



Maryland
Department of
the Environment

Maryland Department of the Environment Voluntary Cleanup Program (VCP)

VCP Application

VOLUNTARY CLEANUP PROGRAM APPLICATION
MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard, Suite 625 • Baltimore Maryland 21230-1719
410-537-3493 • 1-800-633-6101 • <http://www.mde.maryland.gov>

LAND AND MATERIALS ADMINISTRATION
LAND RESTORATION PROGRAM
VOLUNTARY CLEANUP PROGRAM APPLICATION

➤ **APPLICATION REVIEW AND APPROVAL**

The information provided in this application will be used to determine the eligibility of the applicant and the property for Maryland's Voluntary Cleanup Program (VCP) pursuant to Title 7 of the Environment Article.

Within 60 days after receipt of the application, the Department will notify the applicant, in writing, whether the application is approved, incomplete, denied or if the Department has no further requirements related to the investigation of controlled hazardous substances and oil at the property. If the application is denied, the Department will provide reasons for its denial in writing and will advise the applicant that the application may be resubmitted within 60 days.

➤ **PRE-APPLICATION MEETINGS**

Applicants may request a pre-application meeting to discuss the environmental issues at the property prior to submitting the application. To schedule a meeting, please contact the VCP at 410-537-3493.

➤ **APPLICATION PACKAGE MAILING ADDRESS**

Please submit the application package and required environmental site assessment information and all other available site information to the following address:

Maryland Department of the Environment
Voluntary Cleanup Program
1800 Washington Boulevard, Suite 625
Baltimore, Maryland 21230-1719
ATTN: VCP Section Head

➤ **APPLICATION FEE MAILING ADDRESS**

Please send the applicable \$6,000 or \$2,000 application fee, made payable to the Voluntary Cleanup Fund, together with the Application Fee Form (VCP Application Attachment I) to the following address:

Maryland Department of the Environment
P.O. Box 1417
Baltimore, Maryland 21203

- *Note – the Application Fee Form must be submitted with the check and may be delivered to the MDE Lobby / drop box.*

➤ **EXPEDITED INCULPABLE PERSON APPROVAL REQUESTS**

To obtain expedited inculpable person approval, a written request accompanied by a completed Inculpable Person Affidavit (VCP Application Attachment II) and the \$2,000 fee made payable to the Voluntary Cleanup Fund must be forwarded or hand delivered to the Department at the 1800 Washington Blvd address listed above. Please do NOT send this to the PO Box due to the expedited nature of this process.

➤ **QUESTIONS**

Any questions regarding the application should be directed to the VCP at 410-537-3493.

FOR DEPARTMENT USE ONLY
PCA# 13758 AOBJ# 5671, Suffix 001

Form Number: MDE/WAS/COM.029
November 12, 2024 (Revision 15)
TTY Users 1-800-735-2258
(Via Maryland Relay Service)

MDE/VCP Guidance Document
Revision Date: 11/12/2024

I. PROPERTY

Property Name:

Address:

City:

County:

Zip Code:

Tax Parcel Number(s):

Acreage:

List any other names (i.e. aliases) for this property that could help identify historical environmental records:

Please check one of the following, if applicable:

This application is for multiple contiguous parcels. Please include the tax parcel number and the acreage for each individual parcel. If parcels are not contiguous, a separate application accompanied by another \$6000 application fee must be filed for each non-contiguous parcel.

This property has already applied to the VCP under a different applicant. *Do not check this box if application is no longer active.*

This property is adjacent to a property that has already applied to the VCP and both properties are part of the same planned unit development or similar development plan. *Do not check this box if application is no longer active.*

NOTE: Pursuant to Maryland law, properties that are listed on the National Priorities List, subject to a controlled hazardous substance permit issued by the State, or owned by a "responsible person" and contaminated after October 1, 1997, are not eligible for this Program.

II. APPLICANT

Attachment III of the application provides a checklist of the information that should be included in the VCP application package. Although not mandatory, applicants are encouraged to complete the checklist and submit it with the application.

Name(s) of Representative(s):

Title:

Organization:

Mailing Address:

City:

State:

Zip Code:

Telephone: () -

Fax: () -

E-mail:

(A) Indicate the legal form of the applicant's organization and provide the date founded.

