

Bay Restoration Fee Frequently Asked Questions

Residential Water/Sewer Service Customers

- As a residential individual-home customer, I receive a bill for the “sewer” service. Do I have to pay the Bay Restoration Fee?

Yes. Your existing sewer billing authority will add the Bay Restoration Fee to your sewer bill starting January 1, 2005. The Fee will be calculated at \$2.50 per month per household. If you receive a quarterly bill for one-household, the fee will be \$7.50 (for 3 months).

- As a residential apartment customer, I do not receive a bill for the “sewer” service. Do I have to pay the Bay Restoration Fee?

Not directly. Your sewer charges may already be included in your rent. The apartment Owner will be billed the Bay Restoration Fee on their sewer bill starting January 1, 2005. The apartment Owner may choose to recover the Bay Restoration Fee through a rent increase or other means in the future.

- As a residential individual-home customer, I receive a bill for the “water” service but have a septic tank. Do I have to pay the Bay Restoration Fee?

Yes. Your existing water billing authority will add the Bay Restoration “Septic” Fee to your the water bill starting January 1, 2005. The Fee will be calculated at \$2.50 per month per household. If you receive a quarterly bill for one household, the Fee will be \$7.50 (for 3 months). Note: If you are on a private well and septic system, the Septic Fee will not be effective until October 1, 2005.

- As a residential individual-home customer, I currently receive separate bills from separate utilities for the “water” and “sewer” service. Will I billed the Fee by both utilities?

No. Your existing sewer billing authority is responsible for collecting the Bay Restoration Fee starting January 1, 2005 (unless they decide to use the services of the water utility). The Bay Restoration Fee will be identified on the bill. The fee will be calculated at \$2.50 per month per household. If you receive a quarterly bill for one-household, the fee will be \$7.50 (for 3 months).

- As a residential customer, can I be exempted from paying the Bay Restoration Fee?

Yes. The law allows, subject to approval by the State, the billing authority may establish a program to exempt certain residential dwellings that demonstrate substantial financial hardship. You will need to contact you billing authority.

- As a residential dwelling, I am on a private well and septic system and do not receive any bill for water or sewer service. Do I have to pay the Bay Restoration Fee?

Yes. However, the fee collection is not effective until October 1, 2005. The County Government in which you reside is responsible for collecting the “Septic” Fee, which will be \$30 per year per septic or holding tank.

Bay Restoration Fee

Frequently Asked Questions

Non-Residential Water/Sewer Service Customers

- As a Non-residential customer, I receive a bill for the “sewer” service. Do I have to pay the Bay Restoration Fee?

Yes (unless you are a local government entity that is exempted by law). Your existing sewer billing authority will add the Bay Restoration Fee to your sewer bill starting January 1, 2005. The Fee will be calculated based on your sewage flow calculated in equivalent dwelling units (EDU). Your sewer billing authority will calculate the EDU based on your average daily flow (gallons) using 1 EDU = 250 gallons (or they can use an existing definition in effect as of January 1, 2004, where 1 EDU is less than or equal to 250 gallons). For example, if your average daily flow is 1,000 gallons, your Bay Restoration Fee would be based on 4 EDU (1,000/250). In this example, the fee would be $\$2.50 \times 4 = \10 per month.

Bay Restoration Fee Schedule:

First 3,000 EDU, the fee is calculated at \$2.50 per month per EDU

Next 2,000 EDU, the fee is calculated at \$1.25 per month per EDU

Maximum Fee for 5,000 EDU or more: \$10,000/month for any single user.

- As a Non-residential customer, I receive a bill for the “water” service but have a septic tank. Do I have to pay the Bay Restoration Fee?

Yes. Your existing water billing authority will add the Bay Restoration “Septic” Fee to your the water bill starting January 1, 2005. The Fee will be calculated @ \$2.50 per month for each septic system/holding tank. If you receive a quarterly bill, the Fee will be \$7.50 (for 3 months).

Bay Restoration Fee Frequently Asked Questions

Drinking Water (DW) & Sewerage/Wastewater (WW) Treatment Plant (TP) Owners

- What is the effective date for the Bay Restoration Fee billing for the WWTP customers/users?

