

## Superfund

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# Local Governments Reimbursement – Eligibility

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In order to be eligible for the LGR program, your local government must meet the following requirements:

The local government must be a general purpose unit of local government. Local governments that are eligible to be reimbursed under the LGR program include any general purpose unit of local government, such as a county, city, town, township, and municipality. Federally-recognized Indian Tribes are also eligible for reimbursement under the LGR program.

States are not eligible for reimbursement under the LGR program. States may not request reimbursement on behalf of a federally-recognized Indian Tribe within the state.

Only one local government has jurisdiction over the site where the incident occurred. Only one request for reimbursement will be accepted for each incident. When more than one local government has participated in such a response, the local government with the primary jurisdiction over the site where the incident occurred must submit the application. The application must be submitted by all participating local governments. If more than one local government or agency has jurisdiction over the site, the local governments must determine which single government or agency will submit the reimbursement request.

Reimbursement will not be made to a responsible party. If the local government applying for reimbursement is also the responsible party, reimbursement will be denied. Responsible parties are liable for response cost regardless of whether or not they are reimbursed.

Incidents involving hazardous substances that are not specifically listed in CERCLA are not eligible for reimbursement. Incidents involving petroleum, natural gas, crude oil, or any other specified fractions thereof that are not specifically listed in CERCLA do not qualify under this program. Some mixed waste may be allowable.

Local governments are not responsible parties and are not liable for cleanup costs, under the LGR program if a local government might have been liable for cleanup costs if they would not be eligible for reimbursement.

Your local government is best prepared to meet application requirements once an emergency response occurs, so please consider the following:

- Identify a person to coordinate the reimbursement process. This person will be responsible for meeting the program's requirements throughout the response and the application process.
- Before an incident occurs, obtain a copy of the LGR application package, which includes a copy of the LGR regulations. Have the application on hand and be familiar with its contents in the event of an application process.

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