

risk evaluation, determination, or rule under this chapter solely because the action was completed prior to the development of a policy, procedure, or guidance pursuant to the amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

(Pub. L. 94-469, title I, §26, Oct. 11, 1976, 90 Stat. 2046; Pub. L. 98-80, §2(c)(2)(A), Aug. 23, 1983, 97 Stat. 485; renumbered title I, Pub. L. 99-519, §3(c)(1), Oct. 22, 1986, 100 Stat. 2989; amended Pub. L. 114-182, title I, §§17, 19(q), June 22, 2016, 130 Stat. 499, 510.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (b)(4)(E), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

Reorganization Plan No. 3 of 1970, referred to in subsec. (g)(2), is set out in the Appendix to Title 5, Government Organization and Employees.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act, referred to in subsecs. (l)(1) and (p), is Pub. L. 114-182, June 22, 2016, 130 Stat. 492. For complete classification of this Act to the Code, see Short Title of 2016 Amendment note set out under section 2601 of this title and Tables.

##### AMENDMENTS

Subsec. (b)(1). Pub. L. 114-182, §17(1), struck out “of a reasonable fee” before “from any person”, substituted “information under section 2603 of this title or a notice or other information to be reviewed by the Administrator under section 2604 of this title, or who manufactures or processes a chemical substance that is the subject of a risk evaluation under section 2605(b) of this title, of a fee that is sufficient and not more than reasonably necessary to defray the cost related to such chemical substance of administering sections 2603, 2604, and 2605 of this title, and collecting, processing, reviewing, and providing access to and protecting from disclosure as appropriate under section 2613 of this title information on chemical substances under this subchapter, including contractor costs incurred by the Administrator” for “data under section 2603 or 2604 of this title to defray the cost of administering this chapter”, struck out “Such rules shall not provide for any fee in excess of \$2,500 or, in the case of a small business concern, any fee in excess of \$100.” before “In setting a fee”, and substituted “pay such fee and the cost to the Administrator of carrying out the activities described in this paragraph” for “submit the data and the cost to the Administrator of reviewing such data”.

Subsec. (b)(2). Pub. L. 114-182, §17(2)(A), substituted “paragraph (4)” for “paragraph (1)”.

Subsec. (b)(3) to (6). Pub. L. 114-182, §17(2)(B), added pars. (3) to (6).

Subsec. (e). Pub. L. 114-182, §19(q)(1), substituted “Health and Human Services” for “Health, Education, and Welfare” wherever appearing.

Subsec. (g)(1)(A). Pub. L. 114-182, §19(q)(2), substituted “information” for “data”.

Subsecs. (h) to (p). Pub. L. 114-182, §17(3), added subsecs. (h) to (p).

1983—Subsec. (g)(2). Pub. L. 98-80 struck out “(A)” before “be in addition” and “”, and (B) be compensated at the rate of pay authorized for such Assistant Administrators” after “No. 3 of 1970”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 1, 1977, see section 31 of Pub. L. 94-469, set out as a note under section 2601 of this title.

##### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (e)(2)(B) of this section relating to annual reports to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and pages 93 and 164 of House Document No. 103-7.

#### § 2626. Development and evaluation of test methods

##### (a) In general

The Secretary of Health and Human Services, in consultation with the Administrator and acting through the Assistant Secretary for Health, may conduct, and make grants to public and nonprofit private entities and enter into contracts with public and private entities for, projects for the development and evaluation of inexpensive and efficient methods (1) for determining and evaluating the health and environmental effects of chemical substances and mixtures, and their toxicity, persistence, and other characteristics which affect health and the environment, and (2) which may be used for the development of information to meet the requirements of rules, orders, or consent agreements under section 2603 of this title. The Administrator shall consider such methods in prescribing under section 2603 of this title protocols and methodologies for the development of information.

##### (b) Approval by Secretary

No grant may be made or contract entered into under subsection (a) unless an application therefor has been submitted to and approved by the Secretary. Such an application shall be submitted in such form and manner and contain such information as the Secretary may require. The Secretary may apply such conditions to grants and contracts under subsection (a) as the Secretary determines are necessary to carry out the purposes of such subsection. Contracts may be entered into under such subsection without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41.

(Pub. L. 94-469, title I, §27, Oct. 11, 1976, 90 Stat. 2049; renumbered title I, Pub. L. 99-519, §3(c)(1), Oct. 22, 1986, 100 Stat. 2989; amended Pub. L. 104-66, title I, §1061(a), Dec. 21, 1995, 109 Stat. 719; Pub. L. 114-182, title I, §19(r), June 22, 2016, 130 Stat. 510.)

#### Editorial Notes

##### CODIFICATION

In subsec. (b), “section 3324(a) and (b) of title 31 and section 6101 of title 41” substituted for “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, which Act enacted Title 31, Money and Finance, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

##### AMENDMENTS

2016—Subsec. (a). Pub. L. 114-182 substituted “Health and Human Services” for “Health, Education, and Welfare”, “information” for “test data” in two places, “rules, orders, or consent agreements” for “rules promulgated”, and “protocols and methodologies” for “standards”.