III. APPLICANT'S INTEREST IN PROPERTY

(A) Indicate the interest in the property by checking all the applicable box(es) below.

Interest in Property	Interest in Property
<input type="checkbox"/> Currently own property	<input type="checkbox"/> Under contract for option to purchase property
<input type="checkbox"/> Currently renting or leasing property	<input type="checkbox"/> Under contract for conditional sale of property
<input type="checkbox"/> Considering purchasing property	<input type="checkbox"/> Considering making a loan or investment to a purchaser for the acquisition of the property
<input type="checkbox"/> Considering renting or leasing property	<input type="checkbox"/> Holder of a mortgage, deed or trust or other security interest
<input type="checkbox"/> Other (explain):	

(B) If purchasing the property and a contract offer has been accepted, has a settlement date been scheduled?

Yes No Date:

(C) If considering renting or leasing the property, has the applicant entered into a lease option or lease agreement?

Yes No Date term of lease option expires or lease begins:

IV. DEPARTMENT ACTION SOUGHT BY APPLICANT (Check only one)

- “No Further Requirements Determination”:** A “No Further Requirements Determination” is a notice by the Department that it has no further requirements related to the investigation of controlled hazardous substances at the eligible property. Please be aware that the “No Further Requirements Determination” will be conditioned on a specific property use (residential, industrial or commercial) and might include land use controls that include, but are not limited to: maintenance of existing pavement or ground covering; use of air monitoring instruments during excavation; and, a deed restriction on use of groundwater beneath the property for any purpose.
- “Certificate of Completion”:** A “Certificate of Completion” is a notice issued by the Department after satisfactory completion of an approved response action plan stating: the requirements of the response action plan have been completed; implementation of the response action plan has achieved the applicable cleanup criteria; the Department may not bring an enforcement action at the eligible property; the participant is released from further liability for remediation of the eligible property for any contamination identified in the environmental site assessment; and the participant will not be subject to a contribution action instituted by a responsible person. Please be aware that the “Certificate of Completion” may be conditioned on a specific property use (residential, industrial or commercial) and might include land use controls that include, but not limited to: continual maintenance of controls (e.g., cap); use of air monitoring instruments during excavation; a deed restriction on groundwater use beneath the property for any purpose; periodic inspection of controls; and, submittal of periodic inspection reports to the Department.

V. PARTICIPANT STATUS SOUGHT BY APPLICANT (Check only one)

- “Responsible Person”:** A responsible person is defined as any person who: 1) is the owner or operator of a vehicle or site containing a hazardous substance; 2) at the time of disposal of any hazardous substance, was the owner or operator of any site at which the hazardous substance was disposed; 3) by contract, agreement or otherwise, arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of a hazardous substance owned or operated by another party or entity and containing such hazardous substances; or 4) accepts or accepted any hazardous substances for transport to a disposal or treatment facility or any sites selected by the person. Please note that there are numerous exceptions to the definition of responsible person set forth in Section 7-201 (x)(2) of the Environment Article, Annotated Code of Maryland.
- “Inculpable Person”:** An inculpable person is defined as any person who has no prior or current ownership interest in an eligible property and has not caused or contributed to contamination at the eligible property at the time of application to participate in the Voluntary Cleanup Program. **An applicant seeking inculpable person status must complete the Application Attachment II: “Inculpable Person Affidavit.” Expedited IP letter date: _____**
- Expedited inculpable person** approval is requested (additional \$2,000 fee required).

VI. CURRENT PROPERTY OWNER (if different from applicant)

Organization:		
Name(s) of Representative(s):	Title:	
Mailing Address:		
City:	State:	Zip Code:
Telephone: () -	Fax: () -	E-mail:
(A) Indicate the legal form of the applicant’s organization and provide the date founded.		

VI. CURRENT PROPERTY USE

- (A) Describe all current property uses (e.g. residential, retail, office space, warehousing, industrial, manufacturing, etc.).
- (B) Provide the property’s current zoning classification:
- (C) Are any requests for zoning variances, special exceptions or reclassification pending? If yes, explain.
 Yes No
- (D) Has the property been subdivided during the present ownership? If yes, attach an explanation and provide the date and zoning classification of the subdivision. Yes No

VII. FUTURE PROPERTY USE

(A) Indicate the intended future use of the property as defined by the VCP land use definitions. This section must be completed because the selected cleanup criteria and issuance of a No Further Requirements Determination or a Certificate of Completion will be contingent upon the future use of the property. If this section is not completed, the property will be evaluated under the most conservative scenario of Tier 1 (Residential). (Check one.)

