The original documents are located in Box 20, folder "1975/01/02 HR16045 Extension of Solid Waste Disposal Act" of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE

Last Day: January 4

ACTION

WASHINGTON

December 31, 1974

3 MEMORANDUM FOR

FROM:

SUBJECT:

THE PRESIDENT KEN

Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act

Attached for your consideration is H.R. 16045, sponsored by Representative Rogers and ten others, which would extend through June 30, 1975 the current level of authorization for appropriations for the major provisions of the Solid Waste Disposal Act.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf (Loen) and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 16045 (Tab B).



EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 2 8 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act Sponsor - Rep. Rogers (D) Florida and 10 others

Last Day for Action

January 4, 1975 - Saturday

Purpose

Extends through June 30, 1975, the current level of authorization for appropriations for the major provisions of the Solid Waste Disposal Act.

Agency Recommendations

Office of Management and Budget

Approval

Environmental Protection Agency Council on Environmental Quality Approval (Informally) Approval

Discussion

The Solid Waste Disposal Act is the Environmental Protection Agency's basic authority for programs dealing with the collection, disposal and recycling of trash, industrial and agricultural wastes, and similar materials. As recommended by the Administration, the enrolled bill would simply extend the authorization for appropriations for the key provisions of the Act until the end of the current fiscal year. While H.R. 16045 would continue the current level of funding (\$76 million), the relevant appropriations bill, which is also enrolled, would provide only \$20.6 million.



The House and Senate Commerce Committees and the Senate Public Works Committee spent considerable time developing new comprehensive solid waste and resource recovery legislation, and are expected to report comprehensive bills early in the 94th Congress. The extension of present authority is necessary to assure continuity of the program.

Veller H Rommel

Assistant Director for Legislative Reference

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL ON ENVIRONMENTAL QUALITY 722 JACKSON PLACE, N. W. WASHINGTON, D. C. 20006

December 27, 1974

MEMORANDUM FOR W.H. ROMMEL OFFICE OF MANAGEMENT AND BUDGET

ATTN: Ms. Mohr

SUBJECT: H.R. 16045

The Council on Environmental Quality has reviewed the subject enrolled bill.

We concur with the provisions of the bill and recommend that it be signed.

Steven D. Jel Staff Director

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR WARREN HENDRIKS MAX L. FRIEDERSDORF FROM: Action Memorandum - Log No. 891 SUBJECT: Enrolled Bill H.R. 16045

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

management program. We believe that continuation of these programs as provided by enrolled bill H. R. 16045 is essential if we are to successfully address the nation's solid waste programs.

Sincerely yours,

Joh Quales, Deputy Jussell E. Train Administrator

Honorable Roy L. Ash Director Office of Management and Budget Washington, D. C. 20503

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

DEC 3 1 1974

OFFICE OF THE ADMINISTRATOR

Dear Mr. Ash:

This is in response to the request of the Office of Management and Budget for the views of the Environmental Protection Agency on H. R. 16045, an act "To amend the Solid Waste Disposal Act to authorize appropriations for fiscal year 1975."

The Act would extend authorities of the Environmental Protection Agency under the Solid Waste Disposal Act through June 30, 1975 at the funding levels authorized for the last fiscal year. However, funding for demonstration grants for resource recovery systems and grants for improved solid waste disposal facilities provided under section 208 of the Solid Waste Disposal Act would not be extended.

The Environmental Protection Agency recommends that the President sign the enrolled bill.

In June EPA transmitted a proposal to Congress which would have extended these same authorities under the Solid Waste Disposal Act for one year. The enrolled bill would have the same result as the Administration's proposal.

EPA activities under the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1970, have provided the basis for an environmentally sound national solid waste





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 2 8 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act Sponsor - Rep. Rogers (D) Florida and 10 others

Last Day for Action

January 4, 1975 - Saturday

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WASHINGTON

1:00 p.m.

Jerry Jones

cc (for information): Warren Hendriks

Date: December 28, 1974

Time: 7:00 p.m.

