

any penalty herein provided for in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

(Apr. 28, 1908, ch. 151, § 4, 35 Stat. 69; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; 1946 Reorg. Plan No. 3, §§ 101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097; Pub. L. 101–380, title IV, § 4302(k), Aug. 18, 1990, 104 Stat. 539.)

REFERENCES IN TEXT

The navigation laws, referred to in text, are classified generally to this title.

CODIFICATION

Section was not enacted as part of the Ports and Waterways Safety Act which comprises this chapter.

Section was formerly classified to section 457 of former Title 46, Shipping.

AMENDMENTS

1990—Subsecs. (b) to (d). Pub. L. 101–380 substituted “\$5,000” for “\$500” in subsecs. (b) and (c) and “\$2,500” for “\$250” in subsec. (d).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101–380, set out as an Effective Date note under section 2701 of this title.

TRANSFER OF FUNCTIONS

Coast Guard transferred to Department of Transportation, and all functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of other officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89–670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89–670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, were excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14.

“Commandant of the Coast Guard” substituted for “Secretary of Commerce” on authority of Reorg. Plan No. 3 of 1946, §§ 101–104, set out in the Appendix to Title 5.

Upon incorporation into the Code, the words “Secretary of Commerce” were substituted for “Secretary of Commerce and Labor” to conform to act Mar. 4, 1913, which provided that the Secretary of Commerce and Labor should be called the Secretary of Commerce.

CHAPTER 26—WATER POLLUTION PREVENTION AND CONTROL

SUBCHAPTER I—RESEARCH AND RELATED PROGRAMS

Sec.

1251. Congressional declaration of goals and policy.
- (a) Restoration and maintenance of chemical, physical and biological integrity of Nation's waters; national goals for achievement of objective.
 - (b) Congressional recognition, preservation, and protection of primary responsibilities and rights of States.

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- (c) Congressional policy toward Presidential activities with foreign countries.
 - (d) Administrator of Environmental Protection Agency to administer chapter.
 - (e) Public participation in development, revision, and enforcement of any regulation, etc.
 - (f) Procedures utilized for implementing chapter.
 - (g) Authority of States over water.
1252. Comprehensive programs for water pollution control.
- (a) Preparation and development.
 - (b) Planning for reservoirs; storage for regulation of streamflow.
 - (c) Basins; grants to State agencies.
- 1252a. Reservoir projects, water storage; modification; storage for other than for water quality, opinion of Federal agency, committee resolutions of approval; provisions inapplicable to projects with certain prescribed water quality benefits in relation to total project benefits.
1253. Interstate cooperation and uniform laws.
1254. Research, investigations, training, and information.
- (a) Establishment of national programs; cooperation; investigations; water quality surveillance system; reports.
 - (b) Authorized activities of Administrator.
 - (c) Research and studies on harmful effects of pollutants; cooperation with Secretary of Health and Human Services.
 - (d) Sewage treatment; identification and measurement of effects of pollutants; augmented streamflow.
 - (e) Field laboratory and research facilities.
 - (f) Great Lakes water quality research.
 - (g) Treatment works pilot training programs; employment needs forecasting; training projects and grants; research fellowships; technical training; report to the President and transmittal to Congress.
 - (h) Lake pollution.
 - (i) Oil pollution control studies.
 - (j) Solid waste disposal equipment for vessels.
 - (k) Land acquisition.
 - (l) Collection and dissemination of scientific knowledge on effects and control of pesticides in water.
 - (m) Waste oil disposal study.
 - (n) Comprehensive studies of effects of pollution on estuaries and estuarine zones.
 - (o) Methods of reducing total flow of sewage and unnecessary water consumption; reports.
 - (p) Agricultural pollution.
 - (q) Sewage in rural areas; national clearinghouse for alternative treatment information; clearinghouse on small flows.
 - (r) Research grants to colleges and universities.
 - (s) River Study Centers.
 - (t) Thermal discharges.
 - (u) Authorization of appropriations.
- 1254a. Research on effects of pollutants.
1255. Grants for research and development.
- (a) Demonstration projects covering storm waters, advanced waste treatment and water purification methods, and joint treatment systems for municipal and industrial wastes.

