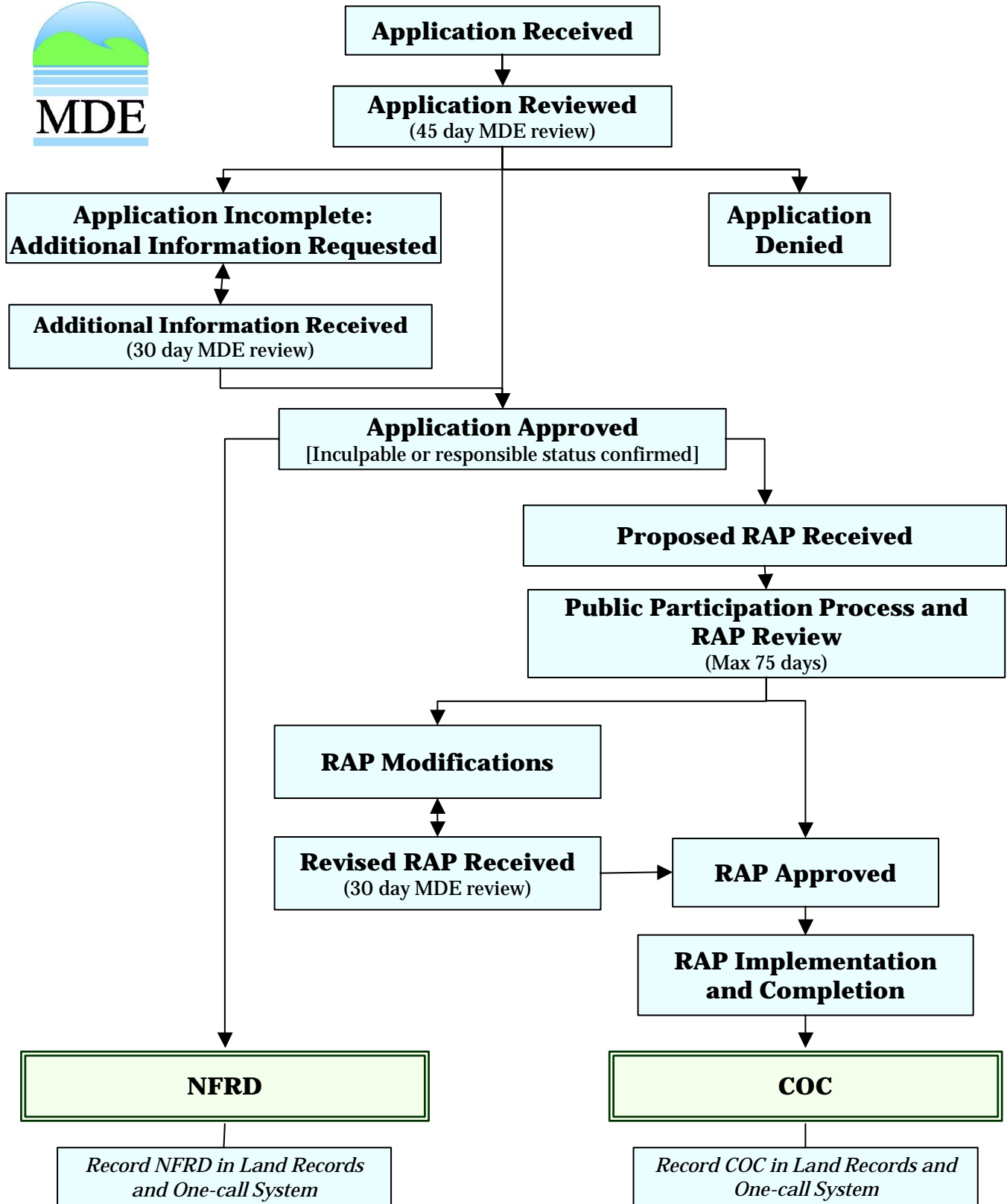


VOLUNTARY CLEANUP PROGRAM FLOWCHART



Please refer to the VCP Flowchart Key for supplemental information.