The Bay Restoration Fee of \$2.50 per month per equivalent dwelling is effective January 1, 2005, for billing periods ending on or after January 1, 2005.

- As a WWTP Owner, do I have to bill the users the Bay Restoration Fee on a monthly basis?

No. The Bay Restoration Fee billing should be based on your existing water/sewer billing schedule. For example, if you bill a water/sewer customer quarterly, the Bay Restoration Fee should be billed quarterly. For a typical residential user, the quarterly Bay Restoration Fee would be \$7.50 (\$2.50/month for 3 months).

- As a WWTP Owner, do I have to identify the Bay Restoration Fee on the bills?

Yes. The water/sewer bills must identify the Fee as “Bay Restoration Fee” along with the corresponding dollar (\$) amount. Note: When funds are deposited with the State Comptroller, the source of fees will need to be identified as either from “WWTP Users” or “Septic Users” (where users receive drinking water service but are on septic tanks).

- As a DW/WWTP Owner, do I have to collect the Bay Restoration Fee from my drinking water users that are on septic tanks (i.e., users that do not receive sewer service bills)?

Yes. For users that receive water bills and are on septic tanks, you must add Bay Restoration “Septic” Fee on their water bills starting January 1, 2005, for billing periods ending on or after January 1, 2005. The Fee should be calculated at \$2.50 per month per household. If you send out quarterly bills, the Fee will be \$7.50 (for 3 months).

- As a WWTP Owner, do I have to maintain a separate account for the Bay Restoration Fees?

Yes. The law requires the billing authority or any authorized collecting agency shall establish a “segregated account” for the deposit of funds collected.

Bay Restoration Fee Frequently Asked Questions

Drinking Water (DW) & Sewerage/Wastewater (WW) Treatment Plant (TP) Owners (Continued)

- As a WWTP Owner, how do I bill non-residential users connected to my sewer system?

The Fee should be calculated at \$2.50 per month per equivalent dwelling unit (EDU). You can calculate the number of EDU based on average daily flow (gallons) using 1 EDU = 250 gallons (unless you have an existing definition as of 1/1/04, where 1 EDU is less than or equal to 250 gallons). For example, if the average daily flow is 10,000 gallons, the Bay Restoration Fee would be based on 40 EDU (10,000/250).

Bay Restoration Fee Schedule:

First 3,000 EDU, the fee is calculated at \$2.50 per month per EDU

Next 2,000 EDU, the fee is calculated at \$1.25 per month per EDU

Maximum Fee for 5,000 EDU or more: \$10,000/month for any single site

- As a WWTP Owner of a residential trailer park community, I do not bill the users for sewer service. Do I have to pay the Bay Restoration Fee?

Yes. As the Owner of a WWTP, you are responsible for depositing the Bay Restoration Fee to the State Comptroller. The fee can be based on:

- a. a new billing system that collects an equivalent of \$2.50 per month per household, or
- b. average daily WWTP flow converted to equivalent dwelling units (EDU). For example: If your average daily flow is 10,000 gallons, which is equivalent to 40 EDU (10,000/250); your Bay Restoration Fee is \$100 per month (40 x \$2.50).

- As a WWTP Owner, how do I measure average daily flow for non-residential users?

You can calculate the average daily sewerage flow based on either metered water or sewer usage. For example, if the drinking water usage for the prior billing period was 27,000 gallons and the billing period was 90 days (one quarter), the average daily flow can be calculated as $27,000/90 = 300$ gallons per day.

- As a Municipal WWTP Owner, I provide sewer service to County residents, but provide one bill to the County based on metered flow. The County in-turn bills its residents separately. Do I have to collect the Bay Restoration Fee for the County residents?

No. In the above example, the County is the primary billing authority for the County residents and is responsible for collecting the Bay Restoration Fee. The County may authorize the Municipality to collect the Fee on their behalf.

Bay Restoration Fee

Frequently Asked Questions

Drinking Water (DW) & Sewerage/Wastewater (WW) Treatment Plant (TP) Owners (Continued)

- As a Maryland WWTP Owner, I provide sewer service to Out-of-State users. Do I have to collect the Bay Restoration Fee from the Out-of-State users?

