

(e) Unless otherwise agreed in a contract, contracts for projects shall be reviewed at least biennially by the Service and by the other contracting party, but a contract may be reviewed upon the request of either party at any time for the purpose of renegotiating rates, fees, or other charges exacted by the Service.

3-109.

(a) (1) Upon failure of a municipality to comply with an order of the Secretary of the Environment to provide a sewerage system or refuse disposal works as provided for in Title 9 of the Environment Article, the Secretary of the Environment shall direct the Service to install or put into operation sewerage or refuse disposal facilities to satisfy the requirements of the order.

(2) [Upon] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, UPON receipt of the directive from the Secretary of the Environment, the Service shall proceed to install and put into operation sewerage or refuse disposal projects to comply with the directive. Every cost the Service incurs to construct and operate the projects shall be charged to the municipality against which the order is issued.

(3) Funds to pay the Service for construction and operation of projects may be raised under Title 9 of the Environment Article.

(4) Upon terms satisfactory to the Service and the municipality, the Service may enter into an agreement with the municipality to continue to operate the sewerage system or refuse disposal works installed by the Service under the provisions of this subsection. In this event, the municipality shall enter into a contract with the Service for the establishment of a service district as provided in § 3-107(e) of this subtitle.

(b) (1) Upon failure of a person to comply with an order of the Secretary of the Environment to abate pollution as provided for in Title 9 of the Environment Article, the Secretary of the Environment shall direct the Service to provide projects necessary to abate the pollution.

(2) [Upon] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, UPON receipt of the directive from the Secretary of the Environment, the Service shall provide the projects necessary to abate the pollution and the person shall discharge or deliver his wastes only to a service project or avail himself of the projects provided by the Service to abate the pollution. The cost of projects provided by the Service to abate pollution under the terms of this subsection shall be borne by the person against whom the order to the Secretary of the Environment was issued. The person and the Service shall determine by agreement the costs, rental, charges, or other fees to be paid by the person to the Service. If the fees and charges remain unpaid for a period of 60 days, the unpaid bills become a lien against the property served, if it is recorded and indexed as provided in this subtitle, and shall be referred to the Attorney General for collection.

(3) All projects provided by the Service under this subsection remain under the control and operation of the Service. It is unlawful for a person provided with projects by the Service under this subsection to duplicate or use any other project serving the same purpose.