

(A) THERE IS A MARYLAND CLEAN WATER FUND.

(B) ALL APPLICATION FEES, PERMIT FEES, RENEWAL FEES, AND FUNDS COLLECTED BY THE DEPARTMENT UNDER THIS SUBTITLE, INCLUDING 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 ITS 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.

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

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

(2) 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.

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The Department may refuse to issue a discharge permit if: