

40 C.F.R. § 35.162

Basis for allotment.

- (a) *Allotments.* Each fiscal year funds appropriated for Water Pollution Control grants to State and interstate agencies will be allotted to States and interstate agencies on the basis of the extent of the pollution problems in the respective States. A portion of the funds appropriated for States under the Water Pollution Control grant program will be set aside for allotment to eligible interstate agencies. The interstate allotment will be 2.6 percent of the funds available under this paragraph.
- (b) *State allotment formula.* The Water Pollution Control State grant allotment formula establishes an allotment ratio for each State based on six components selected to reflect the extent of the water pollution problem in the respective States. The formula provides a funding floor for each State with provisions for periodic adjustments for inflation and a maximum funding level (150 percent of its previous fiscal year allotment).
- (1) *Components and component weights—(i) Components.* The six components used in the Water Pollution Control State grant allotment formula are: Surface Water Area; Ground Water Use; Water Quality Impairment; Point Sources; Nonpoint Sources; and Population of Urbanized Area. The components for the formula are presented in Table 1 of this section, with their associated elements, sub-elements, and supporting data sources.

Table 1: Components of the Revised Section 106 State Allotment Formula

| Formula Component | Element | Sub-Element | Data Source | |
|-------------------------------|--|---|--|---|
| 1. Surface Water Area | | | U.S. Department of Commerce, Bureau of Economic Analysis Multi-State Water Use, by State | |
| 2. Ground Water Use | a. Non-agricultural withdrawals | | U.S. Department of the Interior, U.S. Geological Survey, <i>Professional Statistics of Ground Water Use by State</i> | |
| | | b. Population served by CWSs that use GW for the majority of their source water | U.S. Environmental Protection Agency, Office of Water, <i>Water and Wastewater Treatment and Reclamation Systems</i> | |
| 3. Water Quality Impairment | a. Impaired rivers and streams (1) - (5) | | U.S. Environmental Protection Agency, Office of Water, <i>Water Quality Criteria for the National List of Impaired State Waters</i> (10/01/83 to 10/01/00) | |
| | | b. Impaired lakes, ponds, and reservoirs (1) - (5) | | |
| | | c. Impaired estuaries (1) - (5) | | |
| | | d. Impaired wetlands (1) - (5) | | |
| | | e. Impaired ocean waters (1) - (5) | | |
| | | f. Impaired Great Lakes (1) - (5) | | |
| | 4. Impaired Tidal (1) - (5) | | | |
| 4. Point-Source Sources | a. Agriculture (1) - (5) | | U.S. Department of Commerce, Bureau of Economic Analysis, <i>State and County Data</i> | |
| | | b. Industrial | | i. Manufacturing |
| | | | | ii. Mining operations |
| | | | | iii. Power plants |
| | | c. Municipal discharges | | |
| 5. Nonpoint Sources | a. Agriculture | | U.S. Department of Commerce, Bureau of Economic Analysis, <i>State and County Data</i> | |
| | | b. Logging | | |
| | | | | |
| | | c. Abandoned mines | | i. Abandoned soft rock (1) - (5) mining operations |
| | | | | ii. Abandoned hard rock (1) - (5) mining operations |
| 6. Population of Unhazed Area | | | U.S. Department of Commerce, Bureau of Economic Analysis, <i>State and County Data</i> | |

¹ The population living in unharmed areas is used as a proxy for the population living in unharmed areas because the population of unharmed areas is not available for the entire country. The population living in unharmed areas is used for PR and the final allocation. (U.S. EPA, 1997, p. 15)

(ii) *Component weights.* To account for the fact that not all of the selected formula components contribute equally to the extent of the pollution problem within the States, each formula component is weighted individually. Final component weights will be phased-in by Fiscal Year (FY) 2004, according to the schedule presented in Table 2 of this section:

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