Time:

FOR ACTION: Norm Ross A Phil Areeda Max Friedersdorf

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

SUBJECT:

Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act of

ACTION REQUESTED:

----- For Necessary Action

____ For Your Comments

____ For Your Recommendations

_____ Prepare Agenda and Brief

_____ Draft Remarks

Draft Reply

REMARKS:

Please return to Judy JOhnston Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR. For the President Date: December 28, 1974

ACTION MEMORANDUM

WASHINGTON

Time: 7:00 p.m.

FOR ACTION: Norm Ross Phil Areeda Max Friedersdorf

cc (for information): Warren Hendriks Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30 Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act

ACTION REQUESTED:

----- For Necessary Action

____ For Your Recommendations

____ Draft Reply

____ Draft Remarks

_____ Prepare Agenda and Brief

_____ For Your Comments

REMARKS:

Please return to Judy JOhnston Ground Floor West Wing

Make



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hondriks For the President

LOG NO.: 891

Date: December 28, 1974

BUTION MEMORANDUM

7:00 p.m. Time:

FOR ACTION: Norm Ross Phil Areeda Max Friedersdorf

cc (for information): Warren Hendriks Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

1:00 p.m.

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SUBJECT:

Enrolled Bill H.R. 16045 - Extension of Solid Waste Disposal Act

ACTION REQUESTED:

____ For Your Recommendations - For Necessary Action Prepare Agenda and Brief ____ Draft Reply

_____ Draft Remarks

x For Your Comments

REMARKS:

Please return to Judy JOhnston Ground Floor West Wing



If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks For the President



Time:

HOUSE OF REPRESENTATIVES

REPORT

No. 93–1235

SOLID WASTE DISPOSAL ACT EXTENSION

JULY 30, 1974.-Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. STAGGERS, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany H.R. 16045]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H.R. 16045) to amend the Solid Waste Disposal Act to authorize appropriations for fiscal years 1975 and 1976, and to make certain technical and conforming changes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That (a) section 216(a)(2) of the Solid Waste Disposal Act (42 U.S.C. 3259 (a)(2)) is amended-

(1) by striking out "and" after "June 30, 1973,"; and

(2) by inserting before the period at the end of such paragraph ", not to exceed \$76,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1976".

(b) Section 216(a) (3) of such Act (42 U.S.C. 3259(a) (3)) is amended—
 (1) by striking out "and" after "June 30, 1973,"; and

(2) by inserting before the period at the end of such paragraph ", not to exceed \$140,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1976"

(c) Section 216(b) of such Act (42 U.S.C. 3259(b)) is amended (1) by striking out "and" after "June 30, 1973,"; and

(2) by inserting before the period at the end of the first sentence of such paragraph ", not to exceed \$22,500,000 for the fiscal year ending June 30, 1975, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1976"

SEC. 2. (a) Section 203(1) of the Solid Waste Disposal Act (42 U.S.C. 3252(1)) is amended by striking out "Secretary' means the Secretary of Health, Education, and Welfare" and inserting in lieu thereof "'Administrator' means the Administrator of the Environmental Protection Agency".

 (b) The Solid Waste Disposal Act (42 U.S.C. 3251-3259) is amended—
 (1) by striking out "Secretary of Health, Education, and Welfare" whenever it appears and inserting in lieu thereof "Administrator"; and (2) by striking out "Secretary" whenever it appears, except—

88-006

(A) in section 213 of such Act where "Secretary" is followed by "of Labor"; and

(B) in sections 203(1), 214, and 216(b) where "Secretary" is followed by "of the Interior";

and inserting in lieu thereof "Administrator".

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SUMMARY OF LEGISLATION

H.R. 16045 provides a two-year extension of the Solid Waste Disposal Act of 1967, as amended, by extending for 2 years at constant dollar amounts the authorizations of appropriations in the Act which would expire June 30, 1974.

