

Executive Documents

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Administrator or other official of Environmental Protection Agency under this chapter to Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 6903 of this title.

§ 6911a. Assistant Administrator of Environmental Protection Agency; appointment, etc.

The Assistant Administrator of the Environmental Protection Agency appointed to head the Office of Solid Waste shall be in addition to the five Assistant Administrators of the Environmental Protection Agency provided for in section 1(d) of Reorganization Plan Numbered 3 of 1970 and the additional Assistant Administrator provided by the Toxic Substances Control Act [15 U.S.C. 2601 et seq.], shall be appointed by the President by and with the advice and consent of the Senate.

(Pub. L. 96-510, title III, §307(b), Dec. 11, 1980, 94 Stat. 2810; Pub. L. 98-80, §2(c)(2)(B), Aug. 23, 1983, 97 Stat. 485.)

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan Numbered 3 of 1970, referred to in text, is set out in the Appendix to Title 5, Government Organization and Employees.

The Toxic Substances Control Act, referred to in text, is Pub. L. 94-469, Oct. 11, 1976, 90 Stat. 2003, which is classified generally to chapter 53 (§2601 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 2601 of Title 15 and Tables.

CODIFICATION

Section was enacted as part of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and not as part of the Solid Waste Disposal Act which comprises this chapter.

AMENDMENTS

1983—Pub. L. 98-80 struck out “, and shall be compensated at the rate provided for Level IV of the Executive Schedule pay rates under section 5315 of title 5” after “advice and consent of the Senate”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Dec. 11, 1980, see section 9652 of this title.

§ 6912. Authorities of Administrator**(a) Authorities**

In carrying out this chapter, the Administrator is authorized to—

(1) prescribe, in consultation with Federal, State, and regional authorities, such regulations as are necessary to carry out his functions under this chapter;

(2) consult with or exchange information with other Federal agencies undertaking research, development, demonstration projects, studies, or investigations relating to solid waste;

(3) provide technical and financial assistance to States or regional agencies in the development and implementation of solid waste plans and hazardous waste management programs;

(4) consult with representatives of science, industry, agriculture, labor, environmental protection and consumer organizations, and other groups, as he deems advisable;

(5) utilize the information, facilities, personnel and other resources of Federal agencies, including the National Institute of Standards and Technology and the National Bureau of the Census, on a reimbursable basis, to perform research and analyses and conduct studies and investigations related to resource recovery and conservation and to otherwise carry out the Administrator's functions under this chapter; and

(6) to delegate to the Secretary of Transportation the performance of any inspection or enforcement function under this chapter relating to the transportation of hazardous waste where such delegation would avoid unnecessary duplication of activity and would carry out the objectives of this chapter and of chapter 51 of title 49.

(b) Revision of regulations

Each regulation promulgated under this chapter shall be reviewed and, where necessary, revised not less frequently than every three years.

(c) Criminal investigations

In carrying out the provisions of this chapter, the Administrator, and duly-designated agents and employees of the Environmental Protection Agency, are authorized to initiate and conduct investigations under the criminal provisions of this chapter, and to refer the results of these investigations to the Attorney General for prosecution in appropriate cases.

(Pub. L. 89-272, title II, §2002, as added Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2804; amended Pub. L. 96-482, §5, Oct. 21, 1980, 94 Stat. 2335; Pub. L. 98-616, title IV, §403(d)(4), Nov. 8, 1984, 98 Stat. 3272; Pub. L. 100-418, title V, §5115(c), Aug. 23, 1988, 102 Stat. 1433.)

Editorial Notes

CODIFICATION

In subsec. (a)(6), “chapter 51 of title 49” substituted for “the Hazardous Materials Transportation Act [49 App. U.S.C. 1801 et seq.]” on authority of Pub. L. 103-272, §6(b), July 5, 1994, 108 Stat. 1373, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation.

AMENDMENTS

1988—Subsec. (a)(5). Pub. L. 100-418 substituted “National Institute of Standards and Technology” for “National Bureau of Standards”.

1984—Subsec. (c). Pub. L. 98-616 added subsec. (c).

1980—Subsec. (a)(6). Pub. L. 96-482 added par. (6).

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§ 6913. Resource Recovery and Conservation Panels

The Administrator shall provide teams of personnel, including Federal, State, and local employees or contractors (hereinafter referred to as "Resource Conservation and Recovery Panels") to provide Federal agencies, States and local governments upon request with technical assistance on solid waste management, resource recovery, and resource conservation. Such teams shall include technical, marketing, financial, and institutional specialists, and the services of such teams shall be provided without charge to States or local governments.

(Pub. L. 89-272, title II, §2003, as added Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2804; amended Pub. L. 95-609, §7(e), Nov. 8, 1978, 92 Stat. 3081.)

Editorial Notes

AMENDMENTS

1978—Pub. L. 95-609 inserted "Federal agencies," after "to provide".

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§ 6914. Grants for discarded tire disposal

(a) Grants

The Administrator shall make available grants equal to 5 percent of the purchase price of tire shredders (including portable shredders attached to tire collection trucks) to those eligible applicants best meeting criteria promulgated under this section. An eligible applicant may be any private purchaser, public body, or public-private joint venture. Criteria for receiving grants shall be promulgated under this section and shall include the policy to offer any private purchaser the first option to receive a grant, the policy to develop widespread geographic distribution of tire shredding facilities, the need for such facilities within a geographic area, and the projected risk and viability of any such venture. In the case of an application under this section from a public body, the Administrator shall first make a determination that there are no private purchasers interested in making an application before approving a grant to a public body.

(b) Authorization of appropriations

There is authorized to be appropriated \$750,000 for each of the fiscal years 1978 and 1979 to carry out this section.

(Pub. L. 89-272, title II, §2004, as added Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2805.)

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§ 6914a. Labeling of lubricating oil

For purposes of any provision of law which requires the labeling of commodities, lubricating oil shall be treated as lawfully labeled only if it bears the following statement, prominently displayed:

"DON'T POLLUTE—CONSERVE RESOURCES; RETURN USED OIL TO COLLECTION CENTERS".

(Pub. L. 89-272, title II, §2005, as added Pub. L. 96-463, §4(a), Oct. 15, 1980, 94 Stat. 2056.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2005 of Pub. L. 89-272 was renumbered section 2006 and is classified to section 6915 of this title.

§ 6914b. Degradable plastic ring carriers; definitions

As used in this title—

(1) the term "regulated item" means any plastic ring carrier device that contains at least one hole greater than 1¼ inches in diameter which is made, used, or designed for the purpose of packaging, transporting, or carrying multipackaged cans or bottles, and which is of a size, shape, design, or type capable, when discarded, of becoming entangled with fish or wildlife; and

(2) the term "naturally degradable material" means a material which, when discarded, will be reduced to environmentally benign subunits under the action of normal environmental forces, such as, among others, biological decomposition, photodegradation, or hydrolysis.

(Pub. L. 100-556, title I, §102, Oct. 28, 1988, 102 Stat. 2779.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, is title I of Pub. L. 100-556, Oct. 28, 1988, 102 Stat. 2779, which enacted sections 6914b and 6914b-1 of this title, and provisions set out as a note under section 6914b of this title. For complete classification of this title to the Code, see Tables.

CODIFICATION

Section was not enacted as part of the Solid Waste Disposal Act which comprises this chapter.

Statutory Notes and Related Subsidiaries

CONGRESSIONAL FINDINGS

Pub. L. 100-556, title I, §101, Oct. 28, 1988, 102 Stat. 2779, provided that: "The Congress finds that—

"(1) plastic ring carrier devices have been found in large quantities in the marine environment;