

§ 83.18 Records.

The State shall maintain current and complete financial, property and procurement records in accordance with requirements contained in the Federal Aid Manual and OMB Circular A-102.

(a) Financial, supporting documents, and all other records pertinent to a project shall be retained for a period of 3 years after submission of the final expenditure report on the project. If any litigation, claim, or audit was started before the expiration of the 3-year period, the records shall be retained until the resolution is completed. Records for nonexpendable property shall be retained for a period of 3 years following final disposition of the property.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers and records of the State.

§ 83.19 Land control.

The State must control lands or waters on which capital improvements are made with Federal Aid funds. Control may be exercised through fee title, lease, easement, or agreement. Control must be adequate for protection, maintenance, and use of the improvement throughout its useful life.

§ 83.20 Assurances.

The State must agree to and certify that it will comply with all applicable Federal laws, regulations, and requirements as they relate to the application, acceptance, and use of Federal funds under the Act. The Secretary shall have the right to review or inspect for compliance at any time. Upon determination of noncompliance, the Secretary may terminate or suspend any actions or projects in noncompliance, or may declare the State ineligible for further participation in program benefits until compliance is achieved.

§ 83.21 Audits.

The State is required to conduct an audit at least every two years in accordance with the provisions of Attachment P of OMB Circular A-102. Failure to conduct audits as required may re-

sult in withholding of grant payments or such other sanctions as the Secretary may deem appropriate.

[49 FR 30074, July 26, 1984]

PART 85—CLEAN VESSEL ACT GRANT PROGRAM**Subpart A—General**

Sec.

- 85.10 Purpose and scope.
- 85.11 Definitions.
- 85.12 Information collection, recordkeeping, and reporting requirements.

Subpart B—Application for Grants

- 85.20 Eligible activities.
- 85.21 Application procedures.
- 85.22 Grant proposals.

Subpart C—Grant Selection

- 85.30 Grant selection criteria.
- 85.31 Grant selection.

Subpart D—Conditions on Use/Acceptance of Funds

- 85.40 Cost sharing.
- 85.41 Allowable costs.
- 85.42 Real and personal property.
- 85.43 Signs and symbols.
- 85.44 Fee charges for use of facilities.
- 85.45 Public access to facilities and maintenance.
- 85.46 Survey and plan standards.
- 85.47 Program crediting.
- 85.48 Compliance with Federal laws, regulations, and policies.

AUTHORITY: 16 U.S.C. 777g(c).

SOURCE: 59 FR 11206, Mar. 10, 1994, unless otherwise noted.

Subpart A—General**§ 85.10 Purpose and scope.**

The purpose of this part is to establish requirements for state participation in the Clean Vessel Act Grant Program authorized by Section 5604 of the Clean Vessel Act (Public Law 102-587, Subtitle F).

§ 85.11 Definitions.

Terms used in this part shall have the following meaning:

Clean Vessel Act or Act. The Clean Vessel Act (Pub. L. 102-587, subtitle F).