BACKGROUND

Hearings were held on proposed legislation to amend the Solid Waste Disposal Act on March 27 and 28, 1974. Subsequently, the Subcommittee on Public Health and Environment met several times in executive session on H.R. 13176. However, the Subcommittee, being unable to agree on the precise nature of the comprehensive revision of the Act which should be recommended, concluded that a two-year extension of the Act should be passed pending continuing review and revision of the Act. On July 22, 1974, the Subcommittee ordered reported a clean bill, H.R. 16045, which was sponsored by the Chairman and all members of the Subcommittee. The bill was ordered reported from the House Committee on Interstate and Foreign Commerce without amendment by unanimous voice vote.

NEED FOR LEGISLATION

The authorizations of appropriations for the Solid Waste Dispesal Act expired on June 30, 1974. The Committee on Interstate and Foreign Commerce had begun to undertake a thorough review and revision of the legislative authorities contained in that Act. However, the effort to revise the Act could not be completed prior to the expiration of these authorizations. Furthermore, the Committee was aware that the press of its own business and other business in the House would likely prevent it from agreeing on the terms of a comprehensive amendment to the Act before the end of the session. The necessity for additional revisions to the Clean Air Act before June 30, 1975, will probably delay the completion of the legislative process on amendments to this Act until some time after the beginning of fiscal year 1976.

For these reasons, the Committee has chosen to recommend a straight two-year extension of presently authorized levels under the existing legislation. This does not mean, however, that the Committee has concluded that levels of appropriations, personnel, and activity of the Office of Solid Waste Management should remain unchanged or be reduced.

On the contrary, the Committee believes that all levels of government—Federal, State, regional, and local—must pay increasing attention to the need for resource and energy recovery and conservation and more rational solid waste management practices in the next two years. The Committee has not agreed as to the nature of the role that each level of government should play in this area. However, the Committee did agree to the following general objectives:

1. More efficient conservation, recovery, and use of the nation's energy resources must be promoted through increased energy and resource recovery from waste;

2. An effective program for control of hazardous wastes must be implemented;

3. Methods for preventing the contamination of drinking water sources from landfills and dumps must be invoked;

4. Additional incentives for State, regional, and local waste management planning and implementation efforts must be provided;

5. The need to increase efficiency and productivity in waste management systems must be addressed:

6. The Federal government must play a role as a model for other public and private agencies in the environmentally sound management of its wastes and in its procurement practices to increase recycling;

7. The needs of rural and small town America for effective waste management and resource recovery programs must be met.

Thus, the Committee anticipates that the existing authorities will be funded during the next two years at levels which will permit the Office of Solid Waste Management to hire more staff; to provide more technical assistance to State, regional and local governments; to increase research and development efforts; to prepare for any increase in the responsibilities and authorities which may be imposed upon the Environmental Protection Agency. In the meantime, the Committee intends to act expeditiously, but after careful review, to adopt a welldesigned program which will meet the Nation's future needs.

The Committee also feels that clarity as to the fiscal year 1975 and 1976 authorizations is necessary, as soon as possible, to provide guidance to the Administration and the Congress in budgeting and appropriating funds for these important programs.

SECTION-BY-SECTION ANALYSIS

The legislation reported extends at constant authorizations each of the three funding authorizations in the Solid Waste Disposal Act by adding an authorization for fiscal years 1975 and 1976 after each authorization for 1974 which in each case is identical to the 1974 authorization.

Cost Estimates

In accordance with section 252(A) of the Legislative Reorganization Act of 1970 (Public Law 91–150, 91st Congress), the Committee provides the following estimate of cost:

Fiscal ye	ear:	Millions
1975	***************************************	\$21
1976		. 30
1977		40
1978		40
1979		45

Except for the administrative functions of the Administrator of the Environmental Protection Agency, authorities under this Act expire on June 30, 1976.

AGENCY REPORTS

Following normal procedure, the Committee requested agency views on the bill, H.R. 16045. No agency views have been received in response to that request.

However, the following letters from the Administrator of the Environmental Protection Agency on H.R. 15617, a bill to extend the authorization under the Solid Waste Disposal Act for one year may be of relevance to the two-year extension provided in H.R. 16045.

