

Public Law 96-229
96th Congress

An Act

To authorize appropriations for environmental research, development, and demonstrations for the fiscal year 1980, and for other purposes.

Apr. 7, 1980
[H.R. 2676]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Environmental
Research,
Development,
and
Demonstration
Authorization
Act of 1980.

SHORT TITLE

SECTION 1. This Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1980".

PROGRAM AUTHORIZATIONS

SEC. 2. (a) There are authorized to be appropriated to the Environmental Protection Agency for environmental research, development, and demonstration activities for the fiscal year 1980 for the following activities:

(1) \$66,659,000 for water quality activities authorized under the Federal Water Pollution Control Act of which—

33 USC 1251
note.

(A) \$25,224,000 is for the Health and Ecological Effects program: *Provided*, That the Agency is encouraged to obligate and to expend \$900,000 of these funds on the Cold Climate Research program through the Agency's Corvallis Environmental Research Laboratory, Corvallis, Oregon: *Provided further*, That of the funds appropriated pursuant to this paragraph, \$3,600,000 shall be obligated and expended on the Great Lakes Research Station, Grosse Ile, Michigan: *And provided further*, That of the funds appropriated pursuant to this paragraph, \$1,000,000 shall be obligated and expended on research to develop environmentally sound methods to control aquatic weeds;

(B) \$14,827,000 is for the Industrial Processes program;

(C) \$12,250,000 is for the Monitoring and Technical Support program; and

(D) \$14,358,000 is for the Public Sector Activities program.

(2) \$9,638,000 for activities under the Federal Insecticide, Fungicide, and Rodenticide Act of which—

7 USC 136 note.

(A) \$8,298,000 is for the Health and Ecological Effects program;

(B) \$900,000 is for the Industrial Processes program; and

(C) \$440,000 is for the Monitoring and Technical Support program.

(3) \$26,919,000 for water supply activities authorized under the Safe Drinking Water Act of which—

42 USC 201 note.

(A) \$21,944,000 is for the Public Sector Activities program;

(B) \$4,000,000 is for a groundwater program to include soil pollution research activities; and

(C) \$975,000 is for the Monitoring and Technical Support program.

- 15 USC 2601
note.
- (4) \$30,977,000 for toxic substances control activities authorized under the Toxic Substances Control Act of which—
 (A) \$26,397,000 is for the Health and Ecological Effects program;
 (B) \$1,742,000 is for the Industrial Processes program; and
 (C) \$2,838,000 is for the Monitoring and Technical Support program.
- 42 USC 201 note.
- (5) \$2,930,000 for radiation activities authorized under the Public Health Service Act, in the Health and Ecological Effects program.
- 42 USC 7401
note.
- (6) \$71,963,000 for air quality activities authorized under the Clean Air Act of which—
 (A) \$46,624,000 is for the Health and Ecological effects program;
 (B) \$4,050,000 is for the Industrial Processes program; and
 (C) \$21,289,000 is for the Monitoring and Technical Support program.
- 42 USC 6901
note.
- (7) \$10,243,000 for solid waste activities authorized under the Resource Conservation and Recovery Act, of which—
 (A) \$8,143,000 is for the Public Sector Activities program, and
 (B) \$2,100,000 is for a Hazardous Waste program, of which—
 (i) \$300,000 shall be used for a study of non-nuclear hazardous waste disposal including consideration of the effects of such disposal on the environment, and a general review of disposal technology, alternatives to disposal, and options for containing or removing hazardous wastes already in the environment. The Administrator of the Environmental Protection Agency shall enter into appropriate arrangements with the National Academy of Sciences to conduct this study. The Academy should complete the study within eighteen months after funding arrangements have been made and make interim reports at least every six months to the Congress and the Environmental Protection Agency. The Administrator shall regularly report to the Congress on the Agency's response to the interim reports and shall deliver his recommendations for acting on the findings of the final study no later than July 1, 1981;
 (ii) \$300,000 shall be used to begin development of protocols and working manuals specifying the types of health problems associated with various hazardous wastes, effects of various kinds of exposure, strategies to contain releases from hazardous disposal sites, actions to be taken by on-scene response teams, and other activities deemed by the Administrator to be of urgent need in responding to hazardous waste releases; and
 (iii) \$1,500,000 shall be used to demonstrate cost-effective strategies for isolating, containing, or neutralizing hazardous wastes.
- Non-nuclear hazardous waste disposal, study.
- Reports to Congress and EPA.
- 42 USC 4901
note.
- (8) \$500,000 for noise control activities authorized under the Noise Control Act, in the Health and Ecological Effects program.
- (9) \$25,449,000 for Interdisciplinary activities of which—
 (A) \$5,099,000 is for the Health and Ecological Effects program;

(B) \$16,883,000 is for the Anticipatory Research program; and

(C) \$3,467,000 is for the Monitoring and Technical Support program.