- Tier 1 (Residential)** Planned use of the property that allows exposure and access by all populations including infant, children, elderly, and infirmed populations. Tier 1 properties typically include single-family and multi-family dwellings, hospitals and health care facilities, education facilities, day care facilities, playgrounds and other recreational areas.
- Tier 2 (Commercial)** Planned use of the property that allows exposure and access by the general public, workers, and other expected users, including customers, patrons, or visitors. Commercial purposes allow access to the property and duration consistent with a typical business day. Tier 2 properties typically include shopping centers, retail businesses, vehicle service stations, medical offices, hotels, office space, religious institutions and restaurants.
- Tier 3 (Industrial)** Planned use of the property by workers over the age of 18, adult workers and construction workers, and other potential expected users. Industrial purposes allow access to the property at a frequency and duration consistent with a typical business day. Tier 3 properties typically include manufacturing facilities, maritime facilities, metal working shops, oil refineries, chemical and other material plants.
- Tier 4 (Public Recreational Areas)** Planned use of the property by all populations for recreational uses. Sub-category must be selected based on frequency of use.
- High Frequency Use:** A high frequency public recreational area is any area that is available for recreational use by all populations at the highest potential exposure frequency (youth, child, adult, senior, etc.). Examples may include, but are not limited to, playgrounds, day care facilities, schools, golf courses, and picnic areas. The frequency of visits by all populations is 250 days per year or less.
- Medium Frequency Use:** A moderate frequency use public recreational area is any area that is available for recreational use by all populations but the frequency of use is less than a high frequency use public recreational area. Such areas may be restricted through the use of fencing, permitting requirements, or other similar restrictions that prevent or hinder unimpeded access to the recreational area. Examples include, but are not limited to, outdoor aquatic facilities, athletic facilities, dog parks, and limited access parks. The frequency of visits by all populations is 182 days per year or less.
- Low Frequency Use:** An open space public recreational use area is defined as any area where access and use is restricted by a combination of: (a) Covenants or other legal restrictions that prohibit the use of the property where such use may impair the flora and fauna in the open space; and (b) Physical environmental barriers impede the use of the open space, including but not limited to swamps, marshes, dense vegetation, and areas with steep inclines that limit the use of open space. The frequency of visits by all populations is 52 days per year or less.

(B) Indicate whether any land use controls are part of the anticipated future use of the property. "Land Use Controls" means any restriction or control that serves to protect human health and the environment by limiting use of or exposure to any portion of the property, including water resources. These controls may include engineering controls and institutional controls. See Section IV of the application for examples of land use controls. If this section is not completed, the property will be evaluated under the most conservative scenario of unrestricted use (Check one).

- A (Unrestricted)** No land use controls are imposed on the property for residential, commercial, or industrial use, as applicable.
- B (Restricted)** One or more land use controls are imposed on the property as a condition for residential, commercial, or industrial use, as applicable. If your development plans or funding do not allow for specific land use controls, these requirements should be communicated to the VCP since additional sampling or additional cleanup may be required.

(C) Based on future use of the property, please describe any anticipated physical changes to the property (e.g., building demolition, building expansion, paving, changes in site operations, etc.)

VIII. FUTURE PROPERTY USE (Continued)

(D) Will a day care facility be located on the property? (Note: A day care facility is included under the Tier 1 (Residential) or Tier 4 (Public Recreational High Frequency Use) category in the VCP land use definition and is not permitted under Tier 2 or Tier 3 land use categories.) Yes No

(E) If known, describe the number and types of businesses that will be operating at the property after completion of the Voluntary Cleanup Program.

(F) If known, provide the estimated cost of property redevelopment, number of jobs created, and the approximate increase in the property tax after redevelopment.

