



Region 6 LEPC Workshops

Local Governments

Reimbursement (LGR) Program

EPA Region 6 - Emergency
Readiness Section

Who responds ??



40 CFR Part 300.180 states:

Because state and local safety organizations would normally be the first representatives at the scene of a release, they are expected to initiate safety measures that are necessary to protect public health

Who responds ??

40 CFR Part 300.700 states:

(1) Responsible parties shall be liable for all response costs incurred by the United States government or a state not inconsistent with the NCP.

(2) Responsible parties shall be liable for necessary costs of response actions to releases of hazardous substances incurred by any other person consistent with the NCP.



LIABILITIES



Who responds ??



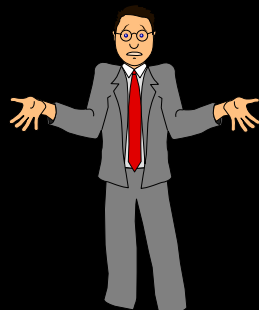
40 CFR Part 300.700

In the event of a release (or threatened release) of hazardous substances, EPA may reimburse local governments for expenses related to the release and associated emergency response measures.

The LGR Program provides a "safety net" of up to \$25,000 per incident to local governments that do not have funds available to pay for response actions.



Am I Eligible ?

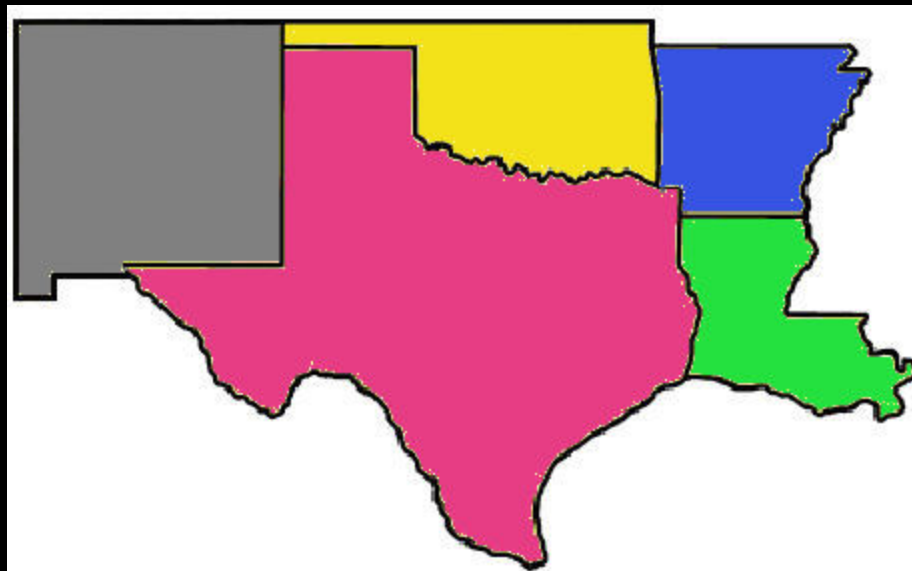
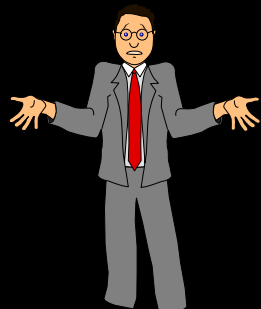


Any general governing body of a county, parish, city, town, or other general purpose unit of local government that incurs cost in response to a release or threatened release of hazardous substances, pollutants, or contaminants may apply

This includes Federally recognized Indian Tribes

Special purpose units of local government (ISD, MUD, etc) are not eligible under the LGR program.

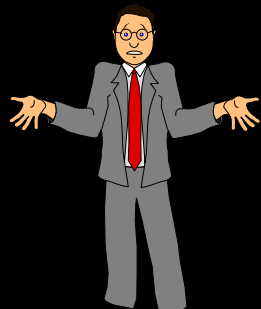
Are States Eligible ?