U.S. ENVIRONMENTAL PROTECTION AGENCY, Washington, D.C., July 23, 1974.

Hon. HARLEY W. STAGGERS,

Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Several of the authorities of the Solid Waste Disposal Act expired on June 30, 1974. Activities and expenditures pursuant to those authorities were extended by a Joint Resolution of Congress, P.L. 93-324 (June 30, 1974), for the period commencing July 1, 1974, through September 30, 1974.

However, upon examination of the language in the Agriculture-Environmental and Consumer Protection Appropriation Act, now pending in the Congress, and of the Joint Resolution, some question has arisen as to whether the authority of the Joint Resolution will continue beyond the date of enactment of the Appropriation Act.

In view of the apparent imminent enactment of the Appropriation Act and the effect that such enactment may have upon our ability to continue activities and expenditures under the Solid Waste Disposal Act, I would respectfully urge that action be taken to extend the expiring authorities. A copy of my letter of June 10, 1974, to the Speaker of the House, together with a proposed bill which would extend the expiring authorities are attached.

We sincerely appreciate your continuing concern for the furtherance of our programs and activities directed toward the protection of the environment.

Sincerely yours,

RUSSELL E. TRAIN, Administrator.

ENVIRONMENTAL PROTECTION AGENCY, Washington, D.C., June 10, 1974.

Hon. CARL ALBERT,

Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of our proposed bill "To extend the Solid Waste Disposal Act, as amended, for one year."

The draft bill would extend our authorities under section 216(a)(2) of the Act for one more year at the funding level authorized for the last fiscal year. We are not requesting an extension of authority under section 216(a)(3).

This extension is suggested in order to cover the interim period preceding enactment of the Hazardous Waste Management Act now before the Congress. We recommend that this bill be referred to the appropriate Committee for consideration, and we recommend that it be enacted.

The Office of Management and Budget has advised that this legislative proposal is consistent with the program of the President.

Sincerely yours,

.

RUSSELL E. TRAIN, Administrator.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SOLID WASTE DISPOSAL ACT

AN ACT To authorize a research and development program with respect to solidwaste disposal, and for other purposes

. *

TITLE II-SOLID WASTE DISPOSAL

SHORT TITLE

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act".

FINDINGS AND PURPOSES

SEC. 202. (a) The Congress finds-

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass of material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and other urban areas has presented these communities with serious financial, management, intergovernmental, and technical problems in the disposal of solid wastes resulting from the industrial, commercial, domestic, and other activities carried on in such areas;

(4) that inefficient and improper methods of disposal of solid wastes result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase in rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances, otherwise interfere with community life and development;

(5) that the failure or inability to salvage and reuse such materials economically results in the unnecessary waste and depletion of our natural resources; and

(6) that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope and in concern and necessitate Federal action through financial and technical assistance and leadership in the development, demonstration, and application of new and improved methods and processes to reduce the amount of waste and unsalvageable materials and to provide for proper and economical solid-waste disposal practices.

(b) The purposes of this Act therefore are-

(1) to promote the demonstration, construction, and application of solid waste management and resource recovery systems which preserve and enhance the quality of air, water, and land resources;

(2) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

 $(\breve{3})$ to promote a national research and development program for improved management techniques, more effective organizational arrangements, and new and improved methods of collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;

(4) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems; and

(5) to provide for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems.

DEFINITIONS

SEC. 203. When used in this Act:

(1) The term ["Secretary" means the Secretary of Health, Education, and Welfare] "Administrator" means the Administrator of the Environmental Protection Agency; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities.

(2) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(3) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States. (4) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(5) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(6) The term "construction," with respect to any project of construction under this act, means (A) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (B) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (C) the inspection and supervision of the process of carrying out the project to completion.

(7) The term "municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe.

(8) The term "intermunicipal agency" means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal.

(9) The term "recovered resources" means materials or energy recovered from solid wastes.

(10) The term "resource recovery system" means a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues.

