

Maryland Bay Restoration Fund (aka The Flush Tax)

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The Maryland Bay Restoration Fund was established in State legislation in 2004. Immediately dubbed “the flush tax” in the press, the law established two separate users’ fees and directed that the revenue from each be placed in two separate dedicated funds. The first, paid by the users of wastewater treatment plants, is \$2.50 per month, which is dedicated for the upgrading of wastewater treatment plants to remove nitrogen and phosphorus from their discharges to State waters. The second, paid by users of onsite sewage disposal systems (septic systems), is \$30 per year, which is dedicated 60% for upgrading onsite sewage disposal systems to remove nitrogen and 40% for planting cover crops on agricultural fields to prevent nitrogen from leeching into the groundwater.

Since 2004, the Fund has received over \$431 million that has been invested in upgrading the State’s major wastewater treatment plants (\$352 million), upgrading onsite sewage disposal systems (\$42 million) and planting cover crops on Maryland’s farms (\$37 million).

Maryland’s 67 major wastewater treatment plants produce 95% of the treated sewage discharged in the State. Twenty two plants have been upgraded and are in operation. Another 17 facilities are under construction, 14 are in design and the remaining 14 are in planning. When completed in 2017 the upgrades will result in an additional 8 million pounds per year nitrogen loading reduction to Chesapeake Bay, which is over 1/3 of the nutrient reduction needed to achieve Bay water quality goals. Over 3,000 septic systems have been upgraded to cut nitrogen loading by 36,000 pounds per year and in 2011, over 400,000 acres of cropland were planted in cover crops, reducing another 2.4 million pounds per year.

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