

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.

(i) If the Department denies the application OR DETERMINES THAT THE APPLICATION IS INCOMPLETE, 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 OR DETERMINATION THAT THE APPLICATION IS INCOMPLETE.

(ii) The Department shall approve or deny a resubmitted OR REVISED 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.

(d) (1) If the direct costs of review of the application and administration and oversight of the response action plan exceed **[\$6,000] THE APPLICATION FEE**, the Department shall require an applicant or participant to pay to the Department the additional costs incurred by the Department.

(2) If the direct costs of review of the application and administration and oversight of the response action plan are less than **[\$6,000] THE APPLICATION FEE**, the Department shall refund to the applicant or participant the difference between the costs incurred and the application fee.

(F) A DETERMINATION BY THE DEPARTMENT THAT IT HAS NO FURTHER REQUIREMENTS MAY BE TRANSFERRED TO A SUBSEQUENT PURCHASER OF THE PROPERTY PROVIDED THAT THE SUBSEQUENT PURCHASER DID NOT CAUSE OR CONTRIBUTE TO THE CONTAMINATION.