VCP FLOWCHART KEY

SUPPLEMENTAL INFORMATION

<h3>Application Received</h3>	<p>A VCP application package consisting of a Phase I and possible Phase II environmental site assessment and application fee is received by MDE, and an informational sign stating that the property is applying to the VCP is posted at the property. Submittal of the Phase II may be delayed, which will subsequently delay all review deadlines.</p> <p>Expedited inculpable person approval may be obtained for an additional fee of \$2,000. If the VCP application and applicable fees are not filed with MDE within six months after receiving expedited inculpable person approval, the inculpable person approval will expire.</p> <p>The applicant may also submit a request to the DBED to determine eligibility to qualify for the financial incentives for the redevelopment of a Brownfields site (BRIP). Within 30 days of receiving the request, DBED will notify the applicant of eligibility for financial incentives.</p>
<h3>Application Reviewed</h3> <p>(45 day MDE Review)</p>	<p>Within 45 days of receiving an application package, MDE may approve the application, deny the application, or request additional information (which may include sampling). If approved, a NFRD may be issued for the property or the applicant may be advised to develop a proposed RAP, if remediation is necessary.</p>
<h3>Application Denied</h3>	<p>If the application package is denied, the applicant will be notified in writing within 45 days and provided the reasons for the decision. Within 60 days following receipt of the decision by MDE to deny the application, the applicant may resubmit the application package.</p>
<h3>Application Incomplete: Additional Information Requested</h3> <p>(may resubmit application within 60 days)</p>	<p>If MDE determines the application package to be incomplete, the applicant will be notified in writing within 45 days and comments on the deficiencies will be provided. The applicant may resubmit an application within 60 days following receipt of the decision by MDE that the application package is denied, or is incomplete.</p>

VCP FLOWCHART KEY

SUPPLEMENTAL INFORMATION

<p>Additional Information Received (30 day MDE review)</p>	<p>Within 30 days of receipt of the revised application or additional information to complete the application package, MDE will approve or deny the application.</p>
<p>Application Approved</p>	<p>When the application package is approved, MDE will issue an approval letter and confirm the inculpable or responsible person status of the applicant. If MDE has no further requirements for the property, a NFRD will be issued upon approval of the application. If the application package is approved and MDE determines that a RAP is necessary to further address CHS or oil conditions at the property, the applicant will be advised to develop a proposed RAP. Within 30 days of receipt of application approval and notice to prepare a proposed RAP, the participant must notify MDE in writing of the intent to proceed or withdraw from the program.</p>
<p>NFRD</p>	<p>The NFRD is issued when MDE has no further requirements regarding the investigation of CHS or oil at the property. If the NFRD is conditioned on certain uses of the property or on the maintenance of certain conditions at the property, the participant shall pay a \$2,000 fee upon issuance, record the NFRD in the local land records within 30 days of receipt and submit a copy to the public utility one-call system.</p>
<p>Proposed RAP Received</p>	<p>The applicant submits a proposed RAP containing a work plan and implementation schedule to MDE for review and approval. The RAP must demonstrate that the appropriate cleanup criteria and/or remedial strategy will be achieved and will be protective of public health and the environment.</p>
<p>Public Participation Process and RAP Review (Max 75 days)</p>	<p>At the same time the proposed RAP is submitted to MDE, the participant shall publish a notice of the proposed RAP, including the location of the public information meeting, in a local newspaper of general circulation once a week for two consecutive weeks. A notice of intent to conduct a RAP shall also be posted at the property for 30 days. The public informational meeting shall be held within 40 days of publishing the notice of the proposed RAP. MDE will receive written comments from the public for 5 days after the informational meeting or 30 days after the local newspaper publication, whichever is later. At the conclusion of the public participation period and within 75 days of receipt of the proposed RAP, MDE will either approve the RAP or reject the plan and describe the modifications that are necessary to receive MDE approval.</p>

VCP FLOWCHART KEY

SUPPLEMENTAL INFORMATION

RAP Modifications	MDE will provide the participant with a written description of the modifications that will be necessary in order to receive MDE approval of the proposed RAP.
Revised RAP Received (30 day review)	<p>Within 120 days of receiving notice that modifications to the proposed RAP are necessary, the participant may resubmit the RAP. If the participant does not resubmit the proposed RAP to MDE within 120 days, the VCP application will be deemed withdrawn by the participant.</p> <p>Within 30 days of receipt of the resubmitted RAP, MDE will notify the participant whether the plan has been approved.</p>
RAP Approved	The RAP approval letter will state that a COC will be issued once the approved plan has been implemented to the satisfaction of MDE and the RAP has achieved the applicable cleanup criteria. Within 10 days of receiving approval of the RAP, the participant must file a performance bond or other security with MDE.
RAP Implementation and Completion	The approved RAP shall be implemented and completed in accordance with the approved schedule. Upon completion of the RAP requirements, the participant shall notify MDE in writing that the RAP has been completed. Within 30 days of receiving the notice of RAP completion, MDE will verify whether the RAP has been satisfactorily implemented and completed and, if so, will proceed with issuance of the COC.
COC	The COC shall be issued by MDE upon verification that the requirements of the approved RAP have been completed to the satisfaction of the Department. If the COC is conditioned on permissible uses of the property, the applicant must record the COC in the local land records within 30 days of receipt from MDE, submit a copy to a public utility one-call system, and pay a \$2,000 fee to MDE.