

EMERGENCY SUPPORT FUNCTION (ESF) #3-2
DEBRIS MANAGEMENT

I. PURPOSE

The purpose of this Plan is to provide for coordination of efforts in the clean-up, removal, and disposal of debris following a major emergency or disaster in Pacific.

This plan will serve as the master plan for the City of Pacific and contains guidance regarding organization, responsibilities, documentation, contracting, activation of the City of Pacific plan, temporary debris storage sites, informational fact sheets, and samples of agreements and contracts

II. SITUATION & ASSUMPTIONS

A. Situation

1. Debris may be the result of natural, man-made, and technological hazards.
2. The City of Pacific may experience events which result in large amounts of debris that may adversely affect public safety.
3. Communities have varying and unique circumstances that could impact the types and amounts of debris and the responses to debris cleanup. These may include types of local business/industry, land use, size of the community, topography, and economics.
4. Jurisdictions must be prepared to conduct emergency debris removal on their own during the initial phases of an emergency or disaster and must consider public safety as their first and top priority.
5. Individuals and businesses will be responsible for the removal and disposal of debris on private property.
6. Debris management activities can be a major burden on the time and resources of everyone affected.

B. Assumptions

1. Extraordinary demands will be placed on public and private resources for debris management following a disaster event.
2. A coordinated community effort will be required to effectively collect, remove, and dispose of debris following a disaster.
3. In order to combine local resources (personnel, equipment, supplies) various jurisdictions may joint together to establish a local area of operations for collecting and handling the debris.

4. Mutual aid from adjacent jurisdictions will be coordinated with pre-disaster planning.
5. Temporary debris storage and reduction sites will be located in order to provide a close by site thus reducing transportation time and costs.
6. Pre-disaster planning will provide the jurisdictions knowledge of debris management and how to organize locally to conduct debris removal operations thus ensuring that cost effective and environmentally sound practices will be used.
7. During major emergencies requests for state and/or federal disaster assistance may be necessary.

III. ORGANIZATION AND PLANNING

- A. The ultimate responsibility for providing public works services rests with local government. The Public Works Commissioner and the City Administrator shall be responsible for this ESF.
- B. When it is determined that local resources are consumed, or debris conditions exist that require outside agencies to be involved, applicable support agencies shall be requested via WebEOC and/or other pre-established procedures. Example support agencies include:
 1. Mutual Aid organizations
 2. The Counties OEM/EMAs
 3. Missouri Department of Natural Resources
 4. Missouri Department of Transportation
 5. Missouri National Guard
 6. EPA
 7. US Army Corps of Engineers
- C. During a declared disaster, Public Works will coordinate activities with the EOC and the IC Commander.
- D. Support of technical engineering, construction management, damage assessment and storm water evaluation through inspection, response and emergency contracting to minimize loss to transportation and drainage systems is paramount. These functions help identify the nature and degree that presents itself to be addressed in this ESF.

- E. Support for emergency clearance of debris for reconnaissance of damaged areas and passage of emergency personnel, supplies and equipment for lifesaving, life protection, health and safety purposes during the immediate response phase is a critical priority.
- F. Temporary clearing, repair or construction of emergency access routes which include damaged streets, roads, bridges, waterways, drainage systems, airports and any other facilities necessary for passage of rescue personnel must be implemented.
- G. Emergency demolition or stabilization of damaged structures and facilities designated by state or local government as immediate hazards to public health and safety, or as necessary to facilitate the accomplishment of lifesaving operations should be an urgent undertaking.
- H. After emergency debris removal efforts are accomplished for the major and critical streets, debris will then be removed from the secondary routes, residential neighborhoods and public parks.
- I. All debris removal planning, decision-making, operational activities, tracking and reporting must adhere to all local, county, state and federal statutes, guidelines and current practices.

IV. CONCEPT OF OPERATIONS

A. Disaster Response

1. In the event of a debris generating event the City of Pacific EMA Director/Coordinator would normally activate the City of Pacific Emergency Operations Center (EOC).
2. Field reports, E911 callers, and damage assessment teams reports shall be used to assess the degree of damages and debris removal actions planned. Other sources like aerial or GIS data may also be useful. Requests for disaster assistance will be in accordance with City of Pacific Emergency Operations Plan.
3. The Mayor of the City of Pacific must execute an emergency declaration. A copy of the declaration will be maintained at the Police Department and EOC and City Hall for documentation purposes.
4. The following items would need to be considered during the response and recovery phases of debris management.

B. Phased Approach

1. The City of Pacific together with other official agencies with jurisdictional authority will address debris issues and response using a phased approach as noted below:

- a. Phase One – Emergency debris clearance to open access for emergency response vehicles and necessary traffic. This may be accomplished by jurisdiction officials due to the immediate nature of the situation.
- b. Phase Two – Debris issues affecting health and safety. These may include such issues as chemical, sewage, and flood contaminated debris, as well as dangerous limbs and trees, dead animals, spoiled food, and sand bags that have been saturated with contaminated liquids (river water, sewage water, or other hazardous materials)
- c. Phase Three – Other actions necessary to protect health and safety. These may include, but not be limited to, pest or rodent control activities associated with the presence of debris.

NOTE: **It is important to note that the first three activities may or may not qualify for reimbursement under a state or federal declaration; however, they may be critical to preventing the spread of disease in the communities.

- d. Phase Four – Complete all remaining debris activities necessary to restore the City of Pacific to pre-disaster condition.

C. Evaluation of Need

1. When a debris generating event occurs - the EMA Director/Coordinator will brief the team regarding the extent of the damage produced by the event and of actions planned or underway. Team members will provide any assistance or response necessary at the time.
2. An assessment of the debris situation City of Pacific-wide will be made...
3. Debris cleanup activities will be prioritized based on the four phases of debris activities as listed under Phased Approach above.
4. Mutual aid assistance from unaffected jurisdictions and from other counties will be requested when-ever necessary.

D. Determination of Appropriate Strategy

1. The Debris Management plan that is defined shall ensure that such subjects as legal, environmental, organizational, response actions and other matters are included.
2. Debris types may include:
 - a. Woody and tree material
 - b. Household goods, including furniture, personal belongings, and appliances
 - c. Food waste

- d. Utility poles and wires
 - e. Hazardous materials and infectious waste
 - f. Vehicles and tires
 - g. Building materials
 - h. Animal carcasses
 - i. Silt and mud
3. Means of collection may include:
- a. Use of authorized waste transfer or disposal facilities
 - b. Establishment of alternate or Temporary Debris Storage and Reduction (TDSR) sites
 - c. Direct pickup
 - d. Placement of dumpsters
4. Means of Reduction
- a. Incineration
 - b. Grinding and chipping
 - c. Separation
 - d. Recycling
5. Means of Disposal
- a. Landfill disposal
 - b. Incineration
 - c. Sale or donation of reduced material
 - d. Decontamination and reuse
6. Demolition of a structure may be the only option in certain instances when severe damage has occurred. This will only be recommended after all other options have been explored:
- a. Local building and zoning officers are required to inspect any buildings sustaining major damage.
 - b. The St. Louis County and/or Franklin County Departments of Health may also conduct inspection in certain cases with authority to condemn buildings.

- c. Permits for demolition are issued by the City of Pacific Building Department with the approval of the Board of Alderman.
- d. Responsibility for all costs and removal of debris from demolition is the responsibility of the property owner.
- e. When demolition is recommended, contracts and legal guidance will be necessary.

E. Debris Removal Operations

- 1. Debris removal operations will be divided by public and private property.
 - a. *Public Property/Rights-of-Way Debris Removal:* Debris deposited on public lands including the right-of-way will be the responsibility of local government.
 - (1) In some cases, where a health and/or safety threat exists, private property owners may move event-related debris to the public right-of-way for removal by government forces.
 - (2) Government forces or volunteers may assist private property owners if necessary to remove event-related debris that poses a health and/or safety threat.
 - b. *Private Property Debris Removal:* Debris deposited on private property is the responsibility of the property owner.
 - (1) In some cases, where a health and/or safety threat exists, private property owners may move event related debris to the public right-of-way for removal by government forces.
 - (a) Debris removal schedules will be published through local media outlets and provided to officials in affected jurisdictions for release to private individuals.
 - (b) Instructions for separation of debris and steps to follow if assistance is required in getting debris to the curbside will be published with the removal schedules.
 - (2) Volunteers or voluntary groups may assist property owners.

