

“(a) IN GENERAL.—The Secretary, in cooperation with the Administrator of the Environmental Protection Agency, is authorized to provide design and construction assistance to the Santa Clara Valley Water District in San Jose, California, and to the city of San Jose, California, for demonstrating and field testing public use innovative processes which advance the technology of waste water reuse and treatment and which promote the use of treated waste water for critical water supply purposes and for the protection of fish and wildlife in the San Francisco Bay. All design, construction, and comprehensive health effects studies shall be carried out by non-Federal interests.

“(b) PURPOSES OF ASSISTANCE.—Assistance may be provided under this section—

“(1) for the design and construction of an innovative nonpotable waste water reuse treatment facility with distribution systems;

“(2) for the design and construction of an innovative potable waste water reuse pilot plant;

“(3) for implementation of a comprehensive health effects study of the performance of the potable waste water reuse pilot plant; and

“(4) after the pilot plant is constructed and is operational, for the design and construction of a potable waste water reuse project, along with integration of the additional potable processes into the existing nonpotable facilities, and the extension of the distribution systems to groundwater recharge areas, if the Secretary, in cooperation with the Administrator of the Environmental Protection Agency, determines that the established public health requirements and water quality goals and objectives are being met by the pilot plant, the public health and safety is not at risk as a result of the operation of the pilot plant, and the pilot plant is operating reliably.

“(c) COST SHARING.—Total project costs under this section shall be shared at 75 percent Federal and 25 percent non-Federal. The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs, but not to exceed 25 percent of total project costs. Operation and maintenance cost shall be 100 percent non-Federal.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000. Such sums shall remain available until expended.”

§ 390h-6. Phoenix metropolitan water reclamation study and program

(a) General authority

The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural and environmental purposes, groundwater recharge and indirect potable reuse in the Phoenix metropolitan area.

(b) Federal share

The Federal share of the costs associated with the project described in subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for operation or maintenance of the project.

(Pub. L. 102-575, title XVI, § 1608, Oct. 30, 1992, 106 Stat. 4666; Pub. L. 103-437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594; Pub. L. 106-53, title V, § 596, Aug. 17, 1999, 113 Stat. 384.)

Editorial Notes

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-53, § 596(1), added subsec. (a) and struck out former subsec. (a) which read as fol-

lows: “The Secretary, in cooperation with the city of Phoenix, Arizona, shall conduct a feasibility study of the potential for development of facilities to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge and direct potable reuse in the Phoenix metropolitan area, and in cooperation with the city of Phoenix design and construct facilities for environmental purposes, ground water recharge and direct potable reuse.”

Subsec. (b). Pub. L. 106-53, § 596(2), struck out first sentence which read as follows: “The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.”

Subsec. (c). Pub. L. 106-53, § 596(3), struck out subsec. (c) which read as follows: “The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than two years after appropriation of funds authorized by sections 390h to 390h-15 of this title.”

1994—Subsec. (c). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

§ 390h-7. Tucson area water reclamation study

(a) General authority

The Secretary, in cooperation with the State of Arizona and appropriate local and regional entities, shall conduct a feasibility study of comprehensive water reclamation and reuse system for Southern Arizona. For the purpose of this section, the term “Southern Arizona” means those portions of the counties of Pima, Santa Cruz, and Pinal within the Tucson Active Management Hydrologic Area as defined by the Arizona Department of Water Resources.

(b) Federal share

The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.

(c) Report

The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than four years after appropriation of funds authorized by sections 390h to 390h-39 of this title.

(Pub. L. 102-575, title XVI, § 1609, Oct. 30, 1992, 106 Stat. 4666; Pub. L. 103-437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594.)

Editorial Notes

AMENDMENTS

1994—Subsec. (c). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

§ 390h-8. Lake Cheraw water reclamation and reuse study

(a) General authority

The Secretary is authorized, in cooperation with the State of Colorado and appropriate local and regional entities, to conduct a study to assess and develop means of reclaiming the waters of Lake Cheraw, Colorado, or otherwise ameliorating, controlling and mitigating potential

negative impacts of pollution in the waters of Lake Cheraw on groundwater resources or the waters of the Arkansas River.

(b) Federal share

The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.

(c) Report

The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than two years after appropriation of funds authorized by sections 390h to 390h-39 of this title.

(Pub. L. 102-575, title XVI, § 1610, Oct. 30, 1992, 106 Stat. 4667; Pub. L. 103-437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594.)

Editorial Notes

AMENDMENTS

1994—Subsec. (c). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

§ 390h-9. San Francisco area water reclamation study

(a) General authority

The Secretary, in cooperation with the city and county of San Francisco, shall conduct a feasibility study of the potential for development of demonstration and permanent facilities to reclaim water in the San Francisco area for the purposes of export and reuse elsewhere in California.

(b) Federal share

The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.

(c) Report

The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than five years after appropriation of funds authorized by sections 390h to 390h-39 of this title.

(Pub. L. 102-575, title XVI, § 1611, Oct. 30, 1992, 106 Stat. 4667; Pub. L. 103-437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594; Pub. L. 104-266, § 6, Oct. 9, 1996, 110 Stat. 3296.)

Editorial Notes

AMENDMENTS

1996—Subsec. (c). Pub. L. 104-266 substituted “five” for “four”.

1994—Subsec. (c). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

§ 390h-10. San Diego area water reclamation program

(a) The Secretary, in cooperation with the city of San Diego, California¹ or its successor agency

¹ So in original. Probably should be followed by a comma.

in the management of the San Diego Area Wastewater Management District, shall participate in the planning, design and construction of demonstration and permanent facilities to reclaim and reuse water in the San Diego metropolitan service area.

(b) The Federal share of the costs of the facilities authorized by subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for the operation or maintenance of the project.

(Pub. L. 102-575, title XVI, § 1612, Oct. 30, 1992, 106 Stat. 4667.)

§ 390h-11. Los Angeles area water reclamation and reuse project

(a) The Secretary is authorized to participate with the city and county of Los Angeles, State of California, West Basin Municipal Water District, and other appropriate authorities, in the design, planning, and construction of water reclamation and reuse projects to treat approximately one hundred and twenty thousand acre-foot per year of effluent from the city and county of Los Angeles, in order to provide new water supplies for industrial, environmental, and other beneficial purposes, to reduce the demand for imported water, and to reduce sewage effluent discharged into Santa Monica Bay.

(b) The Secretary’s share of costs associated with the project described in subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for operation or maintenance of the project.

(Pub. L. 102-575, title XVI, § 1613, Oct. 30, 1992, 106 Stat. 4667.)

§ 390h-12. San Gabriel basin demonstration project

(a) The Secretary, in cooperation with the Metropolitan Water District of Southern California and the Main San Gabriel Water Quality Authority or a successor public agency, is authorized to participate in the design, planning and construction of a conjunctive-use facility designed to improve the water quality in the San Gabriel groundwater basin and allow the utilization of the basin as a water storage facility; *Provided*, That this authority shall not be construed to limit the authority of the United States under any other Federal statute to pursue remedial actions or recovery of costs for work performed pursuant to this subsection.

(b) The Secretary’s share of costs associated with the project described in subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for the operation or maintenance of the project.

(Pub. L. 102-575, title XVI, § 1614, Oct. 30, 1992, 106 Stat. 4668.)

§ 390h-12a. North San Diego County Area Water Recycling Project

(a) Authorization

The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the North San Diego County Area