treatment works of pollutants that interfere with, pass through, or otherwise are incompatible with the treatment works; and

9-320.

(A)   THERE IS A MARYLAND  CLEAN WATER FUND.

(B)   ALL  APPLICATION  FEES,  PERMIT  FEES, AND RENEWAL FEES COLLECTED BY THE DEPARTMENT UNDER THIS SUBTITLE, AS WELL  AS  ANY CIVIL  OR  ADMINISTRATIVE  PENALTY OR ANY FINE IMPOSED BY A COURT UNDER THE PROVISIONS OF THIS SUBTITLE, SHALL  BE  PAID  INTO  THE MARYLAND CLEAN WATER FUND.

(C)   THE  DEPARTMENT SHALL USE THE MARYLAND CLEAN WATER FUND FOR ACTIVITIES THAT ARE RELATED TO IDENTIFYING,  MONITORING,  AND REGULATING  THE  PROPER  DISCHARGE OF EFFLUENT INTO THE WATERS OF THE STATE INCLUDING PROGRAM DEVELOPMENT OF  THESE  ACTIVITIES  AS PROVIDED  IN  THE  STATE  BUDGET.  PRIORITY  SHALL  BE  GIVEN TO ACTIVITIES PERTAINING TO THE WATER QUALITY OF THE CHESAPEAKE  BAY AND IT TRIBUTARIES.

(D)   NOTWITHSTANDING  ANY  LAW  TO  THE CONTRARY, UNEXPENDED MONEYS IN THE FUND SHALL NOT REVERT TO THE  GENERAL  TREASURY  AT THE END OF A FISCAL YEAR.

9-325.

(a)   The  Department  may  adopt  rules and regulations that relate  to  application  for,  issuance  of,  revocation  of,  or modification of discharge permits.  The rules and regulations may require  submission  of  plans,  specifications,  and  other information.

(b)   The rules and regulations adopted  under  this  section shall  set  a reasonable application fee IN AN AMOUNT DESIGNED TO COVER THE COST OF THE PERMIT PROCEDURE.

(C)(1)   THE RULES AND REGULATIONS ADOPTED UNDER THIS SECTION SHALL SET A REASONABLE PERMIT FEE SCHEDULE FOR  INDUSTRIAL  USERS BASED ON:

(1)(I)   THE   ANTICIPATED   COST   OF  MONITORING  AND REGULATING THE PERMITTED FACILITY; AND

(II)   THE FLOW OF EFFLUENT DISCHARGED  FROM  THE PERMITTED FACILITY; AND

(2)(III)   THE   ANTICIPATED   NEEDS   FOR   PROGRAM DEVELOPMENT ACTIVITIES THAT RELATE TO MANAGEMENT OF THE DISCHARGE OF POLLUTANTS INTO THE WATERS OF THIS STATE.

(2)   IN ADOPTING THE RULES AND REGULATIONS UNDER  THIS SUBSECTION,  THE  DEPARTMENT  SHALL  CONSULT  WITH  INDUSTRY  AND PROVIDE THAT THE PERMIT FEE NOT EXCEED A CERTAIN  DOLLAR  AMOUNT.