(10) \$103,461,000 for Energy-related activities of which—

(A) \$49,186,000 is for the Health and Ecological Effects program; and

(B) \$54,275,000 is for the Energy Control program.

(b) There is authorized to be appropriated to the Environmental Protection Agency, Office of Research and Development, for the fiscal year 1980, for program management and support, \$26,753,000.

(c) No funds may be transferred from any particular category listed in subsection (a) or (b) to any other category or categories listed in either such subsection if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in subsection (a) or (b) from any other category or categories listed in either such subsection if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

Transfer of funds.

(1) a period of thirty legislative days has passed after the Administrator of the Environmental Protection Agency or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate a written report containing a full and complete statement concerning the nature of the transfer involved and the reason therefor or

Report to Speaker of House and President of Senate.

(2) each committee of the House of Representatives and the Senate having jurisdiction over the subject matter involved, before the expiration of such period, has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Notice to EPA Administrator.

(d)(1) The Administrator shall continue to be responsible for conducting and shall continue to conduct full-scale demonstrations of energy-related pollution control technologies as necessary in his judgment to fulfill the provisions of the Clean Air Act as amended, the Federal Water Pollution Control Act as amended, and other pertinent pollution control statutes.

42 USC 4363a.

(2) Energy-related environmental protection projects authorized to be administered by the Environmental Protection Agency under this Act shall not be transferred administratively to the Department of Energy or reduced through budget amendment. No action shall be taken through administrative or budgetary means to diminish the ability of the Environmental Protection Agency to initiate such projects.

42 USC 7401 note.
33 USC 1251 note.
Energy-related environmental protection projects.

(e) The Administrator shall establish a separately identified program to conduct continuing and long-term environmental research and development. Unless otherwise specified by law, at least 15 per centum of the funds appropriated to the Agency for environmental research and development in each category listed in subsection (a) of this section shall be allocated for such long-term environmental research and development under this subsection.

Long-term environmental research and development.
42 USC 4363.

OTHER AUTHORIZATIONS

SEC. 3. There is authorized to be appropriated to the Secretary of Commerce for the fiscal year 1980 for use by the National Bureau of Standards—

(1) \$500,000 for research in the area of environmental measurement sciences; and

(2) \$3,500,000 to carry out activities authorized in section 5002 of the Resource Conservation and Recovery Act of 1976 (Public Law 94-580).

42 USC 6952.

REPORTING

42 USC 4369a.

SEC. 4. (a) The Administrator shall keep the appropriate committees of the House and the Senate fully and currently informed about all aspects of the environmental research and development activities of the Environmental Protection Agency.

Report to congressional committees.

(b) Each year, at the time of the submission of the President's annual budget request, the Administrator shall make available to the appropriate committees of Congress sufficient copies of a report fully describing funds requested and the environmental research and development activities to be carried out with these funds.

REIMBURSEMENT FOR USE OF FACILITIES

42 USC 4370.

SEC. 5. (a) The Administrator is authorized to allow appropriate use of special Environmental Protection Agency research and test facilities by outside groups or individuals and to receive reimbursement or fees for costs incurred thereby when he finds this to be in the public interest. Such reimbursement or fees are to be used by the Agency to defray the costs of use by outside groups or individuals.

(b) The Administrator may promulgate regulations to cover such use of Agency facilities in accordance with generally accepted accounting, safety, and laboratory practices.

Waiver.

(c) When he finds it is in the public interest the Administrator may waive reimbursement or fees for outside use of Agency facilities by nonprofit private or public entities.

Approved April 7, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-58 (Comm. on Science and Technology) and No. 96-611 (Comm. of Conference).

SENATE REPORT No. 96-158 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD:

Vol. 125 (1979): Mar. 26, 27, considered and passed House.

May 23, considered and passed Senate, amended.

Nov. 14, Senate agreed to conference report.

Nov. 29, point of order made and sustained against conference report; House receded from its disagreement and agreed to Senate amendment No. 1 with an amendment; agreed to amendments numbered 2 through 7.

Vol. 126 (1980): Mar. 25, Senate agreed to House amendment.