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| Sec. | <ul style="list-style-type: none"> (b) Demonstration projects for advanced treatment and environmental enhancement techniques to control pollution in river basins. (c) Research and demonstration projects for prevention of water pollution by industry. (d) Accelerated and priority development of waste management and waste treatment methods and identification and measurement methods. (e) Research and demonstration projects covering agricultural pollution and pollution from sewage in rural areas; dissemination of information. (f) Limitations. (g) Maximum grants. (h) Authorization of appropriations. (i) Assistance for research and demonstration projects. (j) Assistance for recycle, reuse, and land treatment projects. | Sec. | <ul style="list-style-type: none"> (c) Administrative expenses. (d) Consultation with State of Alaska. (e) Authorization of appropriations. |
| 1256. | <ul style="list-style-type: none"> Grants for pollution control programs. <ul style="list-style-type: none"> (a) Authorization of appropriations for State and interstate programs. (b) Allotments. (c) Maximum annual payments. (d) Limitations. (e) Grants prohibited to States not establishing water quality monitoring procedures or adequate emergency and contingency plans. (f) Conditions. (g) Reallotment of unpaid allotments. | 1264. | Omitted. |
| 1257. | <ul style="list-style-type: none"> Mine water pollution control demonstrations. <ul style="list-style-type: none"> (a) Comprehensive approaches to elimination or control of mine water pollution. (b) Consistency of projects with objectives of Appalachian Regional Development Act of 1965. (c) Watershed selection. (d) Conditions upon Federal participation. (e) Authorization of appropriations. | 1265. | In-place toxic pollutants. |
| 1257a. | <ul style="list-style-type: none"> State demonstration programs for cleanup of abandoned mines for use as waste disposal sites; authorization of appropriations. | 1266. | Hudson River reclamation demonstration project. |
| 1258. | <ul style="list-style-type: none"> Pollution control in the Great Lakes. <ul style="list-style-type: none"> (a) Demonstration projects. (b) Conditions of Federal participation. (c) Authorization of appropriations. (d) Lake Erie demonstration program. (e) Authorization of appropriations for Lake Erie demonstration program. | 1267. | <ul style="list-style-type: none"> Chesapeake Bay. <ul style="list-style-type: none"> (a) Office. (b) Interstate development plan grants. (c) Reports. (d) Authorization of appropriations. |
| 1259. | Training grants and contracts. | 1268. | Great Lakes. <ul style="list-style-type: none"> (a) Findings, purpose, and definitions. (b) Great Lakes National Program Office. (c) Great Lakes management. (d) Great Lakes research. (e) Research and management coordination. (f) Interagency cooperation. (g) Relationship to existing Federal and State laws and international treaties. (h) Authorizations of Great Lakes appropriations. |
| 1260. | Applications; allocation. | 1269. | Long Island Sound. <ul style="list-style-type: none"> (a) Office of Management Conference of the Long Island Sound Study. (b) Administration and staffing of Office. (c) Duties of Office. (d) Grants. (e) Authorizations. |
| 1261. | Scholarships. | 1270. | Lake Champlain Management Conference. <ul style="list-style-type: none"> (a) Establishment. (b) Membership. (c) Technical Advisory Committee. (d) Research program. (e) Pollution prevention, control, and restoration plan. (f) Grant assistance. (g) "Lake Champlain drainage basin" defined. (h) Statutory interpretation. (i) Authorization. |
| 1262. | Definitions and authorizations. | 1271. | Sediment survey and monitoring. <ul style="list-style-type: none"> (a) Survey. (b) Monitoring. |
| 1263. | Alaska village demonstration projects. <ul style="list-style-type: none"> (a) Central community facilities for safe water; elimination or control of pollution. (b) Utilization of personnel and facilities of Department of Health and Human Services. (c) Omitted. (d) Authorization of appropriations. (e) Study to develop comprehensive program for achieving sanitation services; report to Congress. (f) Technical, financial, and management assistance. (g) "Village" and "sanitation services" defined. | 1272. | Environmental dredging. <ul style="list-style-type: none"> (a) Operation and maintenance of navigation projects. (b) Nonproject specific. (c) Joint plan requirement. (d) Disposal costs. (e) Limitation on statutory construction. (f) Priority work. |
| 1263a. | Grants to Alaska to improve sanitation in rural and Native villages. <ul style="list-style-type: none"> (a) In general. (b) Federal share. | SUBCHAPTER II—GRANTS FOR CONSTRUCTION OF TREATMENT WORKS | |
| | | 1281. | Congressional declaration of purpose. <ul style="list-style-type: none"> (a) Development and implementation of waste treatment management plans and practices. (b) Application of technology: confined disposal of pollutants; consideration of advanced techniques. (c) Waste treatment management area and scope. (d) Waste treatment management construction of revenue producing facilities. (e) Waste treatment management integration of facilities. (f) Waste treatment management "open space" and recreational considerations. (g) Grants to construct publicly owned treatment works. (h) Grants to construct privately owned treatment works. |

