



## Maryland Department Of The Environment Voluntary Cleanup Program

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### Section Five No Further Requirements Determination

Issuance of a NFRD depends on several factors:

- The results of a data screen risk evaluation or the results of the site-specific toxicological evaluation;
- Current and intended future VCP land use; and
- Whether cleanup activities are limited to soil contamination removal under an approved IRM.

If the eligible property meets the appropriate cleanup criteria upon approval of the VCP application package, MDE will issue a NFRD, stating there are no further requirements related to the investigation of controlled hazardous substances or oil at the property (see Attachment 5 for sample NFRD language). The NFRD is based on a VCP-specific land use category, such as restricted or unrestricted residential, commercial or industrial (see Section 1.6.1). The NFRD may also contain certain land use requirements, including, but not limited to, excavation notification, maintenance of existing paved areas, soil disposal requirements, or a groundwater use prohibition.

**Recording the NFRD in the Land Records:** If the NFRD issued for the eligible property is conditioned on certain uses of the property or on the maintenance of certain conditions, the participant shall record the NFRD in the land records of the local jurisdiction within 30 days after receipt of the NFRD. Failure to record the NFRD conditioned on certain uses of the property or on the maintenance of certain conditions shall render the NFRD void.

**One-Call System:** If the NFRD is conditioned on certain uses of the property or on the maintenance of certain conditions, the participant shall send a copy of the NFRD to a one-call system, as defined in Section 12-101 of the Public Utility Companies Article, Annotated Code of Maryland, within 30 days of the effective date of the NFRD.

**Fee Due Upon Issuance of NFRD:** If the NFRD is conditioned on certain uses of the property or on the maintenance of certain conditions, the participant shall pay MDE a fee of \$2,000 upon issuance of the NFRD.

**Fee Due Upon Alteration of Record of Determination:** If a participant files a request to alter a record of determination in the land records for an eligible property with conditions in accordance with Section 7-506(i) of the Environment Article, the participant shall pay MDE a \$2,000 fee.