States are NOT eligible for reimbursement

States may NOT request reimbursement on behalf of their local governments.

More than one Agency ?



EPA can only accept one reimbursement request for a single Response

A single response includes all emergency measures all local agencies conducted in response to a single hazardous substance release

If more than one agency responded, you must decide among yourselves who will request reimbursement

Provisions of the Program

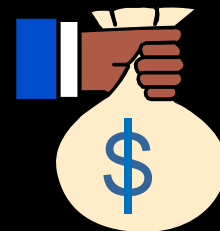


Local governments are encouraged to participate in the emergency planning process under EPCRA, and must be included in your LEPC plan.



Requests must be received within one year of completion of response.

\$ 25,000 is available per single response



Temporary Emergency Measures Are Covered



Measures are actions taken to control or eliminate threats to health and the environment

Examples are:

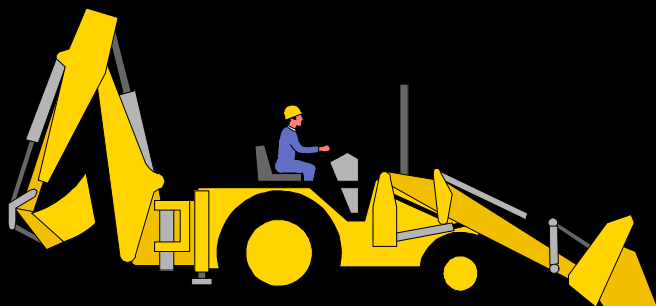
- Site security
- Controlling the source of contamination
- Containing the release to prevent spreading
- Neutralizing or treating pollutants released
- Controlling contaminated run-off



Examples of Reimbursable Costs



- Disposable Materials
- Supplies Used During a Specific Response
- Rental Equipment Used for a Specific Response
- Special Technical Services and Laboratory Costs, and
- Services and Supplies Purchased for a Specific evacuation



What Costs are not Reimbursable



Costs NOT allowable are expenditures for traditional local services and responsibilities. Examples:

- Routine firefighting;
- Preparing contingency plans;
- Training; and
- Response drills and exercises.

What Costs are not Reimbursable

Costs that are NOT allowable also include items such as supplies, equipment, and services that you routinely purchase to maintain your ability to respond effectively to hazardous releases when they occur. Examples:

- Purchase or routine maintenance of durable equipment expected to last one year or more, except when contaminated or damaged
- Materials and supplies you did NOT purchase specifically for the response
- Rental costs for equipment that you own or that another unit of local government owns
- Employee out-of-pocket expenses normally provided for in your operating budget (for example, meals or fuel)



