

**Public Health Service, HHS**

**§ 65.1**

part, by the percentage which the length of service that was not performed is to the length of the service that was required to be performed. The amount will be determined under the following formula:

$$A = 3(\theta + mi\theta) \frac{(t-s)}{(t)}$$

where

- A = the amount the United States is entitled to recover;
- θ = the cost of the clinical traineeship (including stipends and other trainee allowances);
- m = the number of months since the trainee failed to perform obligated service;
- i = the National Research Service Award rate on the date which the period of appointment begins divided by twelve;
- t = the total number of months of the service obligation;
- s = the number of months that have been served.

(2) Unless the Secretary extends the repayment period as provided in paragraph (e) of this section, the individual shall pay to the United States the total amount which the United States is entitled to recover under paragraph (g)(1) of this section immediately upon the date that the individual fails to begin or complete the period of obligated service (including failing to comply with the applicable terms and conditions of an extension or break in service granted the individual) or upon the date that the individual indicates his or her intention not to fulfill the service obligation as determined by the Secretary. The amount is considered a debt owed to the United States, with interest accruing monthly upon the total debt as provided under paragraph (g)(1) of this section.

[46 FR 39979, Aug. 5, 1981, as amended at 52 FR 18359, May 15, 1987]

**PART 65—NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES HAZARDOUS WASTE WORKER TRAINING**

Sec.

- 65.1 To what projects do these regulations apply?
- 65.2 Definitions.
- 65.3 Who is eligible to apply for a grant?
- 65.4 Project requirements.

- 65.5 How will applications be evaluated?
- 65.6 How long does grant support last?
- 65.7 For what purposes may grant funds be spent?
- 65.8 What additional Department regulations apply to grantees?
- 65.9 Additional conditions.

AUTHORITY: 42 U.S.C. 9660a; 49 U.S.C. App. 1816.

SOURCE: 55 FR 42568, Oct. 22, 1990, unless otherwise noted.

**§ 65.1 To what projects do these regulations apply?**

(a) The regulations in this part apply to:

(1) The program of grants for the training and education of workers who are or are likely to be engaged in activities related to hazardous waste removal or containment, or emergency response that is authorized under section 126(g) of the SARA; and

(2) The program of grants to support qualified non-profit organizations for the purpose of providing training and education to hazardous materials employees regarding: the safe unloading, loading, handling, storage, and transportation of hazardous materials; and, emergency preparedness for responding to accidents or incidents involving the transportation of hazardous materials that is authorized under section 118 of the HMTA.

(b) Grants are available for curriculum and training materials development, technical support of training, direct student training, training program evaluation and related activities. Target populations for this training are workers and supervisors who are or are likely to be engaged in hazardous substance removal or other activities which expose or potentially expose these workers to hazardous substances in activities such as:

(1) Waste handling and processing at waste generators and active and inactive hazardous substance treatment, storage, and disposal facilities;

(2) Clean up, removal, containment, or remedial actions at waste sites;

(3) Hazardous substance emergency response;

(4) Hazardous substance disposal site risk assessment and investigation, clean up, or remedial actions; and

(5) Transportation of hazardous wastes.

## § 65.2

## 42 CFR Ch. I (10–1–02 Edition)

Target populations may also be regulated under standards promulgated by the Secretary of Labor, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and other agencies under section 126(g) of the SARA or section 106(b) of the HMTA.

(c) Two types of grants are available: Program grants covering the full range of activities, including program development, direct worker training and education, and program evaluation; and planning grants under the SARA.

(1) Planning grants are intended to assist organizations which demonstrate potential for providing hazardous worker training, but need additional developmental efforts prior to initiation of full curriculum development and training activities. A limited number of one-year planning grants may be funded at a level determined appropriate by the Director. After successful completion of a one-year planning grant, a recipient may apply for a full program grant on a competitive basis.

(2) Full program grants will be awarded to organizations with demonstrated capability to provide worker health and safety training and education and demonstrated ability to identify, describe, and access target populations. Full program grantees must be able to immediately initiate curriculum development and worker training activities.

[55 FR 42568, Oct. 22, 1990; 59 FR 64141, Dec. 13, 1994]

### § 65.2 Definitions.

As used in this part:

*Award* or *grant* means a grant or cooperative agreement made under section 126(g) of the SARA or section 118 of the HMTA.

*Director* means the Director, National Institute of Environmental Health Sciences, or the Director's delegate.

*HHS* means the Department of Health and Human Services.

*HMTA* means the Hazardous Materials Transportation Act, as amended (49 U.S.C. App. 1801 *et seq.*).

*NIEHS* means the National Institute of Environmental Health Sciences, an organizational component of the National Institutes of Health, as authorized by sections 401(b)(1)(L) and 463 of

the Public Health Service Act (42 U.S.C. 281(b)(1)(L) and 285(1)).

*NIH* means the National Institutes of Health.

*Nonprofit* as applied to any agency, organization, institution, or other entity means a corporation or association no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

*SARA* means the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499, as amended (42 U.S.C. 9601 *et seq.*).

*Stipend* means a payment to an organization that is intended to help meet that organization's subsistence expenses for trainees during the training period.

*Training grant* means an award of funds to an eligible entity for a project authorized under § 65.1.

[55 FR 42568, Oct. 22, 1990; 59 FR 64141, Dec. 13, 1994]

### § 65.3 Who is eligible to apply for a grant?

Public and private nonprofit entities providing worker health and safety education and training may apply for grants under these regulations. Applicants for a grant may use services, as appropriate, of other public or private organizations necessary to develop, administer, or evaluate proposed worker training programs so long as the majority of the work is done by the applicant.

### § 65.4 Project requirements.

In addition to meeting the requirements specified in the application, the instructions accompanying it, and the regulations referred to in § 65.8, each applicant must meet the following requirements:

(a) Two or more nonprofit organizations may join in a single application and share grant resources in order to maximize worker group coverage, enhance the effectiveness of training, and bring together appropriate academic disciplines and talents. Joint applications must describe the cooperative arrangements for program integration and effectiveness. Specific expertise, facilities, or services to be provided by