

**(c) Administrative expenses**

The State of Alaska may use an amount not to exceed 4 percent of any grant made available under this subsection<sup>1</sup> for administrative expenses necessary to carry out the activities described in subsection (a).

**(d) Consultation with State of Alaska**

The Administrator shall consult with the State of Alaska on a method of prioritizing the allocation of grants under subsection (a) according to the needs of, and relative health and sanitation conditions in, each eligible village.

**(e) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2001 through 2005.

(Pub. L. 104-182, title III, § 303, Aug. 6, 1996, 110 Stat. 1683; Pub. L. 106-457, title IX, § 903, Nov. 7, 2000, 114 Stat. 1982.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Safe Drinking Water Act Amendments of 1996, and not as part of the Federal Water Pollution Control Act which comprises this chapter.

## AMENDMENTS

2000—Subsec. (e). Pub. L. 106-457 substituted “to carry out this section \$40,000,000 for each of fiscal years 2001 through 2005” for “\$15,000,000 for each of the fiscal years 1997 through 2000 to carry out this section”.

**§ 1264. Omitted****Editorial Notes**

## CODIFICATION

Section, act June 30, 1948, ch. 758, title I, § 114, as added Oct. 18, 1972, Pub. L. 92-500, § 2, 86 Stat. 833, authorized the Administrator, in consultation with the Tahoe Regional Planning Agency, the Secretary of Agriculture, other Federal agencies, representatives of State and local governments, and members of the public, to conduct a thorough and complete study on the need of extending Federal oversight and control in order to preserve the fragile ecology of Lake Tahoe and to report the results of this study to Congress not later than one year after Oct. 18, 1972.

**§ 1265. In-place toxic pollutants**

The Administrator is directed to identify the location of in-place pollutants with emphasis on toxic pollutants in harbors and navigable waterways and is authorized, acting through the Secretary of the Army, to make contracts for the removal and appropriate disposal of such materials from critical port and harbor areas. There is authorized to be appropriated \$15,000,000 to carry out the provisions of this section, which sum shall be available until expended.

(June 30, 1948, ch. 758, title I, § 115, as added Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 833.)

**§ 1266. Hudson River reclamation demonstration project**

(a) The Administrator is authorized to enter into contracts and other agreements with the

State of New York to carry out a project to demonstrate methods for the selective removal of polychlorinated biphenyls contaminating bottom sediments of the Hudson River, treating such sediments as required, burying such sediments in secure landfills, and installing monitoring systems for such landfills. Such demonstration project shall be for the purpose of determining the feasibility of indefinite storage in secure landfills of toxic substances and of ascertaining the improvement of the rate of recovery of a toxic contaminated national waterway. No pollutants removed pursuant to this paragraph shall be placed in any landfill unless the Administrator first determines that disposal of the pollutants in such landfill would provide a higher standard of protection of the public health, safety, and welfare than disposal of such pollutants by any other method including, but not limited to, incineration or a chemical destruction process.

(b) The Administrator is authorized to make grants to the State of New York to carry out this section from funds allotted to such State under section 1285(a) of this title, except that the amount of any such grant shall be equal to 75 per centum of the cost of the project and such grant shall be made on condition that non-Federal sources provide the remainder of the cost of such project. The authority of this section shall be available until September 30, 1983. Funds allotted to the State of New York under section 1285(a) of this title shall be available under this subsection only to the extent that funds are not available, as determined by the Administrator, to the State of New York for the work authorized by this section under section 1265 or 1321 of this title or a comprehensive hazardous substance response and clean up fund. Any funds used under the authority of this subsection shall be deducted from any estimate of the needs of the State of New York prepared under section 1375(b) of this title. The Administrator may not obligate or expend more than \$20,000,000 to carry out this section.

(June 30, 1948, ch. 758, title I, § 116, as added Pub. L. 96-483, § 10, Oct. 21, 1980, 94 Stat. 2363; amended Pub. L. 105-362, title V, § 501(d)(2)(B), Nov. 10, 1998, 112 Stat. 3284; Pub. L. 107-303, title III, § 302(b)(1), Nov. 27, 2002, 116 Stat. 2361.)

**Editorial Notes**

## AMENDMENTS

2002—Subsec. (b). Pub. L. 107-303 repealed Pub. L. 105-362, § 501(d)(2)(B). See 1998 Amendment note below.

1998—Subsec. (b). Pub. L. 105-362, § 501(d)(2)(B), which directed the substitution of “section 1375 of this title” for “section 1375(b) of this title” in penultimate sentence, was repealed by Pub. L. 107-303. See Effective Date of 2002 Amendment note below.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-303 effective Nov. 10, 1998, and Federal Water Pollution Act (33 U.S.C. 1251 et seq.) to be applied and administered on and after Nov. 27, 2002, as if amendments made by section 501(a)-(d) of Pub. L. 105-362 had not been enacted, see section 302(b) of Pub. L. 107-303, set out as a note under section 1254 of this title.

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

**§ 1267. Chesapeake Bay****(a) Definitions**

In this section, the following definitions apply:

**(1) Administrative cost**

The term “administrative cost” means the cost of salaries and fringe benefits incurred in administering a grant under this section.

**(2) Chesapeake Bay Agreement**

The term “Chesapeake Bay Agreement” means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

**(3) Chesapeake Bay ecosystem**

The term “Chesapeake Bay ecosystem” means the ecosystem of the Chesapeake Bay and its watershed.

**(4) Chesapeake Bay Program**

The term “Chesapeake Bay Program” means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

**(5) Chesapeake Executive Council**

The term “Chesapeake Executive Council” means the signatories to the Chesapeake Bay Agreement.

**(6) Signatory jurisdiction**

The term “signatory jurisdiction” means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

**(b) Continuation of Chesapeake Bay Program****(1) In general**

In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

**(2) Program Office****(A) In general**

The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

**(B) Function**

The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and imple-

menting specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

**(c) Interagency agreements**

The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

**(d) Technical assistance and assistance grants****(1) In general**

In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

**(2) Federal share****(A) In general**

Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

**(B) Small watershed grants program**

The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

**(3) Non-Federal share**

An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

**(4) Administrative costs**

Administrative costs shall not exceed 10 percent of the annual grant award.

**(e) Implementation and monitoring grants****(1) In general**

If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

(A) shall make a grant to the jurisdiction for the purpose of implementing the man-