

(i) Phosphorus to a level of not more than 0.3 milligram per liter of wastewater effluent; and

(ii) Nitrogen to a level of not more than 3.0 milligrams per liter of wastewater effluent.

(c) On or before October 1, 1991, the Parkway Sewage Treatment Plant and the Western Branch Sewage Treatment Plant shall remove nitrogen to a level of not more than 3.0 milligrams per liter of wastewater effluent discharged into the Patuxent River or any of its tributaries.

(d) On or before October 1, 1991, the Patuxent Plant in Anne Arundel County and the Maryland City Plant shall:

(1) For that portion of wastewater flows in excess of the 1981 average daily flow, remove nitrogen to a level of not more than 3.0 milligrams per liter of wastewater effluent discharged into the Patuxent River or any of its tributaries; or

(2) Remove nitrogen from the total flow of wastewater effluent discharged into the Patuxent River or any of its tributaries, if the resulting level of nitrogen reduction is equivalent to nitrogen reduction achieved under item (1) of this subsection.]

4-302.1.

(A) ON OR BEFORE JANUARY 1, 2011, 2012, UNLESS A MORE ADVANCED UPGRADE OR UPGRADE SCHEDULE IS REQUIRED BY A STATE OR FEDERAL LAW OR REGULATION, IF FUNDING IS AVAILABLE FROM THE BAY RESTORATION FUND, A SEWAGE NONFEDERAL PUBLICLY OWNED WASTEWATER TREATMENT PLANT THAT DISCHARGES WASTEWATER INTO THE PATUXENT RIVER OR ANY OF ITS TRIBUTARIES AND DISCHARGES OVER 150,000 GALLONS OF WASTEWATER DAILY INTO THE PATUXENT RIVER OR ANY OF ITS TRIBUTARIES HAS A DESIGN CAPACITY OF AT LEAST 500,000 GALLONS PER DAY SHALL:

(1) UPGRADE TO ENHANCED NUTRIENT REMOVAL, AS DEFINED UNDER § 9-1601 OF THIS ARTICLE; AND

(2) BE GIVEN PRIORITY FOR FUNDING FOR UPGRADING TO ENHANCED NUTRIENT REMOVAL, IN ACCORDANCE WITH § 9-1605.2(I) OF THIS ARTICLE.

(B) THE BAY RESTORATION FUND, ESTABLISHED UNDER § 9-1605.2 OF THIS ARTICLE, SHALL BE USED TO PAY FOR THE UPGRADES TO SEWAGE TREATMENT PLANTS IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION ON OR BEFORE JANUARY 1, 2016. UNLESS A MORE ADVANCED UPGRADE OR UPGRADE SCHEDULE IS REQUIRED BY A STATE OR FEDERAL LAW OR REGULATION, IF FUNDING IS AVAILABLE FROM THE BAY RESTORATION FUND, A NONFEDERAL WASTEWATER TREATMENT PLANT THAT DISCHARGES WASTEWATER INTO THE PATUXENT RIVER OR ANY OF ITS TRIBUTARIES AND HAS A DESIGN CAPACITY OF AT LEAST 50,000 GALLONS PER DAY SHALL UPGRADE TO ENHANCED NUTRIENT REMOVAL AS DEFINED UNDER § 9-1601 OF THIS ARTICLE.