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| Sec. | <ul style="list-style-type: none"> (i) Waste treatment management methods, processes, and techniques to reduce energy requirements. (j) Grants for treatment works utilizing processes and techniques of guidelines under section 1314(d)(3) of this title. (k) Limitation on use of grants for publicly owned treatment works. (l) Grants for facility plans, or plans, specifications, and estimates for proposed project for construction of treatment works; limitations, allotments, advances, etc. (m) Grants for State of California projects. (n) Water quality problems; funds, scope, etc. (o) Capital financing plan. (p) Time limit on resolving certain disputes. | Sec. | <ul style="list-style-type: none"> (i) Set-aside for innovative and alternative projects. (j) Water quality management plan; reservation of funds for nonpoint source management. (k) New York City Convention Center. (l) Marine estuary reservation. (m) Discretionary deposits into State water pollution control revolving funds. |
| 1281a. | Total treatment system funding. | 1286. | Reimbursement and advanced construction. |
| 1281b. | Availability of Farmers Home Administration funds for non-Federal share. | 1287. | (a) Publicly owned treatment works construction initiated after June 30, 1966, but before July 1, 1973; reimbursement formula. |
| 1282. | Federal share. | 1288. | (b) Publicly owned treatment works construction initiated between June 30, 1956, and June 30, 1966; reimbursement formula. |
| | (a) Amount of grants for treatment works. | | (c) Application for reimbursement. |
| | (b) Amount of grants for construction of treatment works not commenced prior to July 1, 1971. | | (d) Allocation of funds. |
| | (c) Availability of sums allotted to Puerto Rico. | | (e) Authorization of appropriations. |
| 1283. | Plans, specifications, estimates, and payments. | | (f) Additional funds. |
| | (a) Submission; contractual nature of approval by Administrator; agreement on eligible costs; single grant. | 1287. | Authorization of appropriations. |
| | (b) Periodic payments. | 1288. | Areawide waste treatment management. |
| | (c) Final payments. | | (a) Identification and designation of areas having substantial water quality control problems. |
| | (d) Projects eligible. | | (b) Planning process. |
| | (e) Technical and legal assistance in administration and enforcement of contracts; intervention in civil actions. | | (c) Regional operating agencies. |
| | (f) Design/build projects. | | (d) Conformity of works with area plan. |
| 1284. | Limitations and conditions. | | (e) Permits not to conflict with approved plans. |
| | (a) Determinations by Administrator. | | (f) Grants. |
| | (b) Additional determinations; issuance of guidelines; approval by Administrator; system of charges. | 1289. | (g) Technical assistance by Administrator. |
| | (c) Applicability of reserve capacity restrictions to primary, secondary, or advanced waste treatment facilities or related interceptors. | | (h) Technical assistance by Secretary of the Army. |
| | (d) Engineering requirements; certification by owner and operator; contractual assurances, etc. | | (i) State best management practices program. |
| 1285. | Allotment of grant funds. | 1290. | (j) Agricultural cost sharing. |
| | (a) Funds for fiscal years during period June 30, 1972, and September 30, 1977; determination of amount. | 1291. | Basin planning. |
| | (b) Availability and use of funds allotted for fiscal years during period June 30, 1972, and September 30, 1977; reallotment. | | (a) Preparation of Level B plans. |
| | (c) Funds for fiscal years during period October 1, 1977, and September 30, 1981; funds for fiscal years 1982 to 1990; determination of amount. | 1292. | (b) Reporting requirements. |
| | (d) Availability and use of funds; reallotment. | 1293. | (c) Authorization of appropriations. |
| | (e) Minimum allotment; additional appropriations; ratio of amount available. | | 1290. |
| | (f) Omitted. | | Annual survey. |
| | (g) Reservation of funds; State management assistance. | 1291. | Sewage collection systems. |
| | (h) Alternate systems for small communities. | | (a) Existing and new systems. |
| | | | (b) Use of population density as test. |
| | | | (c) Pollutant discharges from separate storm sewer systems. |
| | | 1292. | Definitions. |
| | | 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. |
| | | | (b) Conditions for issuance. |
| | | | (c) Fees for application investigation and issuance of commitment guarantee. |
| | | | (d) Commitment for repayment. |
| | | 1293a. | Contained spoil disposal facilities. |
| | | | (a) Construction, operation, and maintenance; period; conditions; requirements. |
| | | | (b) Time for establishment; consideration of area needs; requirements. |
| | | | (c) Written agreement requirement; terms of agreement. |
| | | | (d) Waiver of construction costs contribution from non-Federal interests; findings of participation in waste treatment facilities for general geographical area and compliance with water quality standards; waiver of payments in event of written agreement before occurrence of findings. |

