

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MRS. DINGELL OF MICHIGAN

At the end of subtitle B of title III, insert the following new section:

1 **SEC. 3___ . TECHNICAL ASSISTANCE FOR COMMUNITIES**
2 **AND INDIVIDUALS POTENTIALLY AFFECTED**
3 **BY RELEASES AT CURRENT AND FORMER DE-**
4 **PARTMENT OF DEFENSE FACILITIES.**

5 (a) TECHNICAL ASSISTANCE FOR NAVIGATION OF
6 RESPONSE ACTION PROCESSES.—

7 (1) TRANSFER.—Subject to such amounts as
8 are provided in appropriations Acts, the Secretary of
9 Defense shall transfer funds to the Administrator of
10 the Environmental Protection Agency for the pur-
11 pose of furnishing technical assistance services de-
12 scribed in paragraph (3) to communities, or individ-
13 uals who are members thereof, that may be affected
14 by a release or threatened release of a hazardous
15 substance at a facility under the jurisdiction of, or
16 formerly used by or under the jurisdiction of, the
17 Department of Defense.

1 (2) COOPERATIVE AGREEMENTS.—In furnishing
2 technical assistance services using amounts trans-
3 ferred pursuant to paragraph (1), the Administrator
4 of the Environmental Protection Agency may furnish
5 such services through cooperative agreements en-
6 tered into with a State or nonprofit organization, for
7 the State or nonprofit organization, as the case may
8 be, to provide the services.

9 (3) SERVICES PROVIDED.—The services de-
10 scribed in this paragraph are services to improve
11 public participation in, or assist in the navigation of,
12 the process of response actions under CERCLA and
13 chapter 160 of title 10, United States Code, includ-
14 ing—

15 (A) the dissemination of guidance to the
16 individuals and communities specified in para-
17 graph (1) regarding additional technical assist-
18 ance with respect to which such individuals may
19 be eligible (including pursuant to subsection
20 (b));

21 (B) the interpretation of site-related docu-
22 ments;

23 (C) the interpretation of health-related in-
24 formation;

1 (D) assistance with the preparation of pub-
2 lic comments; and

3 (E) the development of outreach materials
4 to improve public participation.

5 (b) GRANTS FOR TECHNICAL ASSISTANCE.—

6 (1) AUTHORITY.—Subject to such amounts as
7 are provided in appropriations Acts, the Secretary
8 shall transfer funds to the Administrator of the En-
9 vironmental Protection Agency for the purpose of
10 administering a grant program under which the Ad-
11 ministrator may award a grant to any community of
12 individuals that may be affected by a release or
13 threatened release of a hazardous substance at a fa-
14 cility under the jurisdiction of, or formerly used by
15 or under the jurisdiction of, the Department of De-
16 fense for which the anticipated or planned costs to
17 complete a response under CERCLA or chapter 160
18 of title 10, United States Code, is at least \$750,000,
19 with the exception of a facility that is a facility in-
20 cluded on the National Priorities List pursuant to
21 section 105 of CERCLA (42 U.S.C. 9605).

22 (2) USE OF AMOUNTS.—Grants awarded pursu-
23 ant to paragraph (1) may only be used by the grant
24 recipient to obtain technical assistance in inter-
25 preting information and site-related documents for

1 various stages of the processes of response, remedi-
2 ation, and removal actions under CERCLA and
3 chapter 160 of title 10, United States Code, at the
4 facility with respect to which there is a release or
5 threatened release, including information relating to
6 the following:

7 (A) The nature of the hazardous substance
8 of the release or threatened release.

9 (B) An interim remedial action at such fa-
10 cility, including a remedial investigation or fea-
11 sibility study, record of decision, remedial de-
12 sign, selection and construction of remedial ac-
13 tion, operation and maintenance, and five-year
14 review.

15 (C) A removal action at such facility.

16 (3) APPLICABLE GUIDELINES.—The Adminis-
17 trator of the Environmental Protection Agency shall,
18 to the extent practicable, administer grants under
19 this subsection in a manner consistent with applica-
20 ble guidelines established by the Administrator for
21 technical assistance grants under section 117(e) of
22 CERCLA (42 U.S.C. 9617(e)).

23 (c) PROGRAM ADMINISTRATION.—Not later than 180
24 days after the date of the enactment of this Act, the Sec-
25 retary of Defense and the Administrator of the Environ-

1 mental Protection Agency shall enter into an agreement
2 to facilitate the transfer of funds and provision of assist-
3 ance under this section. Such agreement shall include an
4 identification of the responsibilities of the Secretary and
5 Administrator, respectively, with respect to—

6 (1) the dissemination of information to individ-
7 uals and communities that may be eligible for assist-
8 ance under this section on the availability of such
9 assistance; and

10 (2) procedures for receiving and responding to
11 requests for such assistance.

12 (d) ADDITIONAL NATURE OF AUTHORITY.—The au-
13 thority to transfer funds under this section is in addition
14 to any other authority to transfer funds available to the
15 Secretary of Defense.

16 (e) PROHIBITION ON USE OF AMOUNTS.—None of
17 the amounts made available to a recipient pursuant to this
18 section may be used for the purpose of conducting—

19 (1) lobbying activities; or

20 (2) legal challenges of final decisions of the De-
21 partment of Defense or the Environmental Protec-
22 tion Agency.

23 (f) DEFINITIONS.—In this section, the terms
24 “CERCLA”, “release”, “environment”, “facility”, and

- 1 “response” have the meanings given those terms in section
- 2 2700 of title 10, United States Code.

