THE RESPONSE ACTION PLAN SHALL:

(1) ENUMERATE THE RESPONSIBILITIES AND DUTIES OF THE DEPARTMENT AND THE PARTICIPANT;

(2) INCLUDE A SCHEDULE FOR THE IMPLEMENTATION AND COMPLETION OF THE RESPONSE ACTION PLAN;

(3) INCLUDE A WRITTEN AGREEMENT THAT IF THE RESPONSE ACTION PLAN IS APPROVED, THE PARTICIPANT AGREES, SUBJECT TO THE WITHDRAWAL PROVISIONS SET FORTH IN § 7-512 OF THIS SUBTITLE, TO COMPLY WITH THE PROVISIONS OF THE PLAN; AND

(4) INCLUDE A PROPOSAL FOR THE FILING OF A PERFORMANCE BOND OR OTHER SECURITY IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION.

(D) (1) A PARTICIPANT SHALL FILE A PERFORMANCE BOND OR OTHER SECURITY WITH THE DEPARTMENT WITHIN 10 DAYS AFTER RECEIVING THE