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| | (e) Federal payment of costs for disposal of dredged spoil from project. | | (e) Continuing planning process. |
| | (f) Title to lands, easements, and rights-of-way; retention by non-Federal interests; conveyance of facilities; agreement of transferee. | | (f) Earlier compliance. |
| | (g) Federal licenses or permits; charges; remission of charge. | | (g) Heat standards. |
| | (h) Provisions applicable to Great Lakes and their connecting channels. | | (h) Thermal water quality standards. |
| | (i) Research, study, and experimentation program relating to dredged spoil extended to navigable waters, etc.; cooperative program; scope of program; utilization of facilities and personnel of Federal agency. | 1313a. | Revised water quality standards. |
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| | (k) Study and monitoring program. | | (a) Criteria development and publication. |
| 1294. | Public information and education on recycling and reuse of wastewater, use of land treatment, and reduction of wastewater volume. | | (b) Effluent limitation guidelines. |
| 1295. | Requirements for American materials. | | (c) Pollution discharge elimination procedures. |
| 1296. | Determination of priority of projects. | | (d) Secondary treatment information; alternative waste treatment management techniques; innovative and alternative wastewater treatment processes; facilities deemed equivalent of secondary treatment. |
| 1297. | Guidelines for cost-effectiveness analysis. | | (e) Best management practices for industry. |
| 1298. | Cost effectiveness. | | (f) Identification and evaluation of nonpoint sources of pollution; processes, procedures, and methods to control pollution. |
| | (a) Congressional statement of policy. | | (g) Guidelines for pretreatment of pollutants. |
| | (b) Determination by Administrator as prerequisite to approval of grant. | | (h) Test procedures guidelines. |
| | (c) Value engineering review. | | (i) Guidelines for monitoring, reporting, enforcement, funding, personnel, and manpower. |
| | (d) Projects affected. | | (j) Lake restoration guidance manual. |
| 1299. | State certification of projects. | | (k) Agreements with Secretaries of Agriculture, Army, and the Interior to provide maximum utilization of programs to achieve and maintain water quality; transfer of funds; authorization of appropriations. |
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| 1311. | Effluent limitations. | | (m) Schedule for review of guidelines. |
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| | (c) Modification of timetable. | | (a) Definitions. |
| | (d) Review and revision of effluent limitations. | | (b) Categories of sources; Federal standards of performance for new sources. |
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| | (f) Illegality of discharge of radiological, chemical, or biological warfare agents, high-level radioactive waste, or medical waste. | | (d) Protection from more stringent standards. |
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| | (h) Modification of secondary treatment requirements. | 1317. | Toxic and pretreatment effluent standards. |
| | (i) Municipal time extensions. | | (a) Toxic pollutant list; revision; hearing; promulgation of standards; effective date; consultation. |
| | (j) Modification procedures. | | (b) Pretreatment standards; hearing; promulgation; compliance period; revision; application to State and local laws. |
| | (k) Innovative technology. | | (c) New sources of pollutants into publicly owned treatment works. |
| | (l) Toxic pollutants. | | (d) Operation in violation of standards unlawful. |
| | (m) Modification of effluent limitation requirements for point sources. | | (e) Compliance date extension for innovative pretreatment systems. |
| | (n) Fundamentally different factors. | 1318. | Records and reports; inspections. |
| | (o) Application fees. | | (a) Maintenance; monitoring equipment; entry; access to information. |
| | (p) Modified permit for coal remining operations. | | (b) Availability to public; trade secrets exception; penalty for disclosure of confidential information. |
| 1312. | Water quality related effluent limitations. | | (c) Application of State law. |
| | (a) Establishment. | | (d) Access by Congress. |
| | (b) Modifications of effluent limitations. | 1319. | Enforcement. |
| | (c) Delay in application of other limitations. | | (a) State enforcement; compliance orders. |
| 1313. | Water quality standards and implementation plans. | | (b) Civil actions. |
| | (a) Existing water quality standards. | | (c) Criminal penalties. |
| | (b) Proposed regulations. | | |
| | (c) Review; revised standards; publication. | | |
| | (d) Identification of areas with insufficient controls; maximum daily load; certain effluent limitations revision. | | |