IX. INVOLVEMENT WITH OTHER REGULATORY PROGRAMS

(A) Based on information known to the applicant, describe any prior contact with federal, State, or local environmental regulatory agencies regarding this property. Prior contact includes any permits, notices of violation, consent orders, and other enforcement actions that have been issued for the property, as well as any applications, remediation plans, sampling data, or reports that have been submitted for the property.

(B) List all processes, discharges, tanks, and activities at the property that require an environmental permit. For each permit, include the appropriate regulatory agency contact information, the relevant permit identification number, and confirm the permit's compliance status. Please be advised that if the VCP identifies permits that are out of compliance or processes, discharges, tanks, or activities that may not be properly permitted, VCP will notify the appropriate regulatory agency or program.

(C) Has the applicant ever been convicted in any Maryland state court of a criminal offense under either the Annotated Code of Maryland, Environment Article, Title 7 (Hazardous Materials and Hazardous Substances) or any Code of Maryland Regulations (COMAR) provision promulgated under the Annotated Code of Maryland, Environment Article, Title 7? If yes, attach an explanation. Yes No

(D) Has the applicant ever been convicted in a criminal court of any other state of knowingly or willfully violating that particular state's laws or regulations governing hazardous materials, hazardous substances or hazardous wastes? If yes, attach an explanation. Yes No

(E) Has the applicant ever been convicted in any federal court of a criminal offense under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)? If yes, attach an explanation. Yes No

X. BROWNFIELD INCENTIVE PROGRAMS

(A) Is the applicant applying, or does the applicant plan to apply, for grants, loans or property tax credits available through the Brownfields Revitalization Incentive Program? (For more information about this program, please contact the Maryland Department of Commerce at 410-767-0939.) <https://commerce.maryland.gov/fund/programs-for-businesses/brownsfields-tax-credit> Yes No

(B) Is the property located in a State designated enterprise zone? Contact the Maryland Department of Commerce at 410-767-0939 for information on location of enterprise zones. Yes No

XI. OTHER CONTACTS

(A) Consultant

Organization:

Name(s) of Representative(s):

Title:

Mailing Address:

City:

State
:

Zip Code:

Telephone: () -

Fax: () -

E-mail:

Send copies of correspondence to this contact in addition to the applicant.

(B) Other (e.g., Project Manager, Attorney)

Organization:

Name(s) of Representative(s):

Title:

Mailing Address:

City:

State
:

Zip Code:

Telephone: () -

Fax: () -

E-mail:

Send copies of correspondence to this contact in addition to the applicant.

Attach additional contacts as necessary.

XII. REQUIRED ENVIRONMENTAL INFORMATION

Pursuant to Maryland Law, each applicant to the Voluntary Cleanup Program is required to submit the following three items:

(A) A detailed report of all available relevant information on environmental conditions including contamination at the property known to the applicant at the time of the application.
(The report must include all information known about all controlled hazardous substances and oil contamination and a statement that all known environmental information about the property has been provided to the Department. If information provided by the detailed report will be provided as part of the Phase I and Phase II assessments, an applicant may, in lieu of the report, submit a statement that all known environmental information for the property is being provided to the Department as part of the Phase I and Phase II site assessment.)

All known environmental information for the property is being provided to the Department as part of the following reports (list reports. If additional space is needed, attach a separate sheet.):

<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>	<u>NO. OF PAGES</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(B) An environmental Phase I and Phase II site assessment that: (1) includes established Phase I and Phase II environmental site assessment standards; (2) follows the most current principles established by ASTM International; and (3) demonstrates that the assessment has adequately investigated all potential sources and areas of contamination.

(A discussion of the requirements for the Phase I and Phase II site assessments is provided in the MDE/VCP Guidance Document available on-line at: https://mde.maryland.gov/programs/land/MarylandBrownfieldVCP/Pages/erp_factsheets.aspx.

