

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.

(C) ON OR BEFORE JANUARY 1, 2020, 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 THAT IS LESS THAN 50,000 GALLONS PER DAY SHALL UPGRADE TO ENHANCED NUTRIENT REMOVAL, AS DEFINED UNDER § 9-1601 OF THIS ARTICLE.

~~(A) FOR PURPOSES OF THIS SECTION, CONCENTRATIONS AND WEIGHTS OF PHOSPHORUS AND NITROGEN SHALL BE CALCULATED ON A DAILY BASIS FOR A CALENDAR YEAR.~~

~~(B) (1) FOR THE PATUXENT RIVER WATERSHED, THE TOTAL MAXIMUM DAILY LOAD FOR NITROGEN IS 1,200 POUNDS PER DAY FROM ALL POINT SOURCES.~~

~~(2) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ADJUST THE CONCENTRATION IN MILLIGRAMS PER LITER AND THE FLOW IN MILLION GALLONS PER DAY TO ENSURE THAT THE TOTAL DAILY LOAD FOR THE PATUXENT RIVER WATERSHED DOES NOT EXCEED THE TOTAL MAXIMUM DAILY LOAD SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(3) IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL ISSUE A PERMIT TO A SEWAGE TREATMENT PLANT THAT INCLUDES EFFLUENT LIMITATIONS AS DETERMINED NECESSARY TO ENSURE THAT THE TOTAL MAXIMUM DAILY LOAD FROM ALL POINT SOURCES IS NOT EXCEEDED.~~

~~(C) ON OR BEFORE JANUARY 1, 2011, A SEWAGE TREATMENT PLANT THAT DISCHARGES WASTEWATER INTO THE PATUXENT RIVER OR ANY OF ITS TRIBUTARIES SHALL IMPLEMENT THE TECHNOLOGY NECESSARY TO REMOVE:~~

~~(1) PHOSPHORUS TO A LEVEL OF NOT MORE THAN 0.3 MILLICRAM PER LITER OF WASTEWATER EFFLUENT; AND~~

~~(2) NITROGEN TO A LEVEL OF NOT MORE THAN THE LEVEL ESTABLISHED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.~~

~~9-326.~~

~~(a) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE Department may make the issuance of a discharge permit contingent on any conditions the Department considers necessary to prevent violation of this subtitle.~~

~~(2) (I) FOR THE PATUXENT RIVER WATERSHED, AS DEFINED IN § 4-301 OF THIS ARTICLE, THE DEPARTMENT SHALL IMPOSE A CAP ON THE TOTAL POINT SOURCE LOAD FOR NITROGEN THAT DOES NOT EXCEED 1,200 POUNDS PER DAY.~~