

(v) For the reasonable costs of administering the Bay Restoration Fund, which may not exceed 1.5% of the total restoration fees imposed on users of wastewater facilities that are collected by the Comptroller annually;

(vi) For the reasonable administrative costs incurred by a local government or a billing authority for a water or wastewater facility collecting the restoration fees, in an amount not to exceed 5% of the total restoration fees collected by that local government or billing authority;

(vii) For future upgrades of wastewater facilities to achieve additional nutrient removal or water quality improvement, in accordance with paragraphs (6) and (7) of this subsection;

(viii) For costs associated with the issuance of bonds; and

(ix) Subject to the ALLOCATION OF FUNDS AND THE conditions under subsection (h) of this section, FOR projects related to the removal of nitrogen from onsite sewage disposal systems and cover crop activities.

(3) The grant agreement and State discharge permit, if applicable, shall require an owner of a wastewater facility to operate the enhanced nutrient removal facility in a manner that optimizes the nutrient removal capability of the facility in order to achieve enhanced nutrient removal performance levels.

(4) THE GRANT AGREEMENT SHALL REQUIRE A GRANTEE TO DEMONSTRATE, TO THE SATISFACTION OF THE DEPARTMENT, THAT STEPS WERE TAKEN TO INCLUDE SMALL BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES BY:

(I) PLACING QUALIFIED SMALL BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES ON SOLICITATION LISTS;

(II) ASSURING THAT SMALL BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES ARE SOLICITED WHENEVER THEY ARE POTENTIAL SOURCES;

(III) DIVIDING TOTAL REQUIREMENTS, WHEN ECONOMICALLY FEASIBLE, INTO SMALL TASKS OR QUANTITIES TO PERMIT MAXIMUM PARTICIPATION OF SMALL BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES;

(IV) ESTABLISHING DELIVERY SCHEDULES, WHERE THE REQUIREMENT PERMITS, THAT ENCOURAGE PARTICIPATION BY SMALL