RESEARCH, DEMONSTRATIONS, TRAINING, AND OTHER ACTIVITIES

SEC. 204. (a) The [Secretary] Administrator shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

(1) any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects: (2) the operation and financing of solid waste disposal programs;

(3) the reduction of the amount of such waste and unsalvageable waste materials;

(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

(5) the identification of solid waste components and potential materials and energy recoverable from such waste components.

(b) In carrying out the provisions of the preceding subsection, the Secretary Administrator is authorized to-

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities and institution and the conduct of such research and other activities.

(3) make grants-in-aid to public or private agencies and institutions and to individuals for research, training projects, surveys, and demonstrations (including construction of facilities), and provide for the conduct of research, training, surveys, and demonstrations by contract with public or private agencies and institutions and with individuals; and such contracts for research or demonstrations or both (including contracts for construction) may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the [Secretary] Administrator.

(c) Any grant, agreement, or contract made or entered into under this section shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such grant, agreement, or contract will be made readily available on fair and equitable terms to industries utilizing methods of solid-waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid-waste disposal. In carrying out the provisions of this section, the [Secretary] Administrator and each department, agency, and officer of the Federal Government having functions or duties under this Act shall make use of and adhere to the Statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963. (3 CFR, 1963 Supp., p. 238.)

SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS

SEC. 205. (a) The [Secretary] Administrator shall carry out an investigation and study to determine—

(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such recovered resources, and the impact of distribution of such resources on existing markets;

(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

(4) the use of Federal procurement to develop market demand for recovered resources;

(5) recommended incentives (including Federal grants, loans, and other assistance) and disincentives to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling and conservation of such materials; and

(7) the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The [Secretary] Administrator shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

(b) Secretary Administrator is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).

(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section.

INTERSTATE AND INTERLOCAL COOPERATION

SEC. 206. The [Secretary] Administrator shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

SEC. 207. (a) The [Secretary] Administrator may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to

H. Rept, 93-1235-2

State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701 (g) of the Housing Act of 1954, of not to exceed 66% per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of—

(1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites,

(3) developing proposals for projects to be carried out pursuant to section 208 of this Act, or

(4) planning programs for the removal and processing of abandoned motor vehicle hulks.

(b) Grants pursuant to this section may be made upon application therefor which—

(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out the purposes of this section for the area involved;

(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal and resource recovery programs;

(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section:

(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the [Secretary] Administrator may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary; and

(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

(c) The [Secretary] Administrator shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL FACILITIES

SEC. 208. (a) The [Secretary] Administrator is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems or for the construction of new or improved solid waste disposal facilities.

(b) (1) Any grant under this section for the demonstration of a resource recovery system may be made only if it (A) is consistent with any plans which meet the requirements of section 207(b) (2) of this Act; (B) is consistent with the guidelines recommended pursuant to section 209 of this Act; (C) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the [Secretary] Administrator, pursuant to regulations promulgated under subsection (d) of this section; and (D) provides an equitable system for distributing the costs associated with contruction, operation, and maintenance of any resource recovery system among the users of such system.

(2) The Federal share for any project to which paragraph (1) applies shall not be more than 75 percent.

(c) (1) A grant under this section for the construction of a new or improved solid waste disposal facility may be made only if—

(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the facility to be constructed (i) is consistent with such plan, (ii) is included in a comprehensive plan for the area involved which is satisfactory to the [Secretary] Administrator for the purposes of this Act, and (iii) is consistent with the guidelines recommended under section 209, and

(B) the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials.

(2) The Federal share for any project to which paragraph (1) applies shall be not more than 50 percent in the case of a project serving an area which includes only one municipality, and not more than 75 percent in any other case.

(d) (1) The [Secretary] Administrator, within ninety days after the date of enactment of the Resource Recovery Act of 1970, shall promulgate regulations establishing a procedure for awarding grants under this section which—

(A) provides that projects will be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions; and

(B) provides deadlines for submission of, and action on, grant requests.