Phase I assessment enclosed Phase II assessment enclosed Phase II work plan enclosed

(C) A summary description of the proposed voluntary cleanup project including the following information:

- Source(s) of contamination
- Need for additional investigation (e.g., sampling), if applicable
- Proposed remedial alternatives
- Future land use of the property
- Exposure pathways
- Proposed cleanup criteria
- Map depicting areas of the property to be remedied

XIII. OVERSIGHT COSTS

- (A) The application must be accompanied by an initial application fee of \$6,000, or a \$2,000 fee for each application submitted subsequent to the initial application for the same property, or a \$2,000 fee for each application submitted subsequent to the initial application for contiguous or adjacent properties that are part of the same planned unit development or a similar development plan. The appropriate application fee shall be made payable to the Voluntary Cleanup Fund and will be used by the Department for activities related to the review of proposed voluntary cleanup projects and the direct administrative oversight of voluntary cleanup projects. The Department shall waive the application fees required if the applicant certifies that they intend to use the eligible property to generate clean or renewable energy in accordance with Maryland regulation 26.14.03.02. Please note that submission of a Clean or Renewable Energy Certification Form is necessary with requirements (See 26.14.03.04 and 26.14.03.05).
- (B) If the application is accepted and a response action plan is approved, the participant will be required to file a performance bond or other security with the Department prior to commencement of any work on the property and that there is a \$2,000 fee for issuance of an NFRD or COC with land use controls.

XIV. STATEMENT OF CERTIFICATION

"I, the applicant, certify under penalty of law that the information provided on this application form and within the documents of the application package is, to the best of applicant's knowledge and belief, accurate and complete. I, the applicant, am aware that there are significant penalties for falsifying any information required by the Department under Title 7, Subtitle 5 of the Environment Article, Annotated Code of Maryland, Voluntary Cleanup Program, and that the information in this application is required for the Voluntary Cleanup Program authorized by Title 7, Subtitle 5 of the Environment Article, Annotated Code of Maryland.

I certify I am an authorized representative of the applicant.

I certify that all information on environmental conditions relevant to the property and known to the applicant is provided as part of this application."

Printed Name _____ Title _____

Signature _____ Date _____

(Please note that another signed Statement of Certification must accompany any documents, maps, reports, or other information submitted to the Department subsequent to the initial application. Multiple items can be submitted under a single Statement of Certification; however, an accurate description of the items being submitted should be included in the cover letter.)

VCP Application Attachment I

APPLICATION FEE FORM

This form must be completed and mailed with the appropriate applicable fee(s) to the following address, except as noted below*:

Maryland Department of the Environment
P.O. Box 1417
Baltimore, Maryland 21203

Please indicate which fees are included and make the check payable to the “Voluntary Cleanup Fund.”

- | | |
|---|--|
| <input type="checkbox"/> \$6,000 initial application fee | <input type="checkbox"/> \$2,000 application fee for a subsequent application for the same property |
| <input type="checkbox"/> \$2,000 application fee for a contiguous or adjacent property that is part of the same planned unit development or a similar development plan and an active VCP application is already submitted to the Department | <input type="checkbox"/> \$2,000 fee for expedited inculpable person approval (<i>*please send payment directly to MDE/VCP</i>) |
| <input type="checkbox"/> Fee Waiver: Clean or Renewable Energy Please attach the Separate Fee Waiver Application Form. (Attachment IV) | <input type="checkbox"/> \$2,000 fee for alteration of Record of Determination |
| | <input type="checkbox"/> \$2,000 fee for issuance of a Certificate of Completion on the permissible use of the property |
| | <input type="checkbox"/> \$2,000 fee for issuance of a No Further Requirements Determination on the permissible use of the property |

APPLICANT

Applicant's Name:

Organization:

Mailing Address:

City:

State:

Zip Code:

PROPERTY

Property Name:

Property Address:

City:

State:

Zip Code:

PCA #13758
AOBJ #5671
SUFFIX#001

II.1
VCP Application Attachment II

INCULPABLE PERSON AFFIDAVIT

(To Be Completed by Applicants Seeking Inculpable Person Status)

APPLICANT

Affiant's Name:	Title:	
Organization:		
Mailing Address:		
City:	State:	Zip Code:

PROPERTY

Property Subject to Voluntary Cleanup Program Application:		
Property Address:		
City:	State:	Zip Code:

I, _____, am over eighteen years of age and competent to testify to the matters set forth in this Affidavit.

Authorized Representative I am presently the _____ (title) and an authorized representative of _____ (applicant) and I possess the legal authority to make this affidavit on behalf of myself and the Applicant for which I am acting.

Certification of Property Ownership The Applicant has satisfied the property ownership requirements of an Inculpable Person ("IP") as defined in Environment Article, Section 7-501(j), Annotated Code of Maryland.