1995—Subsec. (c). Pub. L. 104-66 struck out heading and text of subsec. (c). Text read as follows:

“(1) The Secretary shall prepare and submit to the President and the Congress on or before January 1 of each year a report of the number of grants made and contracts entered into under this section and the results of such grants and contracts.

“(2) The Secretary shall periodically publish in the Federal Register reports describing the progress and results of any contract entered into or grant made under this section.”

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 1, 1977, see section 31 of Pub. L. 94-469, set out as a note under section 2601 of this title.

### § 2627. State programs

#### (a) In general

For the purpose of complementing (but not reducing) the authority of, or actions taken by, the Administrator under this chapter, the Administrator may make grants to States for the establishment and operation of programs to prevent or eliminate unreasonable risks within the States to health or the environment which are associated with a chemical substance or mixture and with respect to which the Administrator is unable or is not likely to take action under this chapter for their prevention or elimination. The amount of a grant under this subsection shall be determined by the Administrator, except that no grant for any State program may exceed 75 per centum of the establishment and operation costs (as determined by the Administrator) of such program during the period for which the grant is made.

#### (b) Approval by Administrator

(1) No grant may be made under subsection (a) unless an application therefor is submitted to and approved by the Administrator. Such an application shall be submitted in such form and manner as the Administrator may require and shall—

(A) set forth the need of the applicant for a grant under subsection (a),

(B) identify the agency or agencies of the State which shall establish or operate, or both, the program for which the application is submitted,

(C) describe the actions proposed to be taken under such program,

(D) contain or be supported by assurances satisfactory to the Administrator that such program shall, to the extent feasible, be integrated with other programs of the applicant for environmental and public health protection,

(E) provide for the making of such reports and evaluations as the Administrator may require, and

(F) contain such other information as the Administrator may prescribe.

(2) The Administrator may approve an application submitted in accordance with paragraph (1) only if the applicant has established to the satisfaction of the Administrator a priority need, as determined under rules of the Administrator, for the grant for which the application has been submitted. Such rules shall take into consideration the seriousness of the health effects in a

State which are associated with chemical substances or mixtures, including cancer, birth defects, and gene mutations, the extent of the exposure in a State of human beings and the environment to chemical substances and mixtures, and the extent to which chemical substances and mixtures are manufactured, processed, used, and disposed of in a State.

(Pub. L. 94-469, title I, § 28, Oct. 11, 1976, 90 Stat. 2049; Pub. L. 97-129, § 1(a), Dec. 29, 1981, 95 Stat. 1686; renumbered title I, Pub. L. 99-519, § 3(c)(1), Oct. 22, 1986, 100 Stat. 2989; amended Pub. L. 114-182, title I, § 18, June 22, 2016, 130 Stat. 505.)

#### Editorial Notes

##### AMENDMENTS

2016—Subsecs. (c), (d). Pub. L. 114-182 struck out subsecs. (c) and (d). Text read as follows:

“(c) Not later than six months after the end of each of the fiscal years 1979, 1980, and 1981, the Administrator shall submit to the Congress a report respecting the programs assisted by grants under subsection (a) in the preceding fiscal year and the extent to which the Administrator has disseminated information respecting such programs.

“(d) For the purpose of making grants under subsection (a), there are authorized to be appropriated \$1,500,000 for each of the fiscal years 1982 and 1983. Sums appropriated under this subsection shall remain available until expended.”

1981—Subsec. (d). Pub. L. 97-129 substituted provisions relating to authorization of appropriations of \$1,500,000 for each of the fiscal years 1982 and 1983 for provisions relating to such authorization for fiscal years ending Sept. 30, 1977, Sept. 30, 1978, and Sept. 30, 1979.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 1, 1977, see section 31 of Pub. L. 94-469, set out as a note under section 2601 of this title.

### § 2628. Authorization of appropriations

There are authorized to be appropriated to the Administrator for purposes of carrying out this chapter (other than sections 2626 and 2627 of this title and subsections (a) and (c) through (g) of section 2609 of this title) \$58,646,000 for the fiscal year 1982 and \$62,000,000 for the fiscal year 1983. No part of the funds appropriated under this section may be used to construct any research laboratories.

(Pub. L. 94-469, title I, § 29, Oct. 11, 1976, 90 Stat. 2050; Pub. L. 97-129, § 1(b), Dec. 29, 1981, 95 Stat. 1686; renumbered title I, Pub. L. 99-519, § 3(c)(1), Oct. 22, 1986, 100 Stat. 2989.)

#### Editorial Notes

##### AMENDMENTS

1981—Pub. L. 97-129 substituted provisions relating to authorization of appropriation of \$58,646,000 for fiscal year 1982, and \$62,000,000 for fiscal year 1983, for provisions relating to such authorization of \$10,100,000 for fiscal year ending Sept. 30, 1977, \$12,625,000 for fiscal year ending Sept. 30, 1978, and \$16,200,000 for fiscal year ending Sept. 30, 1979.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 1, 1977, see section 31 of Pub. L. 94-469, set out as a note under section 2601 of this title.