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(2) In taking action on applications for grants under this section consideration shall be given by the [Secretary] Administrator (A) to the public benefits to be derived by the construction and the propriety of Federal aid in making such grant; (B) to the extent applicable, to the economic and commercial viability of the project (including contractual arrangements with the private sector to market any resources recovered); (C) to the potential of such project for general application to community solid waste disposal problems; and (D) to the use by the applicant of comprehensive regional or metropolitan area planning.

(e) A grant under this section—

(1) may be made only in the amount of the Federal share of (A) the estimated total design and construction costs, plus (B) in the case of a grant to which subsection (b)(1) applies, the first-year operation and maintenance costs;

(2) may not be provided for land acquisition or (except as otherwise provided in paragraph (1)(B)) for operating or maintenance costs;

(3) may not be made until the applicant has made provision satisfactory to the [Secretary] Administrator for proper and efficient operation and maintenance of the project (subject to paragraph (1)(B)); and

(4) may be made subject to such conditions and requirements, in addition to those provided in this section, as the [Secretary] *Administrator* may require to properly carry out his functions pursuant to this Act.

For purposes of paragraph (1), the non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the [Secretary] Administrator. (f) (1) Not more than 15 percent of the total of funds authorized

(f) (1) Not more than 15 percent of the total of funds authorized to be appropriated under section 216(a)(3) for any fiscal year to carry out this section shall be granted under this section for projects in any one State.

(2) The [Secretary] Administrator shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

RECOMMENDED GUIDELINES

SEC. 209. (a) The [Secretary] Administrator shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after the enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time. (b) (1) The [Secretary] Administrator shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

(2) The [Secretary] Administrator shall issue to appropriate Federal, interstate regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

GRANTS OR CONTRACTS FOR TRAINING PROJECTS

SEC. 210. (a) The [Secretary] Administrator is authorized to make grants to, and contracts with, any eligible organization. For purposes of this section the term "eligible organization" means a State or interstate agency, a municipality, educational institution, and any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

(b) (1) Subject to the provisions of paragraph (2), grants or contracts may be made to pay all or a part of the costs, as may be determined by the Secretary Administrator, of any project operated or to be operated by an eligible organization, which is designed—

(A) to develop, expand, or carry out a program (which may combine training, education, and employment) for training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resources recovery equipment and facilities; or

(B) to train instructors and supervisory personnel to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities.

(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the [Secretary] *Administrator* at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it provides for the same procedures and reports (and access to such reports and to other records) as is required by section 207(b) (4) and (5) with respect to applications made under such section.

(c) The Secretary Administrator shall make a complete investigation and study to determine-

(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

(2) means of using existing training programs to train such personnel; and

(3) the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

APPLICABILITY OF SOLID WASTE DISPOSAL GUIDELINES TO EXECUTIVE: AGENCIES

SEC. 211. (a) (1) If-

(A) an Executive agency (as defined in section 105 of title 5, United States Code) has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or

(B) such an agency enters into a contract with any person for the operation by such person of any Federal property or facility, and the performance of such contract involves such person in solid waste disposal activities.

then such agency shall insure compliance with the guidelines recommended under section 209 and the purposes of this Act in the operation or administration of such property or facility, or the performance of such contract, as the case may be.

(2) Each Executive agency which conducts any activity-

(A) which generates solid waste, and

(B) which, if conducted by a person other than such agency,

would require a permit or license from such agency in order to dispose of such solid waste,

shall insure compliance with such guidelines and the purposes of this Act in conducting such activity.

(3) Each Executive agency which permits the use of Federal property for purposes of disposal of solid waste shall insure compliance with such guidelines and the purposes of this Act in the disposal of such waste.

(4) The President shall prescribe regulations to carry out this subsection.

(b) Each Executive agency which issues any license or permit for disposal of solid waste shall, prior to the issuance of such license or permit, consult with the [Secretary] Administrator to insure compliance with guidelines recommended under section 209 and the purposes of this Act.

