

- (ii) Previous efforts expended to correct any existing problem;
- (iii) Financial capacity of the applicant;
- (iv) The problem prevention aspects of a proposed project;
- (v) Cost effectiveness of a proposed project;
- (vi) Planning requirements;
- (vii) Provisions for monitoring and review; and
- (viii) Measures to assure accountability for all funds awarded under this subtitle.

(2) Project priority systems shall be established. Prior to adopting rules and regulations and establishing project priority rankings under this section, the Secretary shall consult with the Secretaries of State Planning, Natural Resources, Agriculture, and Economic and [Community] EMPLOYMENT Development.

9-349.

(a) (1) Loans or loan guarantees may be awarded to industrial users for projects that provide for pretreatment of pollutants that are discharged directly or indirectly into publicly owned treatment works or into any conveyance leading to a publicly owned treatment plant.

(2) The Secretary and the Secretary of Economic and [Community] EMPLOYMENT Development shall jointly administer the program established under this section with the Secretary of Economic and [Community] EMPLOYMENT Development being primarily responsible for the assessment of the financial capability of an applicant and appropriateness of the terms and conditions of any loan assistance.

(b) Loan assistance may be awarded to a person under this section if:

(1) An agreement is executed by the person that:

(i) Specifies the purpose, amount, manner of repayment, and any other condition required by the Board of Public Works;

(ii) Obligates the person to construct, install, and operate the pretreatment project in a manner which insures compliance with all pretreatment requirements and technical specifications, to maintain the project for its expected life span, and to bind any successor in title; and