

**(b) Employee training and equipment**

Any school employee who is directed to conduct emergency repairs involving any building material containing asbestos or suspected of containing asbestos, or to conduct operations and maintenance activities, in a school—

- (1) shall be provided the proper training to safely conduct such work in order to prevent potential exposure to asbestos; and
- (2) shall be provided the proper equipment and allowed to follow work practices that are necessary to safely conduct such work in order to prevent potential exposure to asbestos.

**(c) “Emergency repair” defined**

For purposes of this section, the term “emergency repair” means a repair in a school building that was not planned and was in response to a sudden, unexpected event that threatens either—

- (1) the health or safety of building occupants; or
- (2) the structural integrity of the building.

(Pub. L. 94-469, title II, §215, as added Pub. L. 100-368, §4(a), July 18, 1988, 102 Stat. 832.)

EFFECTIVE DATE

Section 4(c) of Pub. L. 100-368 provided that: “Section 215 of the Toxic Substances Control Act [this section], as added by subsection (a), shall take effect on October 12, 1988.”

**§ 2656. Training grants**

**(a) Grants**

The Administrator is authorized to award grants under this section to nonprofit organizations that demonstrate experience in implementing and operating health and safety asbestos training and education programs for workers who are or will be engaged in asbestos-related activities (including State and local governments, colleges and universities, joint labor-management trust funds, and nonprofit government employee organizations) to establish and, or, operate asbestos training programs on a not-for-profit basis. Applications for grants under this subsection shall be submitted in such form and manner, and contain such information, as the Administrator prescribes.

**(b) Authorization**

Of such sums as are authorized to be appropriated pursuant to section 4021(a) of title 20 for the fiscal years 1991, 1992, 1993, 1994, and 1995, not more than \$5,000,000 are authorized to be appropriated to carry out this section in each such fiscal year.

(Pub. L. 94-469, title II, §216, as added Pub. L. 101-637, §16(a)(1), Nov. 28, 1990, 104 Stat. 4597.)

EFFECTIVE DATE

Section 16(b) of Pub. L. 101-637 provided that: “Section 216 of the Toxic Substances Control Act [this section], as added by subsection (a), shall take effect on the date of the enactment of this Act [Nov. 28, 1990].”

SUBCHAPTER III—INDOOR RADON ABATEMENT

**§ 2661. National goal**

The national long-term goal of the United States with respect to radon levels in buildings

is that the air within buildings in the United States should be as free of radon as the ambient air outside of buildings.

(Pub. L. 94-469, title III, §301, as added Pub. L. 100-551, §1(a), Oct. 28, 1988, 102 Stat. 2755.)

REPORT ON RECOMMENDED POLICY FOR DEALING WITH RADON IN ASSISTED HOUSING

Pub. L. 100-628, title X, §1091, Nov. 7, 1988, 102 Stat. 3283, provided that:

“(a) PURPOSES.—The purposes of this section are—

“(1) to require the Department of Housing and Urban Development to develop an effective departmental policy for dealing with radon contamination that utilizes any Environmental Protection Agency guidelines and standards to ensure that occupants of housing covered by this section are not exposed to hazardous levels of radon; and

“(2) to require the Department of Housing and Urban Development to assist the Environmental Protection Agency in reducing radon contamination.

“(b) PROGRAM.—

“(1) APPLICABILITY.—The housing covered by this section is—

“(A) multifamily housing owned by the Department of Housing and Urban Development;

“(B) public housing and Indian housing assisted under the United States Housing Act of 1937 [42 U.S.C. 1437 et seq.];

“(C) housing receiving project-based assistance under section 8 of the United States Housing Act of 1937 [42 U.S.C. 1437f];

“(D) housing assisted under section 236 of the National Housing Act [12 U.S.C. 1715z-1]; and

“(E) housing assisted under section 221(d)(3) of the National Housing Act [12 U.S.C. 1715(d)(3)].

“(2) IN GENERAL.—The Secretary of Housing and Urban Development shall develop and recommend to the Congress a policy for dealing with radon contamination that specifies programs for education, research, testing, and mitigation of radon hazards in housing covered by this section.

“(3) STANDARDS.—In developing the policy, the Secretary shall utilize any guidelines, information, or standards established by the Environmental Protection Agency for—

“(A) testing residential and nonresidential structures for radon;

“(B) identifying elevated radon levels;

“(C) identifying when remedial actions should be taken; and

“(D) identifying geographical areas that are likely to have elevated levels of radon.

“(4) COORDINATION.—In developing the policy, the Secretary shall coordinate the efforts of the Department of Housing and Urban Development with the Environmental Protection Agency, and other appropriate Federal agencies, and shall consult with State and local governments, the housing industry, consumer groups, health organizations, appropriate professional organizations, and other appropriate experts.

“(5) REPORT.—The Secretary shall submit a report to the Congress within 1 year after the date of the enactment of this Act [Nov. 7, 1988] that describes the Secretary’s recommended policy for dealing with radon contamination and the Secretary’s reasons for recommending such policy. The report shall include an estimate of the housing covered by this section that is likely to have hazardous levels of radon.