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| <p>Sec.</p> <p>(d) Civil penalties; factors considered in determining amount.</p> <p>(e) State liability for judgments and expenses.</p> <p>(f) Wrongful introduction of pollutant into treatment works.</p> <p>(g) Administrative penalties.</p> <p>1320. International pollution abatement.</p> <p>(a) Hearing; participation by foreign nations.</p> <p>(b) Functions and responsibilities of Administrator not affected.</p> <p>(c) Hearing board; composition; findings of fact; recommendations; implementation of board's decision.</p> <p>(d) Report by alleged polluter.</p> <p>(e) Compensation of board members.</p> <p>(f) Enforcement proceedings.</p> <p>1321. Oil and hazardous substance liability.</p> <p>(a) Definitions.</p> <p>(b) Congressional declaration of policy against discharges of oil or hazardous substances; designation of hazardous substances; study of higher standard of care incentives and report to Congress; liability; penalties; civil actions; penalty limitations, separate offenses, jurisdiction, mitigation of damages and costs, recovery of removal costs, alternative remedies, and withholding clearance of vessels.</p> <p>(c) Federal removal authority.</p> <p>(d) National Contingency Plan.</p> <p>(e) Civil enforcement.</p> <p>(f) Liability for actual costs of removal.</p> <p>(g) Third party liability.</p> <p>(h) Rights against third parties who caused or contributed to discharge.</p> <p>(i) Recovery of removal costs.</p> <p>(j) National Response System.</p> <p>(k) Repealed.</p> <p>(l) Administration.</p> <p>(m) Administrative provisions.</p> <p>(n) Jurisdiction.</p> <p>(o) Obligation for damages unaffected; local authority not preempted; existing Federal authority not modified or affected.</p> <p>(p) Repealed.</p> <p>(q) Establishment of maximum limit of liability with respect to onshore or offshore facilities.</p> <p>(r) Liability limitations not to limit liability under other legislation.</p> <p>(s) Oil Spill Liability Trust Fund.</p> <p>1322. 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Clean lakes.</p> <p>(a) Establishment and scope of program.</p> <p>(b) Financial assistance to States.</p> <p>(c) Maximum amount of grant; authorization of appropriations.</p> <p>(d) Demonstration program.</p> <p>1325. National Study Commission.</p> <p>(a) Establishment.</p> <p>(b) Membership; chairman.</p> <p>(c) Contract authority.</p> <p>(d) Cooperation of departments, agencies, and instrumentalities of executive branch.</p> <p>(e) Report to Congress.</p> <p>(f) Compensation and allowances.</p> <p>(g) Appointment of personnel.</p> <p>(h) Authorization of appropriation.</p> <p>1326. Thermal discharges.</p> <p>(a) Effluent limitations that will assure protection and propagation of balanced, indigenous population of shellfish, fish, and wildlife.</p> <p>(b) Cooling water intake structures.</p> <p>(c) Period of protection from more stringent effluent limitations following discharge point source modification commenced after October 18, 1972.</p> <p>1327. Omitted.</p> <p>1328. Aquaculture.</p> <p>(a) Authority to permit discharge of specific pollutants.</p> <p>(b) Procedures and guidelines.</p> <p>(c) State administration.</p> <p>1329. Nonpoint source management programs.</p> <p>(a) State assessment reports.</p> <p>(b) State management programs.</p> <p>(c) Administrative provisions.</p> <p>(d) Approval or disapproval of reports and management programs.</p> <p>(e) Local management programs; technical assistance.</p> <p>(f) Technical assistance for States.</p> <p>(g) Interstate management conference.</p> <p>(h) Grant program.</p> <p>(i) Grants for protecting groundwater quality.</p> <p>(j) Authorization of appropriations.</p> <p>(k) Consistency of other programs and projects with management programs.</p> <p>(l) Collection of information.</p> <p>(m) Set aside for administrative personnel.</p> <p>1330. National estuary program.</p> <p>(a) Management conference.</p> <p>(b) Purposes of conference.</p> <p>(c) Members of conference.</p> <p>(d) Utilization of existing data.</p> <p>(e) Period of conference.</p> <p>(f) Approval and implementation of plans.</p> <p>(g) Grants.</p> <p>(h) Grant reporting.</p> <p>(i) Authorization of appropriations.</p> <p>(j) Research.</p> <p>(k) Definitions.</p> <p>SUBCHAPTER IV—PERMITS AND LICENSES</p> <p>1341. Certification.</p> <p>(a) Compliance with applicable requirements; application; procedures; license suspension.</p> <p>(b) Compliance with other provisions of law setting applicable water quality requirements.</p> |
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| Sec. | <ul style="list-style-type: none"> (c) Authority of Secretary of the Army to permit use of spoil disposal areas by Federal licensees or permittees. (d) Limitations and monitoring requirements of certification. | Sec. | <ul style="list-style-type: none"> 1345. Disposal or use of sewage sludge. <ul style="list-style-type: none"> (a) Permit. (b) Issuance of permit; regulations. (c) State permit program. (d) Regulations. (e) Manner of sludge disposal. (f) Implementation of regulations. (g) Studies and projects. |