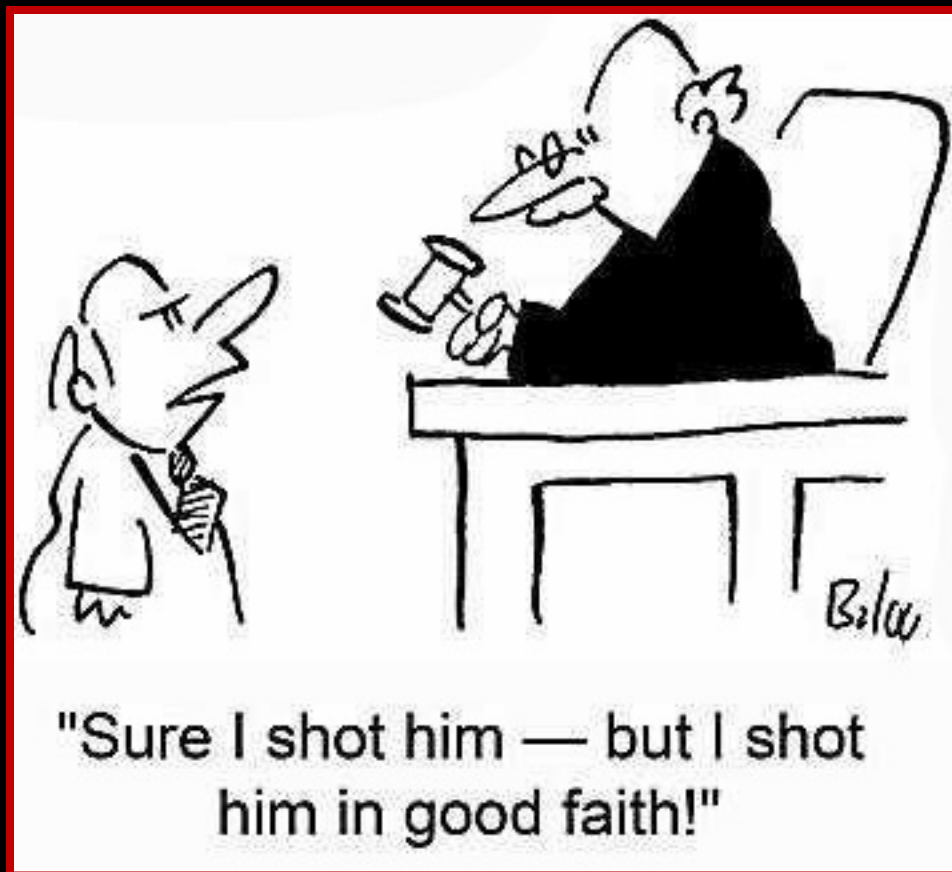
Cost Recovery Pursuit

Before applying, you must try to recover your costs from the responsible party

You should give the RP 60 days either to pay you, show intent to pay, or attempt negotiation

You must also try for reimbursement from other sources

You must certify you made a good-faith, reasonable effort to recover your costs from other sources



How do You Apply ?

You must complete an application and send to EPA

You must submit your request within one year of the date you complete the response

The request must be signed by the highest ranking official of your local government (for example, mayor, county judge)



Cost Documentation



Cost documentation must be adequate for an audit.

You must:

- Include a description of the temporary emergency measures for which you request reimbursement
- Specify the local agency that incurred the cost
- Include invoices, sales receipts, rental or leasing agreements, or other proof of costs you incurred
- Certify that all costs are accurate and specifically for the response for which you are requesting reimbursement

Other Requirements

You must certify reimbursement does not supplant local funds that you normally provide for emergency Response

Your request is for costs you would not normally incur; rather, they are for significant, unanticipated costs

You must certify that your response actions are not in conflict with the NCP, and the local emergency plan

This reimbursement program does not cover petroleum or petroleum products



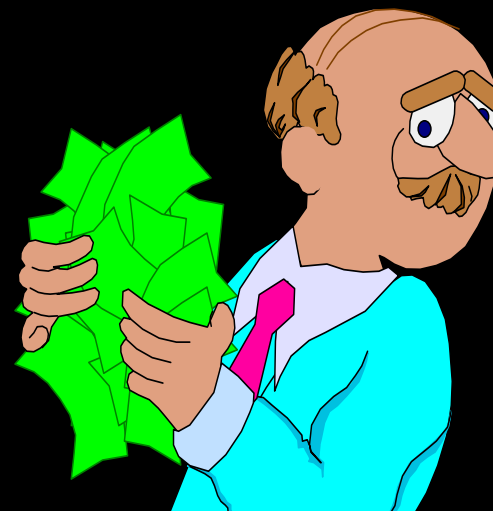
Evaluation of requests ?



EPA will also consider other relevant financial information provided by a local government.

Formula For Determining Burden - ratio of eligible costs to per capita income adjusted for population.

Funding ceiling has never been reached in a given year. All eligible applicants have been reimbursed to date.



