

BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES; AND

(v) USING THE SERVICES AND ASSISTANCE OF THE MARYLAND DEPARTMENT OF TRANSPORTATION AND THE GOVERNOR'S OFFICE OF MINORITY AFFAIRS IN IDENTIFYING AND SOLICITING SMALL BUSINESS ENTERPRISES, MINORITY BUSINESS ENTERPRISES, AND WOMEN'S BUSINESS ENTERPRISES.

(5) IF THE STEPS REQUIRED UNDER PARAGRAPH (4) OF THIS SUBSECTION ARE NOT DEMONSTRATED TO THE SATISFACTION OF THE DEPARTMENT, THE DEPARTMENT MAY WITHHOLD FINANCIAL ASSISTANCE FOR THE PROJECT.

[(4)] (6) (i) All wastewater facilities serving Maryland users that have contributed to the Bay Restoration Fund are eligible for grants under this section, including the Blue Plains Wastewater Treatment Plant in the District of Columbia.

(ii) Grants issued under paragraph (2)(i) of this subsection for upgrades to the Blue Plains Wastewater Treatment Plant may be awarded only if each party to the Blue Plains Intermunicipal Agreement of 1985 contributes a proportional share of the upgrade costs in accordance with the Blue Plains Intermunicipal Agreement of 1985, as revised and updated.

[(5)] (7) Priority for funding an upgrade of a wastewater facility shall be given to enhanced nutrient removal upgrades at wastewater facilities with a design capacity of 500,000 gallons or more per day.

[(6)] (8) (i) The eligibility and priority ranking of a project shall be determined by the Department based on criteria established in regulations adopted by the Department, in accordance with subsection (k) of this section.

(ii) The criteria adopted by the Department shall include, as appropriate, consideration of:

1. The cost-effectiveness in providing water quality benefit;
2. The water quality benefit to a body of water identified by the Department as impaired under Section 303(d) of the Clean Water Act;
3. The readiness of a wastewater facility to proceed to construction; and