

# Local Governments Reimbursement (LGR) Eligibility & Requirements

## Local Governments Reimbursement and Responsible Parties

The Environmental Protection Agency (EPA) recommends the first route of cost recovery is with the responsible party. Once the response is completed, a local government should determine what costs were reasonable and then present such costs to the responsible party.

Incidents involving petroleum products including petroleum, natural gas, crude oil, or any other specified fractions thereof that are not specifically designated as CERCLA hazardous substances do not qualify under this program. However, some mixed waste may be allowable under the LGR Program.

### Eligibility

To be eligible for the LGR Program, a local government must meet the following requirements:



The applicant must be a general-purpose unit of local government such as a county, parish, city, town, township or municipality. Federally recognized Indian tribes are also eligible for reimbursement under the LGR Program.



The applicant must have legal jurisdiction over the site at which the incident occurred.



Only one request for reimbursement will be accepted for each eligible incident.



Substances released or threatened to be released must be designated as hazardous under CERCLA.

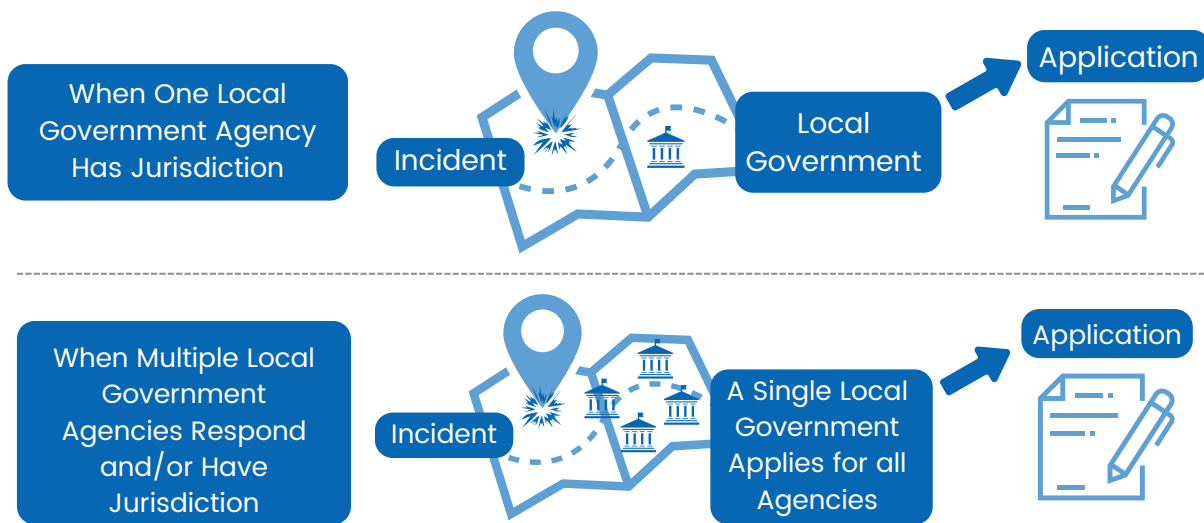
# Reimbursement (LGR) Eligibility & Requirements



When more than one local government has participated in a response, the local government that has legal jurisdiction over the site at which the incident occurred must submit the application. The application can be made on behalf of all participating local governments. If multiple local governments or agencies have jurisdiction over the site, then the respondents must decide which single government or agency will submit the reimbursement request.



The local government is not the responsible party. If the local government applying for reimbursement is also the responsible party, the application will be denied. Responsible parties (even if they are a local government) are liable for response costs.



## Requirements

Once a local government has decided to apply for reimbursement, there are a number of basic requirements that must be met to comply with the regulations of the LGR Program.

When completing the LGR application, local governments should pay special attention to the following requirements to facilitate the reimbursement process:

- ✓ Reimbursement cannot supplant local funds normally provided for a response.
- ✓ Cost recovery must be pursued prior to applying for reimbursement.
- ✓ Detailed cost documentation must be submitted with the application.
- ✓ The application must be signed by the local government's highest-ranking official.
- ✓ Applications must be submitted to the EPA within one year of the "date of response completion."

To complete the LGR application package, including the LGR application form and a copy of the LGR regulations (40 CFR Part 310), can be found at <https://www.epa.gov/emergency-response/local-governments-reimbursement-program>.