

**§ 1289. Basin planning****(a) Preparation of Level B plans**

The President, acting through the Water Resources Council, shall, as soon as practicable, prepare a Level B plan under the Water Resources Planning Act [42 U.S.C. 1962 et seq.] for 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. (June 30, 1948, ch. 758, title II, §209, as added Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 843.)

**Editorial Notes**

## REFERENCES IN TEXT

The Water Resources Planning Act, referred to in subsec. (a), is Pub. L. 89-80, July 22, 1965, 79 Stat. 244, which is classified generally to chapter 19B (§1962 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1962 of Title 42 and Tables.

**§ 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.

(June 30, 1948, ch. 758, title II, §210, as added Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 843; amended Pub. L. 105-362, title V, §501(d)(2)(D), Nov. 10, 1998, 112 Stat. 3284; Pub. L. 107-303, title III, §302(b)(1), Nov. 27, 2002, 116 Stat. 2361.)

**Editorial Notes**

## AMENDMENTS

2002—Pub. L. 107-303 repealed Pub. L. 105-362, §501(d)(2)(D). See 1998 Amendment note below.

1998—Pub. L. 105-362, §501(d)(2)(D), which directed the substitution of “shall be reported to Congress not later than 90 days after the date of convening of each session of Congress” for “shall be included in the report required under section 1375(a) of this title”, was repealed by Pub. L. 107-303. See Effective Date of 2002 Amendment note below.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-303 effective Nov. 10, 1998, and Federal Water Pollution Act (33 U.S.C. 1251 et seq.) to be applied and administered on and after Nov. 27,

2002, as if amendments made by section 501(a)-(d) of Pub. L. 105-362 had not been enacted, see section 302(b) of Pub. L. 107-303, set out as a note under section 1254 of this title.

**§ 1291. Sewage collection systems****(a) Existing and new systems**

No grant shall be made for a sewage collection system under this subchapter unless such grant (1) is for replacement or major rehabilitation of an existing collection system and is necessary to the total integrity and performance of the waste treatment works servicing such community, or (2) is for a new collection system in an existing community with sufficient existing or planned capacity adequately to treat such collected sewage and is consistent with section 1281 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.

(June 30, 1948, ch. 758, title II, §211, as added Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 843; amended Pub. L. 95-217, §36, Dec. 27, 1977, 91 Stat. 1581; Pub. L. 97-117, §2(b), Dec. 29, 1981, 95 Stat. 1623; Pub. L. 100-4, title II, §206(d), Feb. 4, 1987, 101 Stat. 20.)

**Editorial Notes**

## AMENDMENTS

1987—Subsec. (c). Pub. L. 100-4 substituted “1990” for “1985”.

1981—Subsec. (c). Pub. L. 97-117 substituted “September 30, 1985” for “September 30, 1982”.

1977—Pub. L. 95-217 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

**§ 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