

Environmental Protection Agency

§ 310.3

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APPENDIX III TO PART 310—FORM: APPLICATION FOR REIMBURSEMENT TO LOCAL GOVERNMENTS FOR EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASE UNDER CERCLA SEC. 123

AUTHORITY: 42 U.S.C. 9611(c)(11), 9623.

SOURCE: 63 FR 8286, Feb. 18, 1998, unless otherwise noted.

Subpart A—General Information

§ 310.1 What is the purpose of this part?

This part sets up procedures for EPA to reimburse local governments for certain emergency response costs. Local governments may receive up to \$25,000 to help lighten financial burdens related to emergency response to hazardous substance releases. This reimbursement does NOT replace funding that local governments normally provide for emergency response.

§ 310.2 What is the statutory authority for this part?

This part is authorized under section 123 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (Pub. L. 96-510, 42 U.S.C. 9601-9675), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) (Pub. L. 99-499, 42 U.S.C. 9601).

§ 310.3 What terms have specific definitions?

For purposes of this part except when otherwise specified:

(a) *Application* means Form 9310-1, shown in Appendix III of this part, including all documentation and additional information you submit to support a request for reimbursement.

(b) *Date of completion* means the date when you have completed all field work and you have received all deliverables (such as lab results, technical expert reports, or invoices) due under a contract or other agreement.

(c) *Emergency Planning and Community Right-to-Know Act of 1986* means Title III—Emergency Planning and Community Right-to-Know Act of the Superfund Amendments and Reauthorization Act of 1986 (EPCRA) (Pub. L. 99-499, 42 U.S.C. 11000-11050).

(d) *Federally-recognized Indian Tribe*, as defined by section 101(36) of CERCLA, means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village but not including any Alaska Native regional or village corporation, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(e) *General purpose unit of local government* means the governing body of a county, parish, municipality, city, town, township, Federally-recognized Indian tribe or similar governing body. This term does not include special purpose districts.

(f) *Hazardous substance*. (1) *Hazardous substance*, as defined by section 101(14) of CERCLA, means:

(i) Any substance designated pursuant to section 311(b)(2)(A) of the Federal Water Pollution Control Act (Pub. L. 101-380, 33 U.S.C. 1251 *et seq.*);