

(II) A FEE OF \$2,000.

(3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT'S APPROVAL OF A PERSON'S STATUS AS AN INCULPABLE PERSON EXPIRES IF THE APPLICATION, INCLUDING ANY APPLICABLE FEES, REQUIRED UNDER THIS SUBTITLE IS NOT FILED WITHIN 6 MONTHS AFTER THE APPROVAL OF A PERSON'S STATUS AS AN INCULPABLE PERSON.

(b) Except as provided in subsection (c) of this section, an inculpable person is not liable for existing contamination at the eligible property.

(c) An inculpable person shall be liable for:

(1) New contamination that the person causes or contributes to at the eligible property; and

(2) Exacerbation of existing contamination at the eligible property.

7-506.

(a) To participate in the Program, an applicant shall:

(1) Submit an application, on a form provided by the Department, that includes:

(i) Information demonstrating to the satisfaction of the Department that the contamination did not result from the applicant knowingly or willfully violating any law or regulation concerning controlled hazardous substances;

(ii) Information demonstrating the person's status as a responsible person or an inculpable person;

(iii) Information demonstrating that the property is an eligible property as defined in § 7-501 of this subtitle;

(iv) A detailed report with all available relevant information on environmental conditions including contamination at the eligible property known to the applicant at the time of the application;

(v) ~~1~~ An environmental site assessment that includes:

~~A. 1.~~ 1. [established] ESTABLISHED Phase I [and Phase II] site assessment standards and follows principles established by the American Society for Testing and Materials and that demonstrates to the satisfaction of the Department that the assessment has [adequately investigated all potential sources and areas of contamination] BEEN CONDUCTED IN ACCORDANCE WITH THOSE STANDARDS AND PRINCIPLES; AND

~~B. 2.~~ 2. A PHASE II SITE ASSESSMENT ~~IF~~ UNLESS THE DEPARTMENT CONCLUDES, AFTER REVIEW OF THE PHASE I SITE ASSESSMENT, ANY PUBLIC COMMENTS SUBMITTED DURING THE PUBLIC COMMENT PERIOD, AND INFORMATION IN THE DEPARTMENT'S FILES, THAT THERE IS SUFFICIENT