

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.)

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 subssecs. (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 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 stand-by treatment units and clear well facilities; and 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 applica-

tion) or will be used for ultimate disposal of residues resulting from such treatment and acquisition of other land, and interests in land, that are necessary for construction.

(B) In addition to the definition contained in subparagraph (A) of this paragraph, “treatment works” means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including 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 accordance with guidelines published by the Administrator pursuant to subparagraph (C) of this paragraph, contain adequate data and analysis demonstrating 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, described in subparagraph (B) of this paragraph.

(3) The term “replacement” as used in this subchapter means those expenditures for obtaining and installing equipment, accessories, or appurtenances during the useful life of the treatment 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 Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 844; amended Pub. L. 95-217, §37, Dec. 27, 1977, 91 Stat. 1581; Pub. L. 97-117, §8(d), Dec. 29, 1981, 95 Stat. 1626; Pub. L. 113-121, title V, §5012(a), June 10, 2014, 128 Stat. 1328.)

AMENDMENTS

2014—Par. (2)(A). Pub. L. 113-121 struck out “any works, including site” before “acquisition of the land”, substituted “will be used for ultimate” for “is used for ultimate”, and inserted “and acquisition of other land, and interests in land, that are necessary for construction” before period at end.

1981—Par. (1). Pub. L. 97-117 inserted “field testing of innovative or alternative waste water treatment processes and techniques meeting guidelines promulgated under section 1314(d)(3) of this title,” after “procedures.”

1977—Par. (2)(A). Pub. L. 95-217 inserted “(including land used for the storage of treated wastewater in land treatment systems prior to land application)” after “integral part of the treatment process”.

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-121, title V, §5012(c), June 10, 2014, 128 Stat. 1328, provided that: “The amendments made by this section [amending this section and section 1362 of this title] shall take effect on October 1, 2014.”

§ 1293. Loan guarantees

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

Subject to the conditions of this section and to such terms and conditions as the Adminis-