

(3) AFFECT THE AUTHORITY OF THE DEPARTMENT TO TAKE ANY ACTION AGAINST ANY PERSON CONCERNING NEW CONTAMINATION OR EXACERBATION OF EXISTING CONTAMINATION AT AN ELIGIBLE PROPERTY AFTER A CERTIFICATE OF COMPLETION HAS BEEN ISSUED BY THE DEPARTMENT;

(4) AFFECT THE AUTHORITY OF THE DEPARTMENT TO TAKE ANY ACTION AGAINST ~~ANY~~ A RESPONSIBLE PERSON CONCERNING PREVIOUSLY UNDISCOVERED CONTAMINATION AT AN ELIGIBLE PROPERTY AFTER A CERTIFICATE OF COMPLETION HAS BEEN ISSUED BY THE DEPARTMENT;

(5) PREVENT THE DEPARTMENT FROM TAKING ACTION AGAINST ANY PERSON WHO IS RESPONSIBLE FOR LONG-TERM MONITORING AND MAINTENANCE FOR FAILURE TO COMPLY WITH THE RESPONSE ACTION PLAN;

(6) PREVENT THE DEPARTMENT FROM TAKING ACTION AGAINST ANY PERSON WHO DOES NOT COMPLY WITH CONDITIONS ON THE PERMISSIBLE USE OF THE ELIGIBLE PROPERTY CONTAINED IN THE CERTIFICATE OF COMPLETION; OR

(7) SUBJECT TO THE PROVISIONS OF § 7-512 OF THIS SUBTITLE, PREVENT THE DEPARTMENT FROM REQUIRING ANY PERSON TO TAKE FURTHER ACTION IF THE ELIGIBLE PROPERTY FAILS TO MEET THE APPLICABLE CLEANUP CRITERIA SET FORTH IN THE RESPONSE ACTION PLAN APPROVED BY THE DEPARTMENT.

(C) A RESPONSE ACTION PLAN APPROVAL LETTER OR A CERTIFICATE OF COMPLETION MAY BE TRANSFERRED TO ANY PERSON WHOSE ACTIONS DID NOT CAUSE OR CONTRIBUTE TO THE CONTAMINATION.

(D) (1) IF A CERTIFICATE OF COMPLETION IS CONDITIONED ON THE PERMISSIBLE USE OF THE PROPERTY FOR INDUSTRIAL OR COMMERCIAL PURPOSES, THE PARTICIPANT SHALL RECORD THE CERTIFICATE OF COMPLETION IN THE LAND RECORDS OF THE LOCAL JURISDICTION WITHIN 30 DAYS AFTER RECEIVING THE CERTIFICATE.

(2) IF THE CERTIFICATE OF COMPLETION HAS A CONDITIONED USE AND THE PARTICIPANT FAILS TO RECORD THE CERTIFICATE OF COMPLETION IN THE LAND RECORDS IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE CERTIFICATE OF COMPLETION SHALL BE VOID.

(E) SUBJECT TO THE PROVISIONS OF § 7-516(A) OF THIS SUBTITLE, IF AN OWNER OF AN ELIGIBLE PROPERTY THAT HAS LIMITED PERMISSIBLE USES WANTS TO CHANGE THE USE OF THE ELIGIBLE PROPERTY, THE OWNER, SUBJECT TO APPROVAL BY THE DEPARTMENT, IS RESPONSIBLE FOR THE COST OF CLEANING UP THE ELIGIBLE PROPERTY TO THE APPROPRIATE STANDARD.

7-515. ENFORCEMENT PROVISIONS.

THE PROVISIONS OF §§ 7-256 THROUGH 7-268 OF THIS TITLE SHALL BE USED AND SHALL APPLY TO ENFORCE VIOLATIONS OF:

(1) THIS SUBTITLE; OR

(2) ANY REGULATION ADOPTED UNDER THIS SUBTITLE.