Certification of Position Regarding Environmental Contamination The Applicant has not caused or contributed to contamination, including release, discharge, or threatened release, at the above referenced property at the time of this application, pursuant to Environment Article, Section 7-501(j)(1)(ii).

Certification Regarding Related Entities For the purpose of this "Certification Regarding Related Entities":
a) "Owner" means a holder of a 10% or greater interest in an entity, whether held by shares of stock, partnership interest, membership interest, or any other means; and b) "Responsible person" means a responsible person as defined in Section 7-201 (u) of the Environment Article of the Annotated Code of Maryland.
The Applicant was incorporated or formed in _____ (year) for the purpose of _____.
The officers, directors, or owners of the Applicant are not any of the officers, directors, or owners of the current, or any previous, owner and/or responsible person for the above-referenced property.
The Applicant was not organized or established, in part or in whole, to avoid liability as a responsible person pursuant to Sections 7-201 (u) and 7-501 et seq. of the Environment Article of the Annotated Code of Maryland.

**INCULPABLE PERSON AFFIDAVIT
(Continued)**

Acknowledgement

Applicant acknowledges that any fraud or material misrepresentation in this Affidavit shall void inculpable person status, approval letters or certificates of completion issued pursuant to Title 7, Subtitle 5 of the Environment Article.

I acknowledge that this affidavit is made subject to the applicable civil and criminal laws of Maryland including Section 7-267 of the Environment Article of the Annotated Code of Maryland which provides for criminal penalties for false statements in required documents. The Voluntary Cleanup Program application is a document required under Title 7 of the Environment Article of the Annotated Code of Maryland.

I acknowledge that nothing in this affidavit shall be construed to supersede, amend, modify or waive the exercise of any statutory right or remedy under state law with respect to any misrepresentation made.

I DO DECLARE AND AFFIRM UNDER PENALTY OF LAW, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT.

Sworn and subscribed before me this _____ day of
_____ , _____
month year

Legal Name of Applicant

Signature of Authorized Affiant

Notary's Signature

Authorized Affiant's Name and Title

My Commission Expires

Date of Signature

III.1
VCP Application Attachment III

VCP Application Checklist

Although not mandatory, applicants are encouraged to complete this checklist to help expedite review of the application package. VCP staff will use the checklist to verify that an application package is complete and will notify the applicant of missing items and any other deficiencies.

Property Name: _____

Applicant: _____

Date: _____

III. APPLICATION

A. Completed Application Form

Each application question must be completed.

B. Statement of Certification

An original, signed Statement of Certification, must be included with the application and with each subsequent submission of information regarding the property.

C. Application Fee

Please mail the application fee form and check to the address listed in Attachment I of the application.

D. Inculpable Person Status Affidavit

For those applicants seeking inculpable person status (see Section V of the application), please complete and include Attachment II, "Inculpable Person Affidavit," with the application. Applicants requesting an expedited (within five business days) inculpable person determination must submit the \$2,000 fee to the address listed on Application Attachment I.

II. ENVIRONMENTAL SITE ASSESSMENTS

For each item, indicate the location of the requested information (e.g., attachment number or document title with date and page numbers).

A. Current Property Conditions

Document the property conditions existing at the time of application and summarize any changes that have occurred at the property since the most recent Phase I site assessment.

Location: _____

B. Current and Past Uses of the Property

1. Provide a complete listing of the entities that have owned and/or occupied (including tenants) the property from the time of first agricultural, commercial, or industrial use or 1940, whichever is earlier. Identify the name and type of each business, the years of occupancy, and the nature of the on-site operations.

Location: _____

2. Describe the controlled hazardous substances and petroleum products each business stored and handled (or was likely to have stored and handled at the property).

Location: _____

3. Provide an abstract of a property title search summarizing recorded land title records, including records of ownership, leases, land contracts, easements, liens, and other encumbrances on the property. Identify whether any environmental cleanup liens are recorded against the property.

Location: _____

4. Summarize the standard and supplementary historical sources used to determine the history of the property from the present back to the property's first developed use or 1940, whichever is earlier.

Location: _____

5. Define the current zoning of the property. Describe any requested changes in zoning and detail the status of the request.

