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AUG 5 1987

MEMORANDUM

SUBJECT: Delegation of Responsibilities Under the Noise Control Act

FROM: Richard E. Sanderson
Director
Office of Federal Activities *RS*

TO: Jennifer Joy Wilson, Assistant Administrator
for External Affairs

Last week the materials for delegating responsibility under the Noise Control Act from the Office of External Affairs to the Office of Air and Radiation were submitted to you for your concurrence. At your request I have attached for your information a copy of the materials prepared at the time of the initial delegation of authority then transferring authorities from OAR to OEA. This earlier delegation dated July 16, 1986, gave OEA primary authority for monitoring the Agency's Noise Program.

The authority now residing with OEA includes:

- Inspections and Information Gathering
- Testing by Agency
- Product Exemptions
- New Products and Labeling Regulations
- Administrative Orders
- Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions
- Emergency TROs
- Subpoenas and Oaths
- Low Noise-Emission Product Certification Process
- Post Certification Testing
- Noise Control Program Grants and Cooperative Agreements

The delegation materials before you would return these functions to OAR.

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In addition, three areas of responsibility under the Noise Control Act have never been delegated from the Administrator. These responsibilities are, in large measure, duplicative of OEA's responsibilities for environmental review under section 309 of the Clean Air Act as well as outreach communications efforts. By administrative oversight the responsibilities remained with the Administrator's office after OFA was removed from that office and established within OEA. The transfer of responsibilities at this time is merely to tie-up administrative loose ends. Thus, three new delegations of authority from the Administrator to you have been prepared. Specifically, responsibility under sections 4, 7, and 14 of the Noise Control Act as it relates to federal facilities noise compliance, consultation with the Federal Aviation Administration for aviation noise, and the development and dissemination of educational and informational materials to the public are now being formally delegated to OEA.

Attachment