NATIONAL DISPOSAL SITES STUDY

SEC. 212. The Secretary Administrator shall submit to the Congress no later than two years after the date of enactment of the Resource Recovery Act of 1970, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (1) a list of materials which should be subject to disposal in any such site; (2) current methods of disposal of such materials; (3) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (4) an inventory of possible sites including existing land or water disposal sites operated or licensed by Federal agencies; (5) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (6) such other information as may be appropriate.

LABOR STANDARDS

SEC. 213. No grant for a project of construction under this Act shall be made unless the [Secretary] Administrator finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and the Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

OTHER AUTHORITY NOT AFFECTED

SEC. 214. This Act shall not be construed as superseding or limiting the authorities and responsibilities under any other provisions of law, of the [Secretary of Health, Education, and Welfare] Administrator, the Secretary of the Interior, or any other Federal officer, department, or agency.

GENERAL PROVISIONS

SEC. 215. (a) Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the [Secretary] Administrator may determine.

(b) No grant may be made under this Act to any private profitmaking organization.

APPROPRIATIONS

SEC. 216. (a) (1) There are authorized to be appropriated to the [Secretary of Health, Education, and Welfare] Administrator for carrying out the provisions of this Act (including, but not limited to, section 208), not to exceed \$41,500,000 for the fiscal year ending June 30, 1971.

(2) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the provisions of this Act, other than section 208, not to exceed \$72,000,000 for the fiscal year ending June 30, 1972, not to exceed \$76,000,000 for the fiscal year ending June 30, 1973, [and] not to exceed \$76,000,000 for the gear ending June 30, 1974, not to exceed \$76,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1976.

(3) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out section 208 of this Act not to exceed \$80,000,000 for the fiscal year ending June 30, 1972, not to exceed \$140,000,000 for the fiscal year ending June 30, 1973, [and] not to exceed \$140,000,000 for the fiscal year ending June 30, 1974, not to exceed \$140,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1976.

REPORT

SOLID WASTE DISPOSAL ACT EXTENSION

JULY 30, 1974.-Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. STAGGERS, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany H.R. 16045]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H.R. 16045) to amend the Solid Waste Disposal Act to authorize appropriations for fiscal years 1975 and 1976, and to make certain technical and conforming changes, having considered the same. report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That (a) section 216(a)(2) of the Solid Waste Disposal Act (42 U.S.C. 3259 (a)(2)) is amended—

(1) by striking out "and" after "June 30, 1973,"; and
(2) by inserting before the period at the end of such paragraph ", not to exceed \$76,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1976".

(b) Section 216(a) (3) of such Act (42 U.S.C. 3259(a) (3)) is amended—
 (1) by striking out "and" after "June 30, 1973,"; and

(2) by inserting before the period at the end of such paragraph ", not to exceed \$140,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1976".
(c) Section 216(b) of such Act (42 U.S.C. 3259(b)) is amended—
(1) by striking out "and" after "June 30, 1973,"; and

(2) by inserting before the period at the end of the first sentence of such paragraph ", not to exceed \$22,500,000 for the fiscal year ending June 30, 1975, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1976'

SEC. 2. (a) Section 203(1) of the Solid Waste Disposal Act (42 U.S.C. 3252(1)) is amended by striking out "Secretary' means the Secretary of Health, Education, and Welfare" and inserting in lieu thereof "'Administrator' means the Administrator of the Environmental Protection Agency".

(b) The Solid Waste Disposal Act (42 U.S.C. 3251-3259) is amended—
(1) by striking out "Secretary of Health, Education, and Welfare" whenever it appears and inserting in lieu thereof "Administrator"; and
(2) by striking out "Secretary" whenever it appears, except—

88-006

EXTENSION OF THE RESOURCE RECOVERY ACT

DECEMBER 17, 1974.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Public Works, submitted the following

REPORT

[To accompany H.R. 16045]

The Committee on Public Works, to which was referred the bill (H.R. 16045) to amend the Solid Waste Disposal Act to authorize appropriations for fiscal years 1975 and 1976 and to make certain technical and conforming changes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

GENERAL STATEMENT

The Committee on Public Works is considering legislation proposing significant changes in the provisions of the Solid Waste Disposal Act, as amended by the Resource Recovery Act. The authorization in that law expired at the end of fiscal year 1974, but programs and activities authorized received continuing authority through September 30, 1974, by virtue of the continuing resolution for appropriations (P.L. 93–324). The effect of this continuing resolution was vacated upon enactment of the regular appropriations bill covering these activities. In order to continue the programs authorized by the Resource Recovery Act, it is necessary for the Congress to extend the authorization for these functions.