Yes. The fee is to be paid by any user of a wastewater facility that is located in the State. Out-of-State users should pay the surcharge to the billing authority as part of their sewer bill.

- As an Out-of-State WWTP Owner, I provide sewer service to Maryland Users. Do I have to collect the Bay Restoration Fee from the Maryland Users?

No. The Bay Restoration Fee will be collected by the Maryland entity that has the utility agreement with you (the out-of-state WWTP Owner) to provide sewer service to Maryland Users, provided your WWTP is eligible for funding under Bay Restoration Fund legislation.

- As a WWTP Owner, can I exempt users from paying the Bay Restoration Fee?

Yes. The law allows, subject to approval by the Maryland Department of the Environment, the billing authority may establish a program to exempt certain “residential” dwellings that demonstrate substantial financial hardship.

The law also exempts the following: County, Municipal Corporation, Bi-County or Multi-County Agency under Article 28 or 29 of the Code, Housing Authority under Article 44A of the Code, School Board, Community College, or any other Unit of the County or Municipal Corporation.

- As a WWTP Owner, when can I and/or my users be exempt from the Bay Restoration Fee?

You and/or your users are exempt from paying the Bay Restoration Fee if your WWTP facility has not received a Federal or State grant AND any of the following conditions are met:

A. The Department of the Environment has determined that the wastewater facility does not discharge nitrogen or phosphorus and is not required to monitor for nitrogen or phosphorus in its discharge permit.

B. The discharge permit requires monitoring for nitrogen or phosphorus and the prior-year annual average effluent quality as reported in the monitoring reports shows total nitrogen and phosphorus concentrations meet the definition of Enhanced Nutrient Removal (i.e., annual average nitrogen and phosphorus concentration of 3 mg/l and 0.3 mg/l respectively, unless the Maryland Department of the Environment has determined other levels are the lowest practicable for that Facility) or if discharging to groundwater the annual average nutrient concentrations in the wastewater prior to discharge to groundwater have not exceeded 3 mg/l total nitrogen and 0.3 mg/l total phosphorus, as demonstrated by analysis of the groundwater from monitoring wells located on the property and as reported in the discharge monitoring reports for the previous calendar year.

Bay Restoration Fee

Frequently Asked Questions

Drinking Water (DW) & Sewerage/Wastewater (WW) Treatment Plant (TP) Owners (Continued)

- As a WWTP Owner for a business, how do I calculate the Bay Restoration Fee?

The Fee should be calculated at \$2.50 per month per equivalent dwelling unit (EDU). You can calculate the number of EDU based on average daily flow (gallons) using 1 EDU = 250 gallons. For example, if the average daily flow is 10,000 gallons, the Bay Restoration Fee would be based on 40 EDU (10,000/250).

Bay Restoration Fee Schedule:

First 3,000 EDU, the fee is calculated at \$2.50 per month per EDU

Next 2,000 EDU, the fee is calculated at \$1.25 per month per EDU

Maximum Fee for 5,000 EDU or more: \$10,000/month for any single site

- As a WWTP Owner, how do I recover my expenses associated with the Bay Restoration Fee?

The Bay Restoration Fund legislation allows for the billing authority to use up to 5% of the fees collected for reasonable administrative expenses. The billing authority should keep records for the administrative expenses associated with the Bay Restoration Fee. The State Comptroller's Office will provide additional guidance.

- As a billing authority for the collection of the Bay Restoration Fee, when and to whom do I deposit the Fee?

The Bay Restoration Fee is due to the State Comptroller on or before the 20th day of the month that follows the calendar quarter in which the Fee was collected. Note: When funds are deposited with the State Comptroller, the source of fees will need to be identified as either from "WWTP Users" or "Septic Users" (where users receive drinking water service but are on septic tanks). The State Comptroller's Office will provide specific details to the billing authorities regarding depositing of the Bay Restoration Fee.

- As a billing authority for the collection of the Bay Restoration Fee, do I deposit the Fee to the State Comptroller on an accrual or cash basis?

It's your choice. You may deposit the Fee to the State Comptroller on either an "Accrual" basis (based on anticipated payments) or on a "Cash" basis (based on actual payments received).