Region 6 Awards



<u>Local Government</u>	<u>Award Amount</u>	<u>Award Date</u>	<u>Type of Response</u>
El Paso, TX	\$5,589.08	09/1990	Costs related to responding to a chemical fire / explosion
Pasadena, TX	\$10,851.14	09/1993	Costs related to a chemical release
Rockwall County, TX	\$7,328.57	09/1993	Costs related to abandoned chemical drums
Lafayette, LA	\$ 25,000.00	07/1994	Costs related to a chemical fire / explosion
Ouachita Parish, LA	\$5,145.95	07/1994	Costs related to responding to a chemical fire / explosion
Baytown, TX	\$5,000.00	12/1994	Costs related to a chemical release
Houston, TX	\$25,000.00	07/1996	Costs related to chemical warehouse fire
Baytown, TX	\$525.00	08/1996	Costs related to a chemical release
Harker Heights, TX	\$2,957.57	01/1997	Costs related to a chemical release
Midlothian, TX	\$25,000.00	08/1997	Costs related to landfill fire
Lubbock, TX	\$25,000.00	08/1997	Costs related to a chemical release
Pecos, TX	\$19,035.48	01/1998	Costs related to a chemical release
Harker Heights, TX	\$707.47	06/1998	Costs related to a chemical release
Plano, TX	\$1,100.00	08/1999	Costs related to a chemical release
Cameron County, TX	\$12,604.19	08/1999	Costs related to a chemical release
McLennan County, TX	\$1,947.56	12/1999	Costs related to a chemical release
Searcy, AR	\$16,626.20	3/2/2000	Costs related to an agricultural supply fire.
Bexar County, TX	\$3,082.25	3/2/2000	Costs incurred responding to an abandoned hazardous substance.
Paris, TX	\$3,253.20	4/24/2000	Costs related to a clandestine drug lab cleanup.
Garland County, AR	\$1,896.41	6/20/2000	Costs related to an illegal dumping.
Collin County, TX	\$1,512.65	8/29/2000	Costs related to a clandestine drug lab cleanup.
McKinney, TX	\$2,272.09	8/29/2000	Costs related to a clandestine drug lab cleanup.
Little Rock, AR	\$400.00	9/19/2000	Costs incurred responding to an abandoned hazardous substance.
Waterloo, LA	\$372.88	02/2001	Costs related to methamphetamine lab cleanup.
North Little Rock, AR	\$2,970.00	4/1/2001	Costs related to a methamphetamine lab cleanup.
Socorro County, NM	\$25,000.00	6/1/2001	Costs related to a tire fire.
Seabrook, TX	\$11,999.50	6/1/2001	Costs related to a mercury spill.

Region 6 Awards



<u>Local Government</u>	<u>Award Amount</u>	<u>Award Date</u>	<u>Type of Response</u>
Little Rock, AR	\$446.10	6/1/2001	Costs incurred responding to a splash or leak from a transport vehicle.
Fannin County, TX	\$25,000.00	6/1/2001	Costs related to an illegal dumping.
Rogers County, OK	\$725.50	7/1/2001	Costs related to an illegal dump site fire.
Wilson County, TX	\$3,608.75	7/11/2002	Costs incurred responding to an abandoned hazardous substance release.
Bowie, TX	\$854.39	8/26/2002	Costs incurred responding to an abandoned hazardous substance release.
North Little Rock, AR	\$400.00	8/26/2002	Costs incurred responding to an abandoned hazardous substance release.
Chitimacha Tribe, LA	\$681.79	9/30/2002	Costs incurred responding to an anthrax release.
Little Rock, AR	\$1,320.13	8/26/2002	Costs related to a methamphetamine lab cleanup.
Little Rock, AR	\$1,176.60	8/26/2002	Costs related to a methamphetamine lab cleanup.
Little Rock, AR	\$1,470.71	8/26/2002	Costs related to a methamphetamine lab cleanup.
Little Rock, AR	\$1,060.30	8/26/2002	Costs related to a methamphetamine lab cleanup.
Comanche, TX	\$25,000.00	7/10/2002	Costs incurred responding to a chemical fire.
Friendswood, TX	\$11,403.09	6/19/2003	Costs incurred responding to a hazardous substance release.
San Antonio, TX	\$19,602.82	3/12/2004	Costs incurred responding to multiple hazardous substance releases.
Montgomery County, TX	\$5,469.56	8/26/2004	Costs incurred responding to an abandoned hazardous substance release.
Guadalupe County, TX	\$2,084.31	6/20/2005	Contractor and equipment costs related to a fire involving hazardous substances.
Guymon, OK	\$15,702.50	7/13/2005	Personnel and equipment costs related to a fire involving hazardous substances.
El Paso, TX	\$3,747.91	6/20/2005	Equipment costs related to a sulfur release.
El Paso, TX	\$916.27	12/28/2005	Personnel and equipment costs related to a suspected anthrax response.
Little Rock, AR	\$531.60	11/9/2006	Contractor costs related to cleanup of abandoned drums containing an unknown substance.
Maysville, OK	\$6,767.10	9/11/2007	Contractor costs related to a methamphetamine lab cleanup.
City of Beaumont, TX	\$5,691.00	3/25/2008	Costs related to a methamphetamine lab cleanup.
Lone Grove, OK	\$18,912.47	9/24/2008	Contractor, personnel and equipment costs incurred during a response to a contamination of the local water supply.
City of Dyer, AR	\$16,143.99	7/22/2009	Contractor, personnel and equipment costs incurred responding to a chemical fire.
Mansfield, TX	\$18,719.97	3/11/2011	Contractor costs incurred responding to an abandoned hazardous substance.

