

Coast Guard, DHS

§ 153.417

negotiated pursuant to 10 U.S.C. 2304(a)(2) or 41 U.S.C. 252(c)(2), as applicable.

[CGD 73-185, 41 FR 12630, Mar. 25, 1976, as amended by CGD 84-067, 51 FR 17967, May 16, 1986]

§ 153.411 Procedures for payment of judgments.

An owner or operator of a vessel or an onshore or offshore facility who obtains a judgment against the United States under section 311(i) of the Act may have the judgment satisfied by requesting payment of the judgment in writing from the Commandant (G-L), 2100 Second Street SW., Washington, D.C. 20593. This request must be accompanied by a copy of the judgment and must designate to whom payment should be made.

§ 153.413 Deposit of money into the fund.

Any person liable for the payment of the following shall remit payment by check or postal money order, payable to the U.S. Coast Guard, to the cognizant District Commander, or to the Commandant for deposit into the Pollution Fund as prescribed in section 311(k) of the Act:

(a) A fine or penalty imposed, assessed, or compromised under section 311 of the Act, including the proceeds of a bond or other surety obtained pursuant to section 311(b)(6).

(b) A claim asserted by the cognizant District Commander for costs recoverable under sections 311 (f) and (g) of the Act.

(c) A judgment obtained by the United States for costs recoverable under sections 311 (f) and (g) of the Act.

§ 153.415 Cost summary reports.

As soon as practicable after completion of an action authorized under section 311 (c) or (d) of the Act or the Intervention on the High Seas Act, the OSC submits a cost summary report to the cognizant District Commander that includes:

(a) Names of agencies and contractors authorized to participate in the action;

(b) A general description of the function performed by each participating agency and contractor;

(c) An estimate of the cost of each function performed by each participating agency and contractor; and

(d) A copy of contracts, memoranda, or other documents pertaining to the functions performed by the participating agencies and contractors.

[CGD 73-185, 41 FR 12630, Mar. 25, 1976, as amended by CGD 84-067, 51 FR 17967, May 16, 1986]

§ 153.417 Reimbursement for actions under section 311(c) or 311(d) of the Act of the Intervention on the High Seas Act.

(a) Each Federal or State agency requesting reimbursement for an action authorized under section 311(c) or 311(d) of the Act or under the Intervention on the High Seas Act must, within 60 days after completion of the action, submit to the cognizant District Commander, through the OSC for review and certification required in paragraph (b) of this section, lists accompanied by supporting accounting data, itemizing actual costs incurred.

(b) Requests for reimbursement submitted by Federal and State agencies are reviewed by the OSC to ensure that the costs for which reimbursement is being sought were authorized as Phase III removal actions for oil discharges, or removal actions as defined in Subpart F for hazardous substance discharges, and must have one of the following certifications by the OSC, as appropriate:

(1) I certify that the actions for which reimbursement is being requested in the attached statements were authorized by me as [(Phase III oil removal actions) or (hazardous substance removal actions)], and reasonable costs related thereto are proper for payment from the Pollution Fund.

(OSC signature)

(Incident title)

(Pollution incident project number)

(2) I certify that, except as noted below, the actions for which reimbursement is being requested in the attached statements were authorized by me as [(Phase III oil removal actions) or (hazardous substance removal actions)], and reasonable costs related thereto