Bay Restoration Fee

Frequently Asked Questions

Drinking Water (DW) & Sewerage/Wastewater (WW) Treatment Plant (TP) Owners (Continued)

- As a WWTP Owner for a business, when and to whom do I deposit the Fee?

For wastewater facilities without a billing authority, the State Comptroller may collect the Fee directly from the Owner. The State Comptroller's Office will provide WWTP Owners specific details regarding depositing of the Bay Restoration Fee.

- As a billing authority for the collection of the Bay Restoration Fee, how do I handle non-payment, late payment, or partial payment from my users?
- The billing entities may use their existing procedures and authority for collecting a water or sewer bill in enforcing the collection of the Bay Restoration Fee. The legislation also allows the State Comptroller to adopt regulations necessary to administer, collect and enforce the Restoration Fee. The State Comptroller's Office will provide additional guidance regarding non-payment or late payment of the Bay Restoration Fee. Partial payments should be deposited on a pro-rata basis.

Bay Restoration Fund

Frequently Asked Questions

Industrial Treatment Plant Owners

- As an Industrial discharger, when can I be exempt from the Bay Restoration Fee?

You are exempt from paying the Bay Restoration Fee:

1. Your facility has not received a Federal or State grant AND either of the following condition is met:

A. The Department of the Environment has determined that the wastewater facility does not discharge nitrogen or phosphorus and is not required to monitor for nitrogen or phosphorus in its discharge permit.

B. The discharge permit requires monitoring for nitrogen or phosphorus and the prior-year annual average effluent quality as reported in the monitoring reports shows total nitrogen and phosphorus concentrations meet the definition of Enhanced Nutrient Removal (i.e., annual average nitrogen and phosphorus concentration of 3 mg/l and 0.3 mg/l respectively, unless the Maryland Department of the Environment has determined other levels are the lowest practicable for that Facility).

2. Your facility discharges noncontact cooling water or water from dewatering operations or reclaimed wastewater from a facility whose users pay into the fund, and your discharge does not result in a net increase in loading of nutrients (nitrogen or phosphorus) compared to the intake water.

- My discharge permit requires monitoring for nitrogen or phosphorus and the effluent quality exceeds the 3 mg/l nitrogen or 0.3 mg/l phosphorus, how do I calculate the Bay Restoration Fee?

The Fee should be calculated at \$2.50 per month per equivalent dwelling unit (EDU). The number of EDU can be calculated based on average daily flow (gallons) divided by 250. For example, if the average daily flow is 1,000,000 gallons, the Bay Restoration Fee would be based on 4,000 EDU (1,000,000/250). The Fee would be \$8,750 per month (3,000 EDU @ \$2.50 + 1,000 EDU @ \$1.25).

Bay Restoration Fee Schedule:

First 3,000 EDU, the fee is calculated at \$2.50 per month per EDU

Next 2,000 EDU, the fee is calculated at \$1.25 per month per EDU

Maximum Fee for 5,000 EDU or more: \$10,000/month for any single site.

- As an Industrial discharger who is subject to the Bay Restoration Fee, when and to whom do I deposit the Fee?

For industrial dischargers (wastewater facilities without a billing authority), the State Comptroller may collect the Fee directly from the Owner. The State Comptroller's Office will provide specific details regarding the depositing of Bay Restoration Fee.

Bay Restoration Fee Frequently Asked Questions

Septic System Owners & County Governments

- What is the effective date for the Bay Restoration Fee billing for Owners of the Septic Systems or Holding Tanks?

The Bay Restoration “Septic” Fee of \$30 per year per Septic System or Holding Tank is effective October 1, 2005 for customers that do not receive a water service bill. If you receive a water bill, the Fee of \$2.50 per month is effective January 1, 2005, and will be included with your water bill.

- Who will collect the Septic/Holding Tank Fee?

The County Government in which your Septic System/Holding Tank is located is responsible for the collection of the Bay Restoration “Septic” Fee, unless you receive a bill for water service.

- What is the method and frequency of collection of the Bay Restoration “Septic” Fee?

The law allows the governing body of each County, in consultation with the Bay Restoration Fund Advisory Committee, to determine the method and frequency of collection for fees from septic system/holding tank owners that do not receive a water bill. The County government will provide the details at a future date.