



Maryland Department Of The Environment
Voluntary Cleanup Program

Section 7.0
Issuance Of Certificate Of Completion (COC)

Upon completion of the requirements set forth in the approved response action plan (RAP), the participant shall notify MDE in writing that the RAP has been completed. Within 30 days of receipt of the notice of completion, MDE will issue the COC after verification that the RAP has been completed satisfactorily and has achieved the applicable cleanup criteria (*See Attachment 11 – Sample COC letter*).

Long-term Monitoring: Long-term monitoring in the approved RAP may not cause a delay in the issuance of the COC. If the issued COC is conditioned on the completion of the long-term monitoring requirements, the participant will be responsible for the completion of these long-term monitoring activities or the COC may become void.

In the event that action levels or other evaluation criteria established in the RAP are triggered, the participant will be responsible for taking the appropriate actions to remedy the situation, including implementation of any contingency plan outlined in the approved RAP. The participant will be responsible for the completion of these activities or the COC may become void.

Filing in Land Records: A COC issued for a property that includes land use restrictions and physical maintenance requirement(s) must be recorded in the local land records by the property owner within 30 days of receipt. This recording ensures that future property owners are aware of the land use restrictions and physical maintenance requirements on the property.

If the participant is unable to record the COC in the local land records within 30 days, please contact Jim Metz, Voluntary Cleanup Program at 410-537-3493 to request an extension.

7.1 PHYSICAL MAINTENANCE REQUIREMENTS FOR COCS

The COC may be conditioned on future use of the property in accordance with the selected land use(s) stated in the approved RAP and may include certain physical maintenance requirements, examples of which are listed below.

Groundwater Use: No use of groundwater beneath this property for any purpose.

Groundwater Monitoring: The property owner shall maintain compliance with the requirements for long-term groundwater monitoring and reporting to MDE in accordance with the provisions of the Response Action Plan, dated (), and approved by MDE on (date). If the laboratory results of any of the groundwater sampling, conducted in accordance with the approved Response Action Plan (date), indicates the presence of any site-related contaminant exceeding one or more of the trigger values specified in the plan, the contingency measures described in the plan shall be implemented immediately.

Soil Disposal: All excavated soil on the property shall be analyzed before disposal and the analytical results shall be the basis for appropriate disposition of the material in strict accordance with applicable local, State and federal laws and regulations. All waste manifests, disposal receipts and

analytical data must be submitted for review to the attention of the Division Chief of the Voluntary Cleanup Program within 30 days following completion of excavation activities. No excavated material shall be disposed in areas intended for residential use (*applicable to properties issued COCs for commercial/industrial future use*). Use appropriate dust control measures and perform air monitoring to ensure that all worker protection requirements are met during future excavation activities.

Asphalt and Concrete Maintenance: Maintain the asphalt pavement and/or concrete covering the entire contiguous property or applicable portion of the property (include a site map) to prevent any exposure to soil by any person on the property.

Inspections/Operation and Maintenance: All asphalt and concrete pavement/cap areas shall be inspected annually. The inspection shall be conducted within the first 30 days after the beginning of each calendar year. All necessary repairs to the asphalt and concrete pavement/cap shall be completed within two (2) business days of discovery of the needed repairs. The property owner shall submit a written report to MDE documenting the observations, conditions and all necessary repairs made to the pavement/cap areas. This report shall be submitted to MDE within ten (10) business days following completion of the visual inspection.

OR

The property owner shall ensure that the asphalt covering on the property is properly maintained and that it remains protective of human health and the environment. Within 30 days following the end of the calendar year, the property owner shall file a written report with MDE describing the following information for the previous calendar year: 1) the results of an annual inspection for cracks in the asphalt covering the property; and 2) the results of a visual survey of the asphalt covering on the property to evaluate settlement, slumping, containment seepage or damage to any paved area. Significant disturbances or failure in the asphalt covering shall be promptly repaired or sealed in order to prevent the establishment of vegetation. Persistent ponding on the asphalt shall also be promptly corrected.

Excavation Notification: To ensure that soil contamination remains inaccessible to human receptors via inhalation and dermal contact, the property owner must submit written notification, to the attention of the Division Chief of the Voluntary Cleanup Program, a minimum of 30 days prior to constructing any on-site buildings, disturbing any existing paved areas, and/or performing any future subsurface excavations on the property.

OR

If any excavation to the water table is planned in the “remediation area,” as described and set forth in the response action plan, the owner shall submit written notification to the Division Chief of the Voluntary Cleanup Program at least 30 days prior to the planned excavation and shall include a work plan which outlines the safety procedures that will be used to protect construction workers from dermal contact with, and ingestion of, the contaminated groundwater. The plan must also outline the procedures that will be used for handling and disposal of contaminated groundwater removed from the excavation.