

fect after October 22, 1986. Any advanced notice of proposed rulemaking, any proposed rule, and any regulation of the Environmental Protection Agency in effect before October 22, 1986, which is consistent with the regulations required under section 2643 of this title shall remain in effect and may be used to meet the requirements of section 2643 of this title, except that any such regulation shall be enforced under this chapter.

(Pub. L. 94-469, title II, §214, as added Pub. L. 99-519, §2, Oct. 22, 1986, 100 Stat. 2988.)

§ 2655. Worker protection

(a) Prohibition on certain activities

Until the local educational agency with authority over a school has submitted a management plan (for the school) which the State Governor has not disapproved as of the end of the period for review and revision of the plan under section 2645 of this title, the local educational agency may not do either of the following in the school:

(1) Perform, or direct an employee to perform, renovations or removal of building materials, except emergency repairs, in the school, unless—

(A) the school is carrying out work under a grant awarded under section 4014 of title 20; or

(B) an inspection that complies with the requirements of regulations promulgated under section 2643 of this title has been carried out in the school and the agency complies with the following sections of title 40 of the Code of Federal Regulations:

(i) Paragraphs (g), (h), and (i) of section 763.90 (response actions).

(ii) Appendix D to subpart E of part 763 (transport and disposal of asbestos waste).

(2) Perform, or direct an employee to perform, operations and maintenance activities in the school, unless the agency complies with the following sections of title 40 of the Code of Federal Regulations:

(A) Section 763.91 (operations and maintenance), including appendix B to subpart E of part 763.

(B) Paragraph (a)(2) of section 763.92 (training and periodic surveillance).

(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

Pub. L. 100-368, §4(c), July 18, 1988, 102 Stat. 833, 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

Pub. L. 101-637, §16(b), Nov. 28, 1990, 104 Stat. 4598, 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