



Maryland's Statewide Brownfield Conference  
Toward Beneficial Reuse

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***Maryland's Brownfields Program  
Land Restoration Program***

The Voluntary Cleanup Program (VCP)

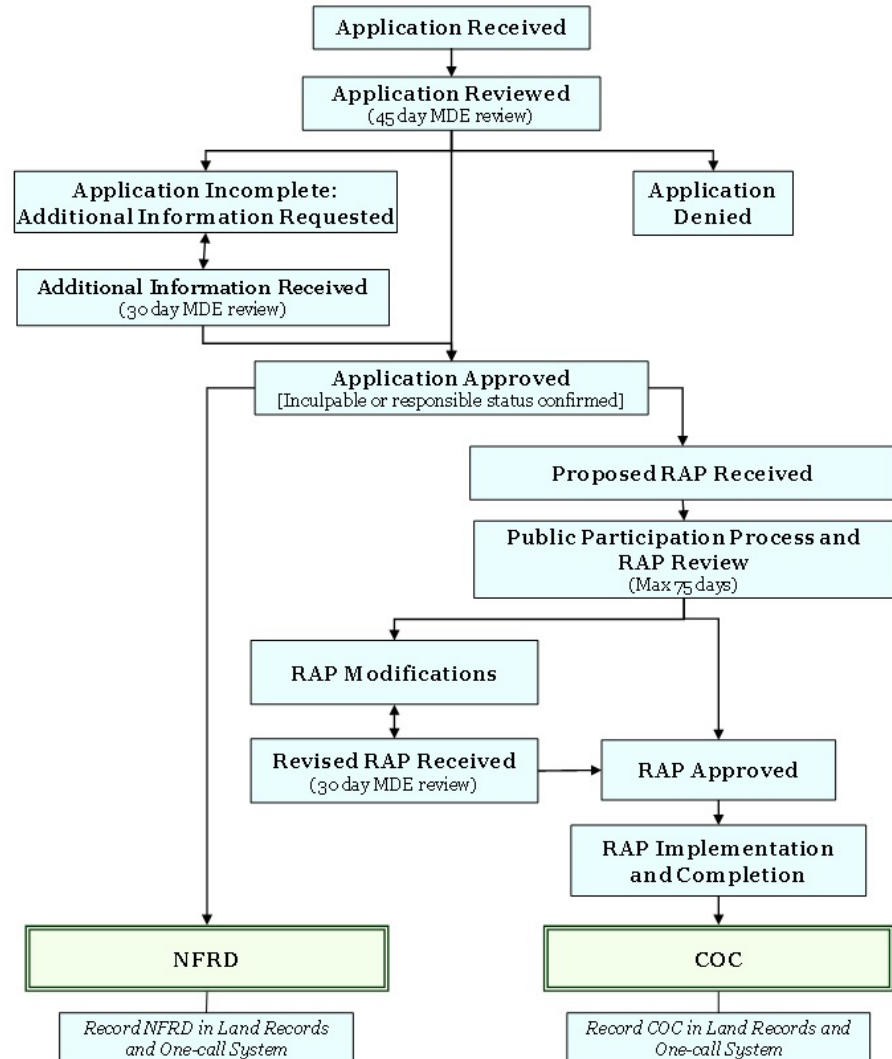
Achieving Site Closure



# What Types of Closure Documents Does the VCP Issue?

## After Completing the VCP Application Process

- No Further Requirements Determination (NFRD)
- Certificate of Completion (COC)
- Environmental Covenant (EC)- Included with both the NFRD and the COC
- The NFRD or COC with EC will be recorded on the property deed in the local jurisdiction





# When Are the VCP Closure Documents Issued?

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- NFRD:
  - After the initial VCP application process is completed and a Response Action Plan is not required.
  - After completing an approved remedy under the CHS program and reapplying to the VCP.
- COC:
  - After the activities as detailed in the approved Response Action Plan and any approved Addendums have been satisfactorily completed.



