

(1) All costs incurred by the State for removal, restoration, or remedial action, including the restoration of natural resources where feasible, and site maintenance and monitoring in response to a release or threatened release of any [controlled] hazardous substance, to the extent the costs are not reimbursable under the federal act;

(2) All cost incurred by the State in monitoring and assessing the effect on public health and natural resources of any site at which a [controlled] hazardous substance is or may be present, including the costs of any subsurface borings and any analysis of samples taken, the costs of investigations conducted for the purpose of defining necessary remedial action, and the costs of litigation expenses incurred in obtaining reimbursement for expenditures;

(3) The State share mandated under § 104(c)(3) of the federal act;

(4) All cost incurred in providing public information concerning a site that does or may contain a [controlled] hazardous substance; and

(5) Costs resulting from releases or threatened releases of [controlled] hazardous substances whether or not the [controlled] hazardous substance was placed at the site, released, or threatened to be released before July 1, 1985.

7-221.

(a) All expenditures from the State Hazardous Substance Control Fund made by the Department under § 7-220(b) of this subtitle in response to a release or a threatened release of a [controlled] hazardous substance at a particular site shall be reimbursed to the Department for the State Hazardous Substance Control Fund by the responsible person for the release or the threatened release.

(b) (1) In addition to any other legal action authorized by this subtitle, the Attorney General may bring an action to recover costs and interest from any responsible person who fails to make a reimbursement as required under subsection (a) of this section.

(2) (i) In an action under paragraph (1) of this subsection to recover costs, the State shall MAKE A GOOD FAITH EFFORT TO IDENTIFY AND seek recovery against all responsible persons.

(ii) The State shall seek recovery on an apportionment basis in accordance with a person's contribution to the situation or problem, when there is a reasonable basis for determining the contribution of a responsible person.

(iii) Reimbursement in any other case shall not be apportioned.

(c) The Department may recover costs for the Fund resulting from releases or threatened releases of [controlled] hazardous substances whether or not the [controlled] hazardous substance was placed at the site, released, or threatened to be released before July 1, 1985.

(d) Except as otherwise provided in subsection (b) of this section, a person who is