

4. The nitrogen and phosphorus loads discharged by a wastewater facility.

[(7)] (9) A wastewater facility that has not been offered or has not received funds from the Department under this section or from any other fund in the Department may not be required to upgrade to enhanced nutrient removal levels, except as otherwise required under federal or State law.

- (j) (1) There is a Bay Restoration Fund Advisory Committee.
- (2) The Committee consists of the following members:
 - (i) The Secretaries of the Environment, Agriculture, Planning, Natural Resources, and Budget and Management, or their designees;
 - (ii) One member of the Senate, appointed by the President of the Senate;
 - (iii) One member of the House of Delegates, appointed by the Speaker of the House of Delegates;
 - (iv) Two individuals representing publicly owned wastewater facilities, appointed by the Governor;
 - (v) Two individuals representing environmental organizations, appointed by the Governor;
 - (vi) One individual each from the Maryland Association of Counties and the Maryland Municipal League, appointed by the Governor;
 - (vii) Two individuals representing the business community, appointed by the Governor;
 - (viii) Two individuals representing local health departments who have expertise in onsite sewage disposal systems, appointed by the Governor; and
 - (ix) One individual representing a university or research institute who has expertise in nutrient pollution, appointed by the Governor.
- (3) The Governor shall appoint the chairman of the Committee from the designated members of the Committee.
- (4) The Committee may consult with any stakeholder group as it deems necessary.