

(IV) AN ADDRESS TO WHICH PERSONS MAY SUBMIT WRITTEN COMMENTS ABOUT THE PROPOSED RESPONSE ACTION PLAN OR REQUEST A PUBLIC INFORMATIONAL MEETING; AND

(V) A DEADLINE FOR THE CLOSE OF THE PUBLIC COMMENT PERIOD BY WHICH WRITTEN COMMENTS OR REQUESTS FOR A PUBLIC INFORMATIONAL MEETING MUST BE RECEIVED BY THE DEPARTMENT; AND

(2) SHALL POST AT THE ELIGIBLE PROPERTY A NOTICE OF INTENT TO CONDUCT A RESPONSE ACTION PLAN AT THAT PROPERTY.

(B) THE DEPARTMENT SHALL RECEIVE WRITTEN COMMENTS FROM THE PUBLIC FOR 30 DAYS AFTER PUBLICATION AND POSTING REQUIRED UNDER THIS SECTION.

(C) THE DEPARTMENT SHALL HOLD A PUBLIC INFORMATIONAL MEETING ON THE PROPOSED RESPONSE ACTION PLAN AT THE PARTICIPANT'S EXPENSE WITHIN 30 DAYS AFTER THE DEPARTMENT RECEIVES A WRITTEN REQUEST FOR A MEETING FROM THE APPLICANT OR THE PUBLIC.

7-510. STANDARDS FOR APPROVAL OF RESPONSE ACTION PLAN.

(A) THE DEPARTMENT SHALL APPROVE A RESPONSE ACTION PLAN IF THE DEPARTMENT DETERMINES THAT THE RESPONSE ACTION PLAN PROTECTS PUBLIC HEALTH AND THE ENVIRONMENT.

(B) IN MAKING A DETERMINATION AS TO WHETHER THE CRITERIA SELECTED BY THE PARTICIPANT AND REMEDIAL ACTIONS IN A PROPOSED RESPONSE ACTION PLAN PROTECT PUBLIC HEALTH AND THE ENVIRONMENT, THE DEPARTMENT SHALL CONSIDER WHETHER THE ELIGIBLE PROPERTY IS:

(1) LOCATED IN AN INDUSTRIAL AREA AND USED FOR INDUSTRIAL PURPOSES;

(2) LOCATED IN A RESIDENTIAL AREA AND USED FOR INDUSTRIAL PURPOSES; OR

(3) LOCATED IN A RESIDENTIAL AREA AND USED FOR RESIDENTIAL PURPOSES OR OTHER PURPOSES THAT REQUIRE UNLIMITED PUBLIC ACCESS.

(C) THE FAILURE OF THE DEPARTMENT TO ADOPT FINAL REGULATIONS UNDER THIS SUBTITLE MAY NOT PREVENT THE DEPARTMENT FROM APPROVING A RESPONSE ACTION PLAN ON AN INDIVIDUAL PLAN BASIS.

7-511. DECISION ON RESPONSE ACTION PLAN AND RESPONSE ACTION PLAN LETTER.

(A) WITHIN 120 DAYS AFTER THE DEPARTMENT HAS RECEIVED A PROPOSED RESPONSE ACTION PLAN, THE DEPARTMENT, AFTER CONSIDERING ANY COMMENTS THE DEPARTMENT HAS RECEIVED UNDER § 7-509 OF THIS SUBTITLE, SHALL NOTIFY THE PARTICIPANT IN WRITING THAT:

(1) THE RESPONSE ACTION PLAN HAS BEEN APPROVED; OR