| 1342. | <ul style="list-style-type: none"> National pollutant discharge elimination system. <ul style="list-style-type: none"> (a) Permits for discharge of pollutants. (b) State permit programs. (c) Suspension of Federal program upon submission of State program; withdrawal of approval of State program; return of State program to Administrator. (d) Notification of Administrator. (e) Waiver of notification requirement. (f) Point source categories. (g) Other regulations for safe transportation, handling, carriage, storage, and stowage of pollutants. (h) Violation of permit conditions; restriction or prohibition upon introduction of pollutant by source not previously utilizing treatment works. <ul style="list-style-type: none"> (i) Federal enforcement not limited. (j) Public information. (k) Compliance with permits. (l) Limitation on permit requirement. (m) Additional pretreatment of conventional pollutants not required. (n) Partial permit program. (o) Anti-backsliding. (p) Municipal and industrial stormwater discharges. | 1361. | <ul style="list-style-type: none"> Administration. <ul style="list-style-type: none"> (a) Authority of Administrator to prescribe regulations. (b) Utilization of other agency officers and employees. (c) Recordkeeping. (d) Audit. (e) Awards for outstanding technological achievement or innovative processes, methods, or devices in waste treatment and pollution abatement programs. (f) Detail of Environmental Protection Agency personnel to State water pollution control agencies. |
| SUBCHAPTER V—GENERAL PROVISIONS | | | |
| 1343. | <ul style="list-style-type: none"> Ocean discharge criteria. <ul style="list-style-type: none"> (a) Issuance of permits. (b) Waiver. (c) Guidelines for determining degradation of waters. | 1362. | <ul style="list-style-type: none"> Definitions. |
| 1344. | <ul style="list-style-type: none"> Permits for dredged or fill material. <ul style="list-style-type: none"> (a) Discharge into navigable waters at specified disposal sites. (b) Specification for disposal sites. (c) Denial or restriction of use of defined areas as disposal sites. (d) "Secretary" defined. (e) General permits on State, regional, or nationwide basis. (f) Non-prohibited discharge of dredged or fill material. (g) State administration. (h) Determination of State's authority to issue permits under State program; approval; notification; transfers to State program. <ul style="list-style-type: none"> (i) Withdrawal of approval. (j) Copies of applications for State permits and proposed general permits to be transmitted to Administrator. (k) Waiver. <ul style="list-style-type: none"> (l) Categories of discharges not subject to requirements. (m) Comments on permit applications or proposed general permits by Secretary of the Interior acting through Director of United States Fish and Wildlife Service. (n) Enforcement authority not limited. (o) Public availability of permits and permit applications. (p) Compliance. (q) Minimization of duplication, needless paperwork, and delays in issuance; agreements. (r) Federal projects specifically authorized by Congress. (s) Violation of permits. (t) Navigable waters within State jurisdiction. | 1363. | <ul style="list-style-type: none"> Water Pollution Control Advisory Board. <ul style="list-style-type: none"> (a) Establishment; composition; terms of office. (b) Functions. (c) Clerical and technical assistance. |
| | | 1364. | <ul style="list-style-type: none"> Emergency powers. <ul style="list-style-type: none"> (a) Emergency powers. (b) Repealed. |
| | | 1365. | <ul style="list-style-type: none"> Citizen suits. <ul style="list-style-type: none"> (a) Authorization; jurisdiction. (b) Notice. (c) Venue; intervention by Administrator; United States interests protected. (d) Litigation costs. (e) Statutory or common law rights not restricted. (f) Effluent standard or limitation. (g) "Citizen" defined. (h) Civil action by State Governors. |
| | | 1366. | <ul style="list-style-type: none"> Appearance. |
| | | 1367. | <ul style="list-style-type: none"> Employee protection. <ul style="list-style-type: none"> (a) Discrimination against persons filing, instituting, or testifying in proceedings under this chapter prohibited. (b) Application for review; investigation; hearing; review. (c) Costs and expenses. (d) Deliberate violations by employee acting without direction from his employer or his agent. (e) Investigations of employment reductions. |
| | | 1368. | <ul style="list-style-type: none"> Federal procurement. <ul style="list-style-type: none"> (a) Contracts with violators prohibited. (b) Notification of agencies. (c) Omitted. (d) Exemptions. (e) Annual report to Congress. (f) Contractor certification or contract clause in acquisition of commercial items. |
| | | 1369. | <ul style="list-style-type: none"> Administrative procedure and judicial review. <ul style="list-style-type: none"> (a) Subpenas. (b) Review of Administrator's actions; selection of court; fees. (c) Additional evidence. |
| | | 1370. | <ul style="list-style-type: none"> State authority. |
| | | 1371. | <ul style="list-style-type: none"> Authority under other laws and regulations. <ul style="list-style-type: none"> (a) Impairment of authority or functions of officials and agencies; treaty provisions. (b) Discharges of pollutants into navigable waters. |

