

Mr. DADDARIO. If you would, please.

Mr. GILBERTSON. Yes, sir; we will do that.

(The memorandum requested follows:)

MEMORANDUM OF UNDERSTANDING RELATIVE TO IMPLEMENTATION OF TITLE II,
THE SOLID WASTE DISPOSAL ACT OF 1965 PUBLIC LAW 89-272

The Department of Health, Education, and Welfare, Public Health Service, and the Department of the Interior, Bureau of Mines, each has an area of responsibility for implementing the provisions of Public Law 89-272, the Solid Waste Disposal Act, and are mutually desirous of developing a coordinated program toward the attainment of common objectives under the Act. The report of the House Committee on Interstate and Foreign Commerce (Report No. 899, page 27, lines 19 through 36), states that, under the provisions of the bill, subsequently enacted as Public Law 89-272, the Department of Health, Education, and Welfare "would be responsible for administration of the Act, except that the Secretary of the Interior will be responsible for 'solid waste resulting from the extraction, processing or utilization of minerals and fossil fuels where the generation, production, or reuse of such wastes is or may be controlled within the extraction, processing or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities'." This arrangement would make the Secretary of Health, Education, and Welfare responsible for administration of the Act with respect to solid waste problems of communities, including those problems which may affect the general environments of communities, and including those solid wastes or solid waste residues that result from business and industrial activities and become part of the community's solid waste disposal system. The Department of the Interior, as above indicated, would be responsible for solving industrial solid waste problems within facilities engaged in extraction processing, or utilization of minerals and fossil fuels in the circumstances above defined." To accomplish these objectives, the Public Health Service and the Bureau of Mines have entered into this Memorandum of Understanding in order to define and describe the principal areas of program interest of each agency and to clearly establish a mutually acceptable working relationship which insures proper coordination of all programs under Public Law 89-272.

It is mutually agreed that:

A. The Public Health Service and the Bureau of Mines will designate officials to act as the principal contacts and liaison officers at the program level in inter-agency matters pertaining to Public Law 89-272.

B. In regard to demonstration grant applications under Section 204 of Public Law 89-272, the Public Health Service will refer to the Bureau of Mines for necessary action, those demonstration grant applications pertaining primarily to mineral or fossil fuel solid waste problems as defined under Section 203(1) of the Act; and the Bureau of Mines will refer to the Public Health Service for necessary action those demonstration grant applications pertaining to other solid waste problems.

C. The Public Health Service will refer to the Bureau of Mines for review and comment those demonstration grant applications which give major emphasis to components involving mineral, metal, and fossil fuel solid waste problems as part of a broader solid waste disposal program; and the Bureau of Mines will refer to the Public Health Service for review and comment those demonstration grant applications in which the mineral and fossil fuel solid waste problems have significant community implications. In the above cases, it is understood that any comments the reviewing agency wishes to make will be forwarded within a period of fifteen (15) working days from the time of receipt.

D. The Bureau of Mines and the Public Health Service may support, on a joint basis, demonstration, research, or training projects which have implications for disposal of solid wastes from minerals or fossil fuels and from community sources.

E. The Public Health Service and the Bureau of Mines will perform reimbursable services for each other, when such action is appropriate and feasible and mutually beneficial to the agencies.

F. The Public Health Service and the Bureau of Mines will exchange information regarding program activities under Public Law 89-272. This will include information on grant awards and similar actions.