Region 6 Awards



<u>Local Government</u>	<u>Award Amount</u>	<u>Award Date</u>	<u>Type of Response</u>
City of Fayetteville, AR	\$1,038.50	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Fayetteville, AR	\$964.50	9/28/2011	Costs related to a methamphetamine lab cleanup.
Marked Tree, AR	\$2,144.00	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Springdale, AR	\$2,096.50	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Conway, AR	\$1,075.00	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Morrilton, AR	\$1,092.00	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Sherwood, AR	\$2,615.50	9/28/2011	Costs related to a methamphetamine lab cleanup.
Boone County, AR	\$2,091.00	9/28/2011	Costs related to a methamphetamine lab cleanup.
City of Vilonia	\$940.00	9/28/2011	Costs related to a methamphetamine lab cleanup.
Benton, AR	\$17,184.50	07/01/2012	Costs related to a methamphetamine lab cleanup
Fayetteville, AR	\$3,567.50	07/01/2012	Costs related to a methamphetamine lab cleanup
Mountain Home, AR	2,399.73	07/01/2012	Costs related to a methamphetamine lab cleanup
Poinsett County, AR	\$2,296.00	07/01/2012	Costs related to a methamphetamine lab cleanup
Harrison, AR	\$1,548.50	07/01/2012	Costs related to a methamphetamine lab cleanup
Madison County, AR	\$1,592.00	07/01/2012	Costs related to a methamphetamine lab cleanup
Beauregard Parish, LA	\$1,147.00	07/01/2012	Costs related to a methamphetamine lab cleanup
Lincoln, AR	\$1,068.50	09/01/2012	Costs related to a methamphetamine lab cleanup
Faulkner County, AR	\$9,790.50	09/01/2012	Costs related to a methamphetamine lab cleanup
Gravette, AR	1,307.50	09/01/2012	Costs related to a methamphetamine lab cleanup
Springdale, AR	\$680.50	09/01/2012	Costs related to a methamphetamine lab cleanup
Highfill, AR	1,182.00	09/01/2012	Costs related to a methamphetamine lab cleanup
Beauregard Parish, LA	\$3,213.00	06/01/2013	Costs related to a methamphetamine lab cleanup
Saline County, AR	\$3,083.86	06/01/2013	Costs related to a methamphetamine lab cleanup
Calcasieu Parish, LA	\$8,014.41	06/01/2013	Costs related to a methamphetamine lab cleanup
Calcasieu Parish, LA	\$10,783.06	03/01/2014	Costs related to a methamphetamine lab cleanup

Where can applications be obtained?



<http://www2.epa.gov/emergency-response/local-governments-reimbursement-program>

LGR HelpLine

1-800-431-9209