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- (c) Action of the Administrator deemed major Federal action; construction of the National Environmental Policy Act of 1969.
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1373. Public health agency coordination.
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SUBCHAPTER VI—STATE WATER POLLUTION CONTROL REVOLVING FUNDS

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 59n-1, 1272, 1293a, 1402, 1414b, 1502, 1503, 2317, 2601, 2602, 2801 of this title; title 7 section 1926a; title 10 section 2704; title 16 sections 460zz-2, 460lll, 471i, 1456, 3830, 4711; title 18 section 1956; title 26 section 169; title 30 sections 201, 1242,

1251, 1253, 1292, 1303, 1419; title 40 App. section 214; title 42 sections 300h-6, 300h-7, 300j-13, 300j-14, 2022, 4363a, 4365, 4370c, 4905, 5153, 6901, 6905, 6907, 6949, 7412, 8302, 9603, 9621, 10341; title 43 sections 421h, 1474b-1, 1577, 1595, 1597; title 49 section 47102.

SUBCHAPTER I—RESEARCH AND RELATED PROGRAMS

§ 1251. Congressional declaration of goals and policy

(a) Restoration and maintenance of chemical, physical and biological integrity of Nation's waters; national goals for achievement of objective

The objective of this chapter is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. In order to achieve this objective it is hereby declared that, consistent with the provisions of this chapter—

(1) it is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985;

(2) it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983;

(3) it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited;

(4) it is the national policy that Federal financial assistance be provided to construct publicly owned waste treatment works;

(5) it is the national policy that areawide waste treatment management planning processes be developed and implemented to assure adequate control of sources of pollutants in each State;

(6) it is the national policy that a major research and demonstration effort be made to develop technology necessary to eliminate the discharge of pollutants into the navigable waters, waters of the contiguous zone, and the oceans; and

(7) it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this chapter to be met through the control of both point and nonpoint sources of pollution.

(b) Congressional recognition, preservation, and protection of primary responsibilities and rights of States

It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administrator in the exercise of his authority under this chapter. It is the policy of the Congress that the States manage the construction grant program under this chapter and implement the permit programs under sections 1342 and 1344 of this title. It is further the policy of the Congress to support and aid research relating to the prevention, reduction, and elimination of pollution and to provide Federal