Location: _____

C. Historical Maps, Site Plans and Aerial Photographs

Provide legible copies of all available historical maps, including Sanborn Fire Insurance Maps, site plans and aerial photographs. The approximate boundaries of the property must be indicated on each historical map and aerial photograph provided to the Department. Summarize the review of historical site plans to help identify historic on-site work areas, process areas, manufacturing operations, chemical and hazardous waste handling activities, aboveground and underground storage tanks, and spills or releases that may have resulted in environmental contamination at the property.

Location: _____

D. Property Investigations

1. Discuss the federal and State environmental records, and any additional environmental reports and records reviewed for the assessment.

Location: _____

2. Chronologically summarize all environmental property investigations.

Location: _____

3. Submit one electronic copy of each environmental report previously prepared for the property, including site assessments, subsurface investigations, and groundwater sampling reports. Include all applicable analytical data reports and quality assurance / quality control documentation for the laboratory analyses. Review these documents to ensure that there are no missing pages, figures, or appendices.

Location: _____

E. Current and Past Uses of Adjoining Properties

Summarize the historical and current uses of all adjoining properties.

Location: _____

F. Property Hydrology

1. Describe the property's topography, surface drainage pathways (including man-made channels and drains) and receiving surface water bodies (e.g., wetlands, seeps, streams, rivers, lakes, ponds). Discuss local surface water uses (e.g., reservoir, recreational, irrigation, commercial).

Location: _____

2. Provide a site plan that identifies the location of each swale, trench, culvert, catch basin, sewer, drainage pathway, interior drain, and sump on the property and describe the nature and source of the historic and current runoff or release to each identified feature.

Location: _____

3. Describe the point of discharge (e.g., a drain field, a named or unnamed surface water body, the municipal sanitary sewer, etc.) for each identified feature.

Location: _____

G. Property Geology and Hydrogeology

Describe the property’s soil conditions, geology (including fill materials), depth to groundwater, groundwater flow direction, and potential subsurface contaminant migration pathways. Discuss regional geologic and hydrogeologic conditions.

Location: _____

H. Scaled Site Plan

Provide a scaled site plan which clearly shows the legal boundaries and acreage of the property and the locations of all existing buildings, paved areas, monitoring wells, tanks, surface water bodies, rail spurs, and other notable structures.

Location: _____

I. Site Plan with Utilities

Provide a site plan showing the approximate location and depth of each water, sanitary, storm sewer, and natural gas pipeline currently on the property. List service providers for each utility.

Location: _____

J. Tax Parcel Map

Provide a current tax parcel map that clearly defines the property boundaries. If a current tax map is not obtainable, please provide a current land survey.

Location: _____

K. Groundwater Use Investigation

1. Provide written documentation from the county, municipality, and/or water authority concerning existing potable wells, the availability of municipal water, and potential future groundwater use areas within 0.5-miles of the property boundary.

Location: _____

2. Provide a copy of the county and/or municipality water plan map that depicts existing service areas, planned service areas, and no-service-planned areas within a minimum of 0.5-miles from the property boundary.

Location: _____

3. Contact the Department’s Water Supply Program at 410-537-3702 and Water Rights Division at 410-537-3714 to request a survey for all area wells and other available information pertaining to groundwater use in the vicinity of the proposed property. Please note that commercial information search services do not include sufficient information on municipal and/or domestic wells and are not appropriate substitutes for contacting state and local authorities.

Location: _____

4. Locate each identified well (excluding test or observation wells) on a scaled map. If available, provide the permit number, screen depth, and current use of each well. If exact well addresses are unavailable, delineate likely groundwater use areas based on reported street names, subdivision names, and other information available in the well survey and other sources. Provide written documentation from the local health department, engineering department, or water authority, confirming whether or not these wells are being used.

Location: _____

L. Groundwater Map

Provide a current (i.e., less than one year old) scaled groundwater contour map for the site.

Location: _____

M. Future Development Plans

Provide the anticipated future use of the property and any development plans. Detail any planned future improvements (pavement, landscaped areas, buildings, etc.) and/or any changes in current operations (e.g. number of employees that will work on the property, type of work future employees will perform) anticipated for this property. Discuss any proposed alterations to the property, such as grade changes, demolition of buildings, construction of new structures or additions, extensions of public water or sewer, and installation of storm water management systems.

