

§211.145

or States, and (b) by letters to all agencies who may be interested in the development of public port or industrial facilities on the available land.

§211.145 Filing of application.

Any agency interested in the development of public port or industrial facilities upon the available land shall file a written application with the District Engineer within the time designated in the public notice. The application shall state fully the purposes for which the land is desired and the scope of the proposed development.

§211.146 Price.

No conveyance shall be made for a price less than the fair market value of the land.

§211.147 Conveyance.

Any conveyance of land under this Act will be subject to the final approval of the Secretary of the Army and will be by quitclaim deed executed by the Secretary of the Army.

PART 214—EMERGENCY SUPPLIES OF DRINKING WATER

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AUTHORITY: Pub. L. 84-99, as amended, Emergency Flood Control Work 33 U.S.C. 701n; (69 Statute 186), dated June 28, 1955.

SOURCE: 41 FR 7506, Feb. 19, 1976, unless otherwise noted.

§214.1 Purpose.

This provides information, guidance, and policy for execution of the Chief of Engineers' authority to furnish supplies of clean drinking water pursuant to Pub. L. 84-99, as amended by section 82(2), Pub. L. 93-251 (88 Stat. 34).

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§214.2 Applicability.

This regulation is applicable to Corps of Engineers field operating agencies assigned Civil Works activities, including the USAED Alaska, and the Pacific Ocean Division. Its provisions are applicable within the 50 states, and the District of Columbia, Puerto Rico, Virgin Islands, American Samoa, and Guam.

§214.3 Reference.

- (a) Pub. L. 84-99, as amended (33 U.S.C. 701n).
- (b) Pub. L. 93-251, Section 82(2).
- (c) Pub. L. 93-523.
- (d) ER 500-1-1.

§214.4 Additional authority.

Section 82(2), Pub. L. 93-251, dated 7 March 1974, revised Pub. L. 84-99, as amended, by adding the following new sentence. "The Chief of Engineers, in the exercise of his discretion, is further authorized to provide emergency supplies of clean drinking water, on such terms as he determines to be advisable, to any locality which he finds is confronted with a source of contaminated drinking water causing or likely to cause a substantial threat to the public health and welfare of the inhabitants of the locality." This authority expands the measures the Chief of Engineers may employ in providing emergency relief pursuant to Pub. L. 84-99.

§214.5 Policy.

Emergency work under this authority will be applied to situations in which the source of water has become contaminated. The contamination may be accidental, deliberate, or caused by natural events. The maximum contaminant levels in drinking water are set forth by the Environmental Protection Agency pursuant to Pub. L. 93-523. However, loss of the water source or supply due to any cause is not included in the language of Section 82(2), Pub. L. 93-251, and furnishing emergency supplies by the Corps of Engineers under those situations was not intended by this legislation. Approval of measures to furnish clean drinking water will be pursuant to this regulation, and in accordance with procedures outlined in ER 500-1-1 by HQDA