

(III) SUBJECT TO A CONTROLLED HAZARDOUS SUBSTANCES PERMIT ISSUED IN ACCORDANCE WITH TITLE 7 OF THIS ARTICLE.

(3) "ELIGIBLE PROPERTY" INCLUDES SITES LISTED ON THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY INFORMATION SYSTEM.

(H) "FEDERAL ACT" HAS THE MEANING STATED IN § 7-201(K) OF THIS TITLE.

(I) "IMMINENT AND SUBSTANTIAL ENDANGERMENT" MEANS A RELEASE OR THREATENED RELEASE OF A HAZARDOUS SUBSTANCE THAT MAY POSE A RISK OF SIGNIFICANT HARM TO THE PUBLIC HEALTH OR THE ENVIRONMENT AT SOME FORESEEABLE TIME IN THE FUTURE AND IS NOT LIMITED TO AN EMERGENCY SITUATION.

(J) (1) "INCUPLABLE PERSON" MEANS A PERSON WHO:

(I) HAS NO PRIOR OR CURRENT OWNERSHIP INTEREST IN AN ELIGIBLE PROPERTY AT THE TIME OF APPLICATION TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM; AND

(II) HAS NOT CAUSED OR CONTRIBUTED TO CONTAMINATION AT THE ELIGIBLE PROPERTY AT THE TIME OF APPLICATION TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM.

(2) "INCUPLABLE PERSON" INCLUDES A SUCCESSOR IN INTEREST IN AN ELIGIBLE PROPERTY ACQUIRED FROM AN INCUPLABLE PERSON, AS DEFINED IN PARAGRAPH (1) OF THIS SUBSECTION, IF THE SUCCESSOR IN INTEREST DOES NOT HAVE A PRIOR OWNERSHIP INTEREST IN THE ELIGIBLE PROPERTY AND, OTHER THAN BY VIRTUE OF OWNERSHIP OF THE ELIGIBLE PROPERTY, IS NOT OTHERWISE A RESPONSIBLE PERSON AT THE ELIGIBLE PROPERTY.

(K) "PARTICIPANT" MEANS AN APPLICANT ACCEPTED INTO THE VOLUNTARY CLEANUP PROGRAM.

(L) "PREVIOUSLY UNDISCOVERED CONTAMINATION" MEANS CONTAMINATION AT AN ELIGIBLE PROPERTY WHICH WAS NOT IDENTIFIED OR ADDRESSED IN A NOTICE OF NO FURTHER REQUIREMENTS OR RESPONSE ACTION PLAN.

(M) "PROGRAM" MEANS THE VOLUNTARY CLEANUP PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

(N) "RESPONSIBLE PERSON" HAS THE MEANING STATED IN § 7-201(X) OF THIS TITLE.

7-502. AUTHORITY OF DEPARTMENT.

(A) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS ARTICLE, THE DEPARTMENT MAY: