

ETHYL CORPORATION

INTER-OFFICE CORRESPONDENCE

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FROM	F. P. Warne	ADDRESS	New York
SUBJECT	4 cc.	DATE	June 12, 1958

Following our discussion yesterday with respect to the powers of the Surgeon General, I have had an opportunity to take a look at the statutes defining his authority. A new Chapter 15b. relating to air pollution control was added to the law in 1955. A copy of this chapter is attached hereto for your information.

It seems to me that the problem of increasing lead concentrations in gasoline is primarily a question of lead in the atmosphere and that under this new chapter the Surgeon General would have power under 1857a. to join with us in an investigation and power under 1857c. to make appropriate recommendations.



Attachment

TITLE 42 UNITED STATES CODE EXCERPT

CHAPTER 15B. -- AIR POLLUTION CONTROL

Sec.

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Sec. 1857. Declaration of policy.

In recognition of the dangers to the public health and welfare, injury to agricultural crops and livestock, damage to and deterioration of property, and hazards to air and ground transportation, from air pollution, it is declared to be the policy of Congress to preserve and protect the primary responsibilities and rights of the States and local governments in controlling air pollution, to support and aid technical research to devise and develop methods of abating such pollution, and to provide Federal technical services and financial aid to State and local government air pollution control agencies and other public or private agencies and institutions in the formation and execution of their air pollution abatement research programs. To this end, the Secretary of Health, Education, and Welfare and the Surgeon General of the Public Health Service (under the supervision and direction of the Secretary of Health, Education and Welfare) shall have the authority relating to air pollution control vested in them respectively by this chapter. July 14, 1955, c. 360, Sec. 1, 69 Stat. 322.

Historical Note

Legislative History: For legislative history and purpose of Act July 14, 1955, see 1955 U. S. Code Cong. and Adm. News., p. 2457.

Sec. 1857a. Research programs; joint investigations; powers of Surgeon General

(a) The Surgeon General is authorized, after careful investigation and in cooperation with other Federal agencies, with State and local government air pollution control agencies, with other public and private agencies and institutions, and with the industries involved, to prepare or recommend research programs for devising and developing methods for eliminating or reducing air pollution. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies or institutions.

Sec. 1857a. (continued)

(b) The Surgeon General may (1) encourage cooperative activities by State and local governments for the prevention and abatement of air pollution; (2) collect and disseminate information relating to air pollution and the prevention and abatement thereof; (3) conduct in the Public Health Service, and support and aid the conduct by State and local government air pollution control agencies, and other public and private agencies and institutions of, technical research to devise and develop methods of preventing and abating air pollution; and (4) make available to State and local government air pollution control agencies, other public and private agencies and institutions, and industries, the results of surveys, studies, investigations, research, and experiments relating to air pollution and the prevention and abatement thereof. July 14, 1955, c. 360, Sec. 2, 69 Stat. 322.

Sec. 1857b. Surveys upon local request

The Surgeon General may, upon request of any State or local government air pollution control agency, conduct investigations and research and make surveys concerning any specific problem of air pollution confronting such State or local government air pollution control agency with a view to recommending a solution of such problem. July 14, 1955, c. 360, Sec. 3, 69 Stat. 322.

Sec. 1857c. Reports and recommendations

The Surgeon General shall prepare and publish from time to time reports of such surveys, studies, investigations, research, and experiments made under the authority of this chapter as he may consider desirable, together with appropriate recommendations with regard to the control of air pollution. July 14, 1955, c. 360, Sec. 4, 69 Stat. 322.

Sec. 1857d. Appropriations; grants-in-aid and contracts

(a) There is authorized to be appropriated to the Department of Health, Education, and Welfare for each of the five fiscal years during the period beginning July 1, 1955, and ending June 30, 1960, not to exceed \$5,000,000 to enable it to carry out its functions under this chapter and, in furtherance of the policy declared in section 1857 of this title, to (1) make grants-in-aid to State and local government air pollution control agencies, and other public and private agencies and institutions, and to individuals, for research, training, and demonstration projects, and (2) enter into contracts with public and private agencies and institutions and individuals for research, training, and demonstration projects. Such grants-in-aid and contracts may be made without regard to section 529 of Title 31 and section 5 of Title 41. Sums appropriated for such grants-in-aid and contracts shall remain available until expended, and shall be allotted by the Surgeon General in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare. July 14, 1955, c. 360, Sec. 5, 69 Stat. 322.

Sec. 1857e. Definitions

When used in this chapter--

(a) The term "State air pollution control agency" means the State health authority, except that in the case of any State in which there is a single State agency other than the State health authority charged with responsibility for enforcing State laws relating to the abatement of air pollution, it means such other State agency;

(b) The term "local government air pollution control agency" means a city, county, or other local government health authority, except that in the case of any city, county, or other local government in which there is a single agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the abatement of air pollution, it means such other agency; and

(c) The term "State" means a State or the District of Columbia. July 14, 1955, c. 360, Sec. 6, 69 Stat. 323.

Sec. 1857f. Research and experiments under other laws

Nothing contained in this chapter shall limit the authority of any department or agency of the United States to conduct or make grants-in-aid or contracts for research and experiments relating to air pollution under the authority of any other law. July 14, 1955, c. 360, Sec. 7, 69 Stat. 323.

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