Location: _____

N. Property Reconnaissance

Summarize the methodology, limitations, and findings of the property reconnaissance, and discusses the interior and exterior conditions observed at the property and exterior conditions observed on the adjoining properties. The site inspection should verify the location of all areas that could be potential discharge points. The report should also discuss any limiting site conditions that could affect the results of the reconnaissance such as snow cover, thick vegetation, locked buildings, unsafe areas to enter etc.

Location: _____

O. Interviews

Summarize interviews with individuals having knowledge of the past uses of the property including past and present owners, operators and occupants of the property. A separate interview should also be conducted with the user of the Phase I in order to identify any environmental cleanup liens that have been recorded against the property and to help identify possible RECs.

Location: _____

P. Required Information From Other Regulatory Programs

Applicants applying to the VCP with properties that have information regarding other regulatory agencies must identify the programs and regulated items or processes.

Q. Phase II Environmental Assessments

1. Provide an electronic copy of a recent Phase II site assessment for the property. *[Note: If an applicant delays filing a Phase II site assessment, all related deadlines for public notice and action by the Department shall be extended and conform with the date the Phase II site assessment is submitted and the application is complete. Env. Art. 7-506(C)(2)]*

Location: _____

2. Provide an electronic copy of a work plan for Phase II site characterization of the property for review.

Location: _____

3. Documentation that sufficient site characterization has been performed to waive Phase II requirement.

Location: _____

VCP Application Attachment IV
VCP Fee Waiver Application

I. PROPERTY		
Property Name:		
Address:		
City:	County:	Zip Code:
Tax Parcel Number:		Acreage:
II. APPLICANT		
Name(s) of Representative(s):		Title:
Organization:		
Mailing Address:		
City:	State:	Zip Code:
Telephone: () -	Fax: () -	E-mail:
III. APPLICANT'S PROPOSED CLEAN OR RENEWABLE ENERGY PROJECT		
(A) Clean or renewable energy to be generated as defined by COMAR 26.14.3.02B(4) and(16):		
(B) Anticipated yearly energy output in kilowatts (must be 2 megawatts or greater to qualify):		
(C) Brief description of energy project:		
(D) Anticipated construction start date: _____ Anticipated construction end date: _____		
(E) If the eligible property is not in compliance with a certification that requires the eligible property to be used to generate clean or renewable energy, the Participant shall be liable for any waived application fees pursuant to Section 7-506(j)(2) of the Environment Article.		

IV. SITE LOCATION MAP

Please attach a site location map for the energy project.

Map Included Yes

No

For DEPARTMENT approval

V. DETERMINATION OF FEE WAIVER

Fee waiver approved

Fee waiver denied Additional information requested date: _____

Approving Authority

Date

Title

ELIGIBLE PROJECT AFFIDAVIT
 (To Be Completed by Applicants Seeking Clean or Renewable Energy Fee Waiver)

APPLICANT

Affiant's Name:	Title:	
Organization:		
Mailing Address:		
City:	State:	Zip Code:

PROPERTY

Property Subject to Voluntary Cleanup Program Application:

Property Address:

City: State: Zip Code:

I, _____, am over eighteen years of age and competent to testify to the matters set forth in this Affidavit.

Authorized Representative I am presently the _____ (title) and an authorized representative _____ of _____ (applicant) and I possess the legal authority to make this affidavit on behalf of myself and the Applicant for which I am acting.

Acknowledgement

I, the applicant, certify under penalty of law that the information provided on this application form and within the documents of the application package is, to the best of applicant's knowledge and belief, accurate and complete.

Applicant acknowledges that any fraud or material misrepresentation in this Affidavit shall void VCP application fee waiver status issued pursuant to COMAR 26.14.03.

I acknowledge that nothing in this affidavit shall be construed to supersede, amend, modify or waive the exercise of any statutory right or remedy under state law with respect to any misrepresentation made.

I DO DECLARE AND AFFIRM UNDER PENALTY OF LAW, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT.

Legal Name of Applicant

Signature of Authorized Affiant

Authorized Affiant's Name and Title

Date of Signature

Sworn and subscribed before me this _____ day of _____, '____'.

month year

Notary's Signature

My Commission Expires