FUTURE LEGISLATION

The action recommended here in no way reduces the urgency felt by the Committee to report comprehensive legislation, revising, updating and improving programs begun under the Resource Recovery Act. The Committee completed nine days of hearings on proposed legislation in this area, and the Subcommittee on Environmental Pollution has met several times in executive session to mark up a draft bill. The comments received during and subsequent to the hearings clearly indicate a need to adopt policies that intensify efforts to conserve scarce resources, recover and recycle those resources, and to initiate State, local, and Federal programs to accomplish these purposes. The Committee intends to move forward speedily with a revision of the Resource Recovery Act, and will work diligently to see that additional legislation will be forthcoming in the very near future. But an extension of present authority is necessary at this time in order to assure the continuity of this program.

COST OF LEGISLATION

Section 252(a)(1) of the Legislative Reorganization Act of 1970 requires publication in this report of the Committee's estimate of the costs of reported legislation, together with a comparison of that estimate with estimates prepared by any Federal agency.

The bill authorizes \$76,000,000 for the solid waste program during the period July 1, 1974, to June 30, 1975.

Votes

No roll call votes were taken during the consideration of this bill.

CHANGES IN EXISTING LAW

In the opinion of the Committee it is necessary to dispense with the requirements of subsection (4) of rule XXIX of the Standing Rules of the Senate in order to expedite the business of the Senate.

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Rinety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four

An Act

To amend the Solid Waste Disposal Act to authorize appropriations for fiscal year 1975.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of subsection (a) of section 216 of the Solid Waste Disposal Act, as amended (87 Stat. 11), is amended by striking "and not to exceed \$76,000,000 for the fiscal year ending June 30, 1974," and inserting in lieu thereof ", not to exceed \$76,000,000 for the fiscal year ending June 30, 1974, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1975.".

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

December 24, 1974

Dear Mr. Director:

The following bil	ls were received a	t the White Nouse	on December 24th:
S.J. Res. 40 S.J. Res. 133 S.J. Res. 133 S.J. Res. 262 S. 251 S. 356 S. 521 S. 544 S. 663 S. 754 S. 1017 S. 1083	5. 3481 5. 3548 5. 3548 5. 3934 5. 3943 5. 3976 5. 4073 5. 4206 6.J. Res. 1178 7. J. Res. 1180 7. R. 421 H.R. 1715 7. 420 7. R. 421	H.R. 8958 H.R. 8981 H.R. 9182 H.R. 9199 H.R. 9588 H.R. 9654 H.R. 10212 H.R. 10701 H.R. 10710 H.R. 10827 H.R. 11144	H.R. 14600 H.R. 14689 H.R. 14718 H.R. 15173 H.R. 15223 H.R. 15229 H.R. 15322 H.R. 15322 H.R. 15977 H.R. 16045 H.R. 16215 H.R. 16596
S. 1017	VH.R. 421 /	H.R. 10827 H.R. 11144 M.R. 11273 M.R. 11796 M.R. 11802 M.R. 11847 M.R. 11897 M.R. 12044 M.R. 12044 M.R. 12113 M.R. 12123	H.R. 16215
s. 3358 s. 3359 s. 3394 s. 34330	H.R. 7767 H.R. 8214 H.R. 8322 H.R. 8591	H.R. 13296 H.R. 13869 H.R. 14449 H.R. 14461	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder Chief Executive Clerk

The Honorable Roy L. Ash Director Office of Management and Budget Washington, D. C.