all basins in the United States. All such plans shall be completed not later than January 1, 1980, except that priority in the preparation of such plans shall be given to those basins and portions thereof which are within those areas designated under paragraphs (2), (3), and (4) of subsection (a) of section 1288 of this title.

(b) Reporting requirements

The President, acting through the Water Resources Council, shall report annually to Congress on progress being made in carrying out this section. The first such report shall be submitted not later than January 31, 1973.

(c) Authorization of appropriations

There is authorized to be appropriated to carry out this section not to exceed $200,000,000.

§ 1290. Annual survey

The Administrator shall annually make a survey to determine the efficiency of the operation and maintenance of treatment works constructed with grants made under this chapter, as compared to the efficiency planned at the time the grant was made. The results of such annual survey shall be included in the report required under section 1375(a) of this title.

(b) Use of population density as test

If the Administrator uses population density as a test for determining the eligibility of a collector sewer for assistance it shall be only for the purpose of evaluating alternatives and determining the needs for such system in relation to ground or surface water quality impact.

(c) Pollutant discharges from separate storm sewer systems

No grant shall be made under this subchapter from funds authorized for any fiscal year during the period beginning October 1, 1977, and ending September 30, 1990, for treatment works for control of pollutant discharges from separate storm sewer systems.

§ 1292. Definitions

As used in this subchapter—

(1) The term ‘‘construction’’ means any one or more of the following: preliminary planning to determine the feasibility of treatment works, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, field testing of innovative or alternative waste water treatment processes and techniques meeting guidelines promulgated under section 1314(d)(3) of this title, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, or the inspection or supervision of any of the foregoing items.

(2)(A) The term ‘‘treatment works’’ means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 1281 of this title, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process (including land used for the storage of treated wastewater in land treatment systems.
prior to land application) or is used for ultimate
disposal of residues resulting from such
treatment.

(B) In addition to the definition contained in
paragraph (A) of this paragraph, “treatment
works” means any other method or system for
preventing, abating, reducing, storing, treating,
separating, or disposing of municipal waste, in-
cluding storm water runoff, or industrial waste,
including waste in combined storm water and
sanitary sewer systems. Any application for
construction grants which includes wholly or in
part such methods or systems shall, in accord-
ance with guidelines published by the Adminis-
trator pursuant to subparagraph (C) of this para-
graph, contain adequate data and analysis dem-
onstrating such proposal to be, over the life of
such works, the most cost efficient alternative
to comply with sections 1311 or 1312 of this title,
or the requirements of section 1281 of this title.

(C) For the purposes of subparagraph (B) of
this paragraph, the Administrator shall, within
one hundred and eighty days after October 18,
1972, publish and thereafter revise no less often
than annually, guidelines for the evaluation of
methods, including cost-effective analysis, de-
scribed in subparagraph (B) of this paragraph.

(3) The term “replacement” as used in this
subchapter means those expenditures for obtain-
ing and installing equipment, accessories, or ap-
purtenances during the useful life of the treat-
ment works necessary to maintain the capacity
and performance for which such works are
designed and constructed.

(June 30, 1948, ch. 758, title II, §212, as added
Stat. 1626.)

AMENDMENTS

1981—Par. (1). Pub. L. 97–117 inserted “field testing of
innovative or alternative waste water treatment proc-
esses and techniques meeting guidelines promul-
gated under section 131(a)(3) of this title,” after “proce-
dures.”

land used for the storage of treated wastewater in land
adjustment systems prior to land application)” after “‘integral part of the treatment process’”.

§1293a. Loan guarantees

(a) State or local obligations issued exclusively
to Federal Financing Bank for publicly
owned treatment works; determination of eli-
gibility of project by Administrator

Subject to the conditions of this section and
to such terms and conditions as the Adminis-
trator determines to be necessary to carry out
the purposes of this subchapter, the Adminis-
trator is authorized to guarantee, and to make
commitments to guarantee, the principal and
interest (including interest accruing between
the date of default and the date of the payment
in full of the guarantee) of any loan, obligation,
or participation therein of any State, municipal-
ity, or intermunicipal or interstate agency is-
suued directly and exclusively to the Federal Fi-
nancing Bank to finance that part of the cost of
any grant-eligible project for the construction
of publicly owned treatment works not paid for
with Federal financial assistance under this sub-
chapter (other than this section), which project
the Administrator has determined to be eligible
for such financial assistance under this sub-
chapter, including, but not limited to, projects
eligible for reimbursement under section 1286 of
this title.

(b) Conditions for issuance

No guarantee, or commitment to make a guar-
antee, may be made pursuant to this section—
(1) unless the Administrator certifies that
the issuing body is unable to obtain on reason-
table terms sufficient credit to finance its ac-
tual needs without such guarantee; and

(2) unless the Administrator determines that
there is a reasonable assurance of repayment
of the loan, obligation, or participation there-
in.

A determination of whether financing is avail-
able at reasonable rates shall be made by the
Secretary of the Treasury with relationship to
the current average yield on outstanding mar-
ketable obligations of municipalities of com-
parable maturity.

(c) Fees for application investigation and issu-
ance of commitment guarantee

The Administrator is authorized to charge
reasonable fees for the investigation of an appli-
cation for a guarantee and for the issuance of a
commitment to make a guarantee.

(d) Commitment for repayment

The Administrator, in determining whether
there is a reasonable assurance of repayment,
may require a commitment which would apply
to such repayment. Such commitment may in-
clude, but not be limited to, any funds received
by such grantee from the amounts appropriated
under section 1286 of this title.

(June 30, 1948, ch. 758, title II, §213, as added
Pub. L. 94–558, Oct. 19, 1976, 90 Stat. 2639; amend-
2361.)

AMENDMENTS

1980—Subsec. (d). Pub. L. 96–483 struck out “(1) all or
any portion of the funds retained by such grantee under
section 1284(b)(3) of this title, and (2)” after “limited to”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–483 effective Dec. 27, 1977,
see section 2(g) of Pub. L. 96–483, set out as a note under
section 1291 of this title.

§1293a. Contained spoil disposal facilities

(a) Construction, operation, and maintenance;
period; conditions; requirements

The Secretary of the Army, acting through
the Chief of Engineers, is authorized to con-
struct, operate, and maintain, subject to the
provisions of subsection (c) of this section, con-
ained spoil disposal facilities of sufficient ca-
cacity for a period not to exceed ten years, to
meet the requirements of this section. Before es-
ablishing each such facility, the Secretary of
the Army shall obtain the concurrence of appro-
priate local governments and shall consider the
views and recommendations of the Adminis-