

462, as amended, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

#### AMENDMENTS

2011—Subsec. (a)(1). Pub. L. 112-74, §432(b), inserted “(other than Outer Continental Shelf sources located offshore of the North Slope Borough of the State of Alaska)” after “Outer Continental Shelf sources located offshore of the States along the Pacific, Arctic and Atlantic Coasts” and “and this chapter” after “regulations”.

Subsec. (b). Pub. L. 112-74, §432(c), struck out “Gulf Coast” after “United States” and inserted “or are adjacent to the North Slope Borough of the State of Alaska” after “Alabama”.

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### CONGRESSIONAL STATEMENT OF PURPOSE

Pub. L. 112-74, div. E, title IV, §432(a), Dec. 23, 2011, 125 Stat. 1048, provided that: “It is the purpose of this section [amending this section and enacting provisions set out as a note under this section] to ensure that the energy policy of the United States focuses on the expeditious and orderly development of domestic energy resources in a manner that protects human health and the environment.”

#### EFFECT OF TRANSFER OF AIR QUALITY PERMITTING AUTHORITY

Pub. L. 112-74, div. E, title IV, §432(d), Dec. 23, 2011, 125 Stat. 1049, provided that: “The transfer of air quality permitting authority pursuant to this section [amending this section and enacting provisions set out as a note under this section] shall not invalidate or stay—

“(1) any air quality permit pending or existing as of the date of the enactment of this Act [Dec. 23, 2011]; or

“(2) any proceeding related thereto.”

### § 7628. Demonstration grant program for local governments

#### (a) Grant program

##### (1) In general

The Administrator shall establish a demonstration program under which the Administrator shall provide competitive grants to assist local governments (such as municipalities and counties), with respect to local government buildings—

(A) to deploy cost-effective technologies and practices; and

(B) to achieve operational cost savings, through the application of cost-effective technologies and practices, as verified by the Administrator.

##### (2) Cost sharing

###### (A) In general

The Federal share of the cost of an activity carried out using a grant provided under this section shall be 40 percent.

#### (B) Waiver of non-Federal share

The Administrator may waive up to 100 percent of the local share of the cost of any grant under this section should the Administrator determine that the community is economically distressed, pursuant to objective economic criteria established by the Administrator in published guidelines.

#### (3) Maximum amount

The amount of a grant provided under this subsection shall not exceed \$1,000,000.

#### (b) Guidelines

##### (1) In general

Not later than 1 year after December 19, 2007, the Administrator shall issue guidelines to implement the grant program established under subsection (a).

##### (2) Requirements

The guidelines under paragraph (1) shall establish—

(A) standards for monitoring and verification of operational cost savings through the application of cost-effective technologies and practices reported by grantees under this section;

(B) standards for grantees to implement training programs, and to provide technical assistance and education, relating to the retrofit of buildings using cost-effective technologies and practices; and

(C) a requirement that each local government that receives a grant under this section shall achieve facility-wide cost savings, through renovation of existing local government buildings using cost-effective technologies and practices, of at least 40 percent as compared to the baseline operational costs of the buildings before the renovation (as calculated assuming a 3-year, weather-normalized average).

#### (c) Compliance with State and local law

Nothing in this section or any program carried out using a grant provided under this section supersedes or otherwise affects any State or local law, to the extent that the State or local law contains a requirement that is more stringent than the relevant requirement of this section.

#### (d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2007 through 2012.

#### (e) Reports

##### (1) In general

The Administrator shall provide annual reports to Congress on cost savings achieved and actions taken and recommendations made under this section, and any recommendations for further action.

##### (2) Final report

The Administrator shall issue a final report at the conclusion of the program, including findings, a summary of total cost savings achieved, and recommendations for further action.

#### (f) Termination

The program under this section shall terminate on September 30, 2012.

**(g) Definitions**

In this section, the terms “cost-effective technologies and practices” and “operating<sup>1</sup> cost savings” shall have the meanings defined in section 17061 of this title.

(July 14, 1955, ch. 360, title III, §329, as added Pub. L. 110-140, title IV, §493, Dec. 19, 2007, 121 Stat. 1652.)

## EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

## SUBCHAPTER IV—NOISE POLLUTION

## CODIFICATION

Another title IV of act July 14, 1955, as added by Pub. L. 101-549, title IV, §401, Nov. 15, 1990, 104 Stat. 2584, is classified to subchapter IV-A (§7651 et seq.) of this chapter.

**§ 7641. Noise abatement****(a) Office of Noise Abatement and Control**

The Administrator shall establish within the Environmental Protection Agency an Office of Noise Abatement and Control, and shall carry out through such Office a full and complete investigation and study of noise and its effect on the public health and welfare in order to (1) identify and classify causes and sources of noise, and (2) determine—

- (A) effects at various levels;
- (B) projected growth of noise levels in urban areas through the year 2000;
- (C) the psychological and physiological effect on humans;
- (D) effects of sporadic extreme noise (such as jet noise near airports) as compared with constant noise;
- (E) effect on wildlife and property (including values);
- (F) effect of sonic booms on property (including values); and
- (G) such other matters as may be of interest in the public welfare.

**(b) Investigation techniques; report and recommendations**

In conducting such investigation, the Administrator shall hold public hearings, conduct research, experiments, demonstrations, and studies. The Administrator shall report the results of such investigation and study, together with his recommendations for legislation or other action, to the President and the Congress not later than one year after December 31, 1970.

**(c) Abatement of noise from Federal activities**

In any case where any Federal department or agency is carrying out or sponsoring any activity resulting in noise which the Administrator determines amounts to a public nuisance or is otherwise objectionable, such department or agency shall consult with the Administrator to determine possible means of abating such noise.

(July 14, 1955, ch. 360, title IV, §402, as added Pub. L. 91-604, §14, Dec. 31, 1970, 84 Stat. 1709.)

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

## CODIFICATION

Another section 402 of act July 14, 1955, as added by Pub. L. 101-549, title IV, §401, Nov. 15, 1990, 104 Stat. 2585, is classified to section 7651a of this title.

Section was formerly classified to section 1858 of this title.

**§ 7642. Authorization of appropriations**

There is authorized to be appropriated such amount, not to exceed \$30,000,000, as may be necessary for the purposes of this subchapter.

(July 14, 1955, ch. 360, title IV, §403, as added Pub. L. 91-604, §14, Dec. 31, 1970, 84 Stat. 1710.)

## CODIFICATION

Another section 403 of act July 14, 1955, as added by Pub. L. 101-549, title IV, §401, Nov. 15, 1990, 104 Stat. 2589, is classified to section 7651b of this title.

Section was formerly classified to section 1858a of this title.

## SUBCHAPTER IV—ACID DEPOSITION CONTROL

## CODIFICATION

Another title IV of act July 14, 1955, as added by Pub. L. 91-604, §14, Dec. 31, 1970, 84 Stat. 1709, is classified principally to subchapter IV (§7641 et seq.) of this chapter.

**§ 7651. Findings and purposes****(a) Findings**

The Congress finds that—

- (1) the presence of acidic compounds and their precursors in the atmosphere and in deposition from the atmosphere represents a threat to natural resources, ecosystems, materials, visibility, and public health;
- (2) the principal sources of the acidic compounds and their precursors in the atmosphere are emissions of sulfur and nitrogen oxides from the combustion of fossil fuels;
- (3) the problem of acid deposition is of national and international significance;
- (4) strategies and technologies for the control of precursors to acid deposition exist now that are economically feasible, and improved methods are expected to become increasingly available over the next decade;
- (5) current and future generations of Americans will be adversely affected by delaying measures to remedy the problem;
- (6) reduction of total atmospheric loading of sulfur dioxide and nitrogen oxides will enhance protection of the public health and welfare and the environment; and
- (7) control measures to reduce precursor emissions from steam-electric generating units should be initiated without delay.

**(b) Purposes**

The purpose of this subchapter is to reduce the adverse effects of acid deposition through reductions in annual emissions of sulfur dioxide of ten million tons from 1980 emission levels, and in combination with other provisions of this chapter, of nitrogen oxides emissions of approximately two million tons from 1980 emission levels, in the forty-eight contiguous States and the District of Columbia. It is the intent of this subchapter to effectuate such reductions by requir-