## How Does the VCP Approve Completion of the RAP?

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- **Submit a RAP completion report that documents the RAP implementation process was completed in accordance with the Approved RAP to the VCP Project Manager**
  - Include the date of and date approved for the Approved RAP and any subsequent addendums
  - Summarizes the RAP remedies and how they were implemented-include any contingencies and how they were handled-example: unknown underground tanks located and removed.
  - Appropriate Figures showing where remedies were placed-examples: location of capped areas and type-landscape, concrete slab, asphalt, or vapor extraction points and blower system location.
  - Any Sampling Data collected to verify the remedy is effective-examples: indoor air testing, post excavation sampling, potable water testing results.
  - Material Management summary-examples: truck tickets for stone, clean fill source documentation, off-site soil removal summary for both disposal or reuse.
- **The VCP project manger will conduct a site visit to visually observe that the RAP activities have been completed. Then review and approve the RAP completion report or provide comments on the RAP completion report that must be resolved prior to issuing a COC.**



# Let's Talk Land Use Controls (LUCs)

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**The VCP Applicant may request the following Land Uses: Residential, Commercial, Public Recreational Area-low, moderate and high frequency and Industrial.**

**Fee Simple Including Single Family Homes, Townhomes and First Floor Condominiums: Unrestricted use-soil must meet residential standards to 15 feet or to the zone of saturation. No capping or vapor mitigation. A groundwater use restriction is allowed.**

**Condominiums on the First Ground Floor: May allow remedies such as capping or vapor barriers-requires the entity responsible for operation and maintenance (O&M) of LUCs to provide financial assurance for costs of O&M for 30 years. Notification of LUCs and access requirements for each unit owner. O&M Plan required for certain LUCs. Environmental Consultant to conduct annual inspections and report to MDE by January of each year the results.**

**Rental Properties: A single building owner must be responsible for O&M of LUCs. Leases to include notification of LUCs present and access provisions where applicable to inspect/maintain LUCs. Annual inspection and reporting requirement. Restrictions on future conversion or construction of condominiums**



# Let's Talk Land Use Controls (LUCs)

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## Land Use and Institutional Controls can also Include:

- **Limitations on use of groundwater may also restrict to a certain aquifer or water appropriation permit or well. Geothermal wells may be approved by the Department upon written request.**
- **Excavation activities: May require advance notification of any excavations, or those breaching capped areas and/or encountering groundwater. Excavations include fence installation, soil borings, utility trenching and repair and new construction. May require a health and safety plan for workers. May require sampling and documentation for disposal of excess soil and/or groundwater.**
- **Inspection and Maintenance of Remedies such as capped areas-including landscape, concrete and asphalt paved areas, vapor barriers under slabs, active sub-slab depressurization systems, or concrete floor sealants for vapor.**
- **Long-Term Monitoring and Post Treatment Sampling-For vapor and groundwater**
- **Limitations including additional testing requirements for future construction.**



# What Information does the VCP Require to Prepare the Closure Documents?

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- Postal Street Mailing Address of the Property
- Confirm mailing address of Property Owner and VCP applicant(s)
- Legal Description of the Property-including all parcels in the VCP Application
- SDAT Tax Account Number for all Parcel-Acreage should match the Legal Description or provide an explanation
- Tax Parcel(s) Reference (Map, Grid, Parcel, Neighborhood, Block, Lot)
- Deed Reference-Liber, Folio and Page Range for all parcels
- Plat Reference, if applicable
- SDAT printout showing Business is in Good Standing
- Inspection, Operations, and Maintenance Plan

Your VCP Project Manager Can Provide a Checklist



# What Figures are Required in the Closure Documents?

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**All Figures Must be in Black and White and Must be Legible when printed on a 8.5x11” page. No photographic backgrounds. TIFF or JPG legible when printed or scanned at 300 dpi**

- **Map of the Entire Property with the Property boundaries clearly outlined.**
- **Figure showing extent of land use controls**
- **If the land use controls are limited to a certain area of the property, provide a map and metes and bounds of the portion of the property subject to the LUCs.**





# What is in the Operations and Maintenance Plan?

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- A brief summary of the site history and LUCs at the site
- Notification and annual reporting requirements-must match the NFRD, COC and EC
- Figures showing the location of capped areas, vapor systems etc.
- Product information if applicable (blowers, sealants, pumps etc.)
- Inspection forms for landscape, concrete or asphalt caps
- Inspection forms for vapor systems
- Contact Information including phone and email for the property owner and property manager if applicable who will be the MDE contact.



# What Documents does the Applicant Sign and Return to the VCP?

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For an NFRD:

One Page Certification

Owners Certification from the NFRD

For a COC

One Page Certification

Once the Closure Documents are recorded provide proof of recording to the VCP

# **For Further Information:**

**Land Restoration Program  
Voluntary Cleanup Program**

**Check out the Website!**

**[mde.maryland.gov](http://mde.maryland.gov)**

**Select Land-then Land Restoration**

**Browse the Complete list of Brownfield and VCP Resources and Factsheets!**

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