“(c) COOPERATION WITH ENVIRONMENTAL PROTECTION AGENCY.—Within 6 months after the date of the enactment of this Act [Nov. 7, 1988], the Secretary and the Administrator of the Environmental Protection Agency shall enter into a memorandum of understanding describing the Secretary’s plan to assist the Administrator in carrying out the Environmental Protection Agency’s authority to assess the extent of radon con-

tamination in the United States and assist in the development of measures to avoid and reduce radon contamination.

“(d) DEFINITIONS.—For purposes of this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Housing and Urban Development.

“(e) AUTHORIZATION.—Funds available for housing covered by this section shall be available to carry out this section with respect to such housing.”

### § 2662. Definitions

For purposes of this subchapter:

(1) The term “local educational agency” means—

(A) any local educational agency as defined in section 7801 of title 20;

(B) the owner of any nonprofit elementary or secondary school building; and

(C) the governing authority of any school operated pursuant to section 241 of title 20, as in effect before enactment of the Improving America’s Schools Act of 1994, or successor authority, relating to impact aid for children who reside on Federal property.

(2) The term “nonprofit elementary or secondary school” has the meaning given such term by section 2642(8)<sup>1</sup> of this title.

(3) The term “radon” means the radioactive gaseous element and its short-lived decay products produced by the disintegration of the element radium occurring in air, water, soil, or other media.

(4) The term “school building” has the meaning given such term by section 2642(13) of this title.

(Pub. L. 94-469, title III, §302, as added Pub. L. 100-551, §1(a), Oct. 28, 1988, 102 Stat. 2755; amended Pub. L. 103-382, title III, §391(c)(4), 392(b)(2), Oct. 20, 1994, 108 Stat. 4022, 4026; Pub. L. 107-110, title X, §1076(f)(2), Jan. 8, 2002, 115 Stat. 2091.)

#### REFERENCES IN TEXT

Section 241 of title 20, as in effect before enactment of the Improving America’s Schools Act of 1994, referred to in par. (1)(C), means section 241 of Title 20, Education, prior to its repeal by Pub. L. 103-382, title III, §331(b), Oct. 20, 1994, 108 Stat. 3965.

#### AMENDMENTS

2002—Par. (1)(A). Pub. L. 107-110 substituted “7801” for “8801”.

1994—Par. (1)(A). Pub. L. 103-382, §391(c)(4)(A), made technical amendment to reference to section 8801 of title 20 to reflect change in reference to corresponding section of original act.

Par. (1)(C). Pub. L. 103-382 directed two separate amendments of par. (1)(C), the first, by section 391(c)(4)(B) of Pub. L. 103-382, directed the insertion of “or successor authority” immediately after “section 241 of title 20”, the second, by section 392(b)(2) of Pub. L. 103-382, directed the insertion (without reference to the first amendment) of “as in effect before enactment of the Improving America’s Schools Act of 1994” immediately after “section 241 of title 20.”. Literal execution of the second amendment was not possible, as “section 241 of title 20,” was amended to read “section 241 of title 20 or successor authority,” by the first amendment. Commas were editorially inserted before and after the phrase added by the second amendment and it

was inserted immediately after “section 241 of title 20” to reflect the probable intent of Congress.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of Title 20, Education.

### § 2663. EPA citizen’s guide

#### (a) Publication

In order to make continuous progress toward the long-term goal established in section 2661 of this title, the Administrator of the Environmental Protection Agency shall, not later than June 1, 1989, publish and make available to the public an updated version of its document titled “A Citizen’s Guide to Radon”. The Administrator shall revise and republish the guide as necessary thereafter.

#### (b) Information included

##### (1) Action levels

The updated citizen’s guide published as provided in subsection (a) of this section shall include a description of a series of action levels indicating the health risk associated with different levels of radon exposure.

##### (2) Other information

The updated citizen’s guide shall also include information with respect to each of the following:

(A) The increased health risk associated with the exposure of potentially sensitive populations to different levels of radon.

(B) The increased health risk associated with the exposure to radon of persons engaged in potentially risk-increasing behavior.

(C) The cost and technological feasibility of reducing radon concentrations within existing and new buildings.

(D) The relationship between short-term and long-term testing techniques and the relationship between (i) measurements based on both such techniques, and (ii) the actions<sup>1</sup> levels set forth as provided in paragraph (1).

(E) Outdoor radon levels around the country.

(Pub. L. 94-469, title III, §303, as added Pub. L. 100-551, §1(a), Oct. 28, 1988, 102 Stat. 2755.)

### § 2664. Model construction standards and techniques

The Administrator of the Environmental Protection Agency shall develop model construction standards and techniques for controlling radon levels within new buildings. To the maximum extent possible, these standards and techniques should be developed with the assistance of organizations involved in establishing national building construction standards and techniques. The Administrator shall make a draft of the document containing the model standards and techniques available for public review and comment. The model standards and techniques shall

<sup>1</sup> So in original. Probably should be section “2642(9)”.

<sup>1</sup> So in original. Probably should be “action”.