

WHEREAS, The nutrient control policy under the Patuxent Charette Agreement provided that all facilities discharging over 500,000 gallons a day of wastewater must remove phosphorus to 1.0 mg/l of wastewater and plan for a possible 0.3 mg/l phosphorus limit; and

WHEREAS, The nutrient control policy under the Patuxent Charette Agreement provided that all facilities plan for nitrogen removal to a limit of no more than 3.0 mg/l; and

WHEREAS, After 25 years, several of the sewage treatment plants covered by the policy are not meeting the standards envisioned by the Patuxent Charette Agreement; and

WHEREAS, The living resources of the Patuxent River have yet to be restored due in part to the failure to meet the standards of the Patuxent Charette Agreement; and

WHEREAS, There is new technology, called "enhanced nutrient removal," that can reduce phosphorus and nitrogen from sewage treatment plants to levels of 0.3 mg/l of phosphorus and 3.0 mg/l of nitrogen; and

WHEREAS, In 2004, the Bay Restoration Fund was created for the purpose of paying the costs of upgrading sewage treatment plants in the State to achieve "enhanced nutrient removal"; and

WHEREAS, The technology and funding now exist to make the restoration of the Patuxent River a priority; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article - Environment

[4-302.1.

(a) (1) Except as provided in paragraph (2) of this subsection, for purposes of this section, concentrations and weights of phosphorus and nitrogen shall be calculated on a monthly average basis.

(2) Nitrogen concentrations and weights shall be calculated only during the period of April 1 through October 15 of each year and the nitrogen removal requirements of this section are applicable only during this period.

(b) All sewage treatment plants discharging over 500,000 gallons of wastewater daily into the Patuxent River or any of its tributaries shall:

(1) On or before January 1, 1989, remove phosphorus to a level of not more than 1.0 milligram per liter of wastewater effluent; and

(2) On or before July 1, 1989, complete planning to anticipate the need for the future addition of facilities to remove: