

## § 65a.2

(2) Research, demonstration, and training support under the NIH Center Grants programs (see part 52a of this chapter),

(3) Research training support under traineeship programs (see parts 63 and 64a of this chapter), or

(4) Research training support under the NIH AIDS Research Loan Repayment Program authorized under section 487A of the Public Health Service Act, as amended (42 U.S.C. 288-1).

### § 65a.2 Definitions.

As used in this part:

*Act* means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9601 *et seq.*).

*Award* or *grant* means a grant or cooperative agreement awarded under section 311(a) of the Act (42 U.S.C. 9660(a)).

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

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

*Institution of higher education* means an educational institution in any state which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within the state to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward a bachelor's degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, (i) is an institution with respect to which the Secretary of Education has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of a na-

## 42 CFR Ch. I (10-1-10 Edition)

tionally recognized accrediting agency or association within a reasonable time, or (ii) is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. The term also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of paragraphs (1), (2), (4), and (5) of this definition. The term also includes a public or nonprofit private educational institution in any state which, in lieu of the requirement in paragraph (1), admits as regular students persons who are beyond the age of compulsory school attendance in the state in which the institution is located and who meet the requirements of section 1091(d) of title 20 U.S. Code, as amended. For purposes of this definition, the Secretary of Education publishes a list of nationally recognized accrediting agencies or associations which that official determines to be reliable authority as to the quality of training offered. This list is found in the brochure, "Nationally Recognized Accrediting Agencies and Associations Criteria and Procedures for Listing by the U.S. Secretary of Education and Current List."

[NOTE: This brochure is subject to change, and interested persons should contact the U.S. Department of Education Office of Post-Secondary Education, Accreditation and State Liaison Division, ROB 3, 7th and D Streets, S.W., Room 37-15, Washington, DC 20202-5244 (202-708-7417; not a toll-free number) to obtain a current version of the brochure and any amendments.]

*NIEHS* means the National Institute of Environmental Health Sciences, an organizational component of the National Institutes of Health, as authorized under sections 401(b) and 463 of the Public Health Service Act, as amended (42 U.S.C. 281(b) and 185f).

*NIH* means the National Institutes of Health.

*Nonprofit*, as applied to any agency, organization, institution, or other entity, means a corporation or association

## Public Health Service, HHS

## § 65a.5

no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

*PHS* means the Public Health Service.

*Program* means the activity to carry out research and training supported by a grant under this part.

*Program director* means the single individual designated by the grantee in the grant application and approved by the Director, who is responsible for the scientific and technical direction of the research component and the conduct of the training component under a program.

*Project period* means the period of time, from one to five years, specified in the notice of grant award that NIEHS intends to support a proposed program without requiring the program awardee to re compete for funds.

*Secretary* means, unless the context otherwise requires, the Secretary of Health and Human Services or other official of HHS to whom the authority involved is delegated.

### § 65a.3 Who is eligible to apply for a grant?

(a) Except as otherwise prohibited by law, any public or private nonprofit institution of higher education may apply for an award under this part.

(b) Awardee institutions may carry out portions of the research or training components of an award through contracts with appropriate organizations, including:

- (1) Generators of hazardous wastes;
- (2) Persons involved in the detection, assessment, evaluation, and treatment of hazardous substances;
- (3) Owners and operators of facilities at which hazardous substances are located; and
- (4) State and local governments.

### § 65a.4 What are the program requirements?

The applicant shall include the following in its proposed program for which support is requested under this part:

(a) *Basic research component.* The program shall include three or more meritorious biomedical research projects, including epidemiologic studies relat-

ing to the study of the adverse effects of hazardous substances on human health, and at least one meritorious project involving hydrogeologic or ecologic research which shall cumulatively address:

- (1) Methods and technologies to detect hazardous substances in the environment;
- (2) Advanced techniques for the detection, assessment, and evaluation of the effects of these substances on human health;
- (3) Methods to assess the risks to human health presented by these substances; and
- (4) Basic biological, chemical, and/or physical methods to reduce the amount and toxicity of these substances.

(b) *Training component.* The program shall include the following kinds of training, as part of or in conjunction with the basic research component:

- (1) Graduate training in environmental and occupational health and safety and in public health and engineering aspects of hazardous waste control; and/or
- (2) Graduate training in the geosciences, including hydrogeology, geological engineering, geophysics, geochemistry, and related fields, necessary to meet professional personnel needs in the public and private sectors and to carry out the purposes of the Act; and
- (3) Worker training relating to handling hazardous substances, which includes short courses and continuing education for state and local health and environmental agency personnel and other personnel engaged in the handling of hazardous substances, in the management of facilities at which hazardous substances are located, and in the evaluation of the hazards to human health presented by these facilities.

### § 65a.5 How to apply.

Each institution desiring a grant under this part must submit an application at the time and in the form and manner as the Secretary may require.