F. Debris Site Security

- 1. Debris Site Security is required to ensure the site is not used for illegal dumping.
- 2. Security of the active temporary debris sites within the City of Pacific will be coordinated by the City of Pacific Chief of Police, and may be assigned to other agencies or private businesses.

3. On-site managers will be responsible for overseeing the security of all site(s). All problems will be brought to the attention of the City of Pacific Police and EMA.

G. Public Notification and Information

1. It is extremely important for the public to be notified of the procedures to be followed in handling the debris on their property and businesses as soon as the information is available. This information should include:
 - a. Notice of how removal of debris from private property will be conducted and what is type of debris eligible to be picked up.
 - b. Dates and time and locations schedules for debris pickup within the jurisdiction.
 - c. Informational bulletins regarding the individual owner's responsibilities, insurance coverage considerations, volunteers, etc.

H. Contract Monitoring

1. In the event that contracts are used for debris removal, monitoring of contractors is a very important issue. The City Administrator or City Clerk, or their designate shall assist with contract monitoring.
2. Contract monitoring verifies that the following actions are taking place:
 - a. Debris being picked up is a direct result of the disaster
 - b. Trucks hauling debris are fully loaded
 - c. Debris pick-up areas are being managed properly
 - d. Trucks are sticking to debris routes
 - e. Inspection of temporary storage sites to ensure operations are being carried out according to contract
 - f. Verification of security and control for temporary debris storage and reductions sites.

I. Contracts and Contracting

1. Types of Contracts.
 - a. The Following types of contracts may be used in conducting debris management operations.
 - (1) Time and Material: Under a time and material contract, the contractor is paid on the basis of time spent and resources utilized in accomplishing

debris management tasks. The Federal Emergency Management Agency policy requires that the use of time and material contracts be limited to the *first 72 work hours* following a disaster event.

- (2) Lump Sum: A lump sum contract establishes a total price using a one item bid from a contractor. It should be used only when a scope of work is clearly defined, with areas of work and quantities of material clearly identified.
- (3) Lump Sum contracts can be defined in one of two ways:
 - (a) Area Method, where the scope of work is based on a one-time clearance of a specified area, or
 - (b) Pass Method, where the scope of work is based on a certain number of passes through a specified area, such as given distance along a right of way.
- (4) Unit Price: A unit price contract is based on weight (tons) or volume (cubic yards) of debris hauled and should be used when the scope of work is not well defined. It requires close monitoring of collection, transportation, and disposal to ensure that quantities are accurate. A unit price contract may be complicated by the need to segregate debris for disposal. See Appendix 8, Sample Unit Price Contract.

J. Qualified Contractors

1. A list of certified contractors shall be maintained the City of Pacific, or be accessible for use as necessary, e.g. from The Counties files.
2. Right-of-Entry/Hold Harmless Agreements
 - a. Disaster response activities may require entering private property to remove debris that is a threat to the health and safety of occupants.
 - b. Entry onto private property will be made only when absolutely necessary. Agreements will be necessary to protect private and public interests.

K. Contract Monitoring

1. In the event that contracts are used for debris removal, monitoring of contractors is a very important issue. The City of Pacific City Clerk or a designate will assist with contract monitoring.
2. Contract Monitoring verifies that the following actions are taking place:
 - a. Debris being picked up is a direct result of the disaster

- b. Trucks hauling debris are fully loaded
- c. Debris pick-up areas are being managed properly
- d. Trucks are sticking to debris routes
- e. Inspection of temporary debris storage sites to ensure operations are being carried out according to contract
- f. Verification of security and control for temporary debris storage and reduction sites.

NOTE: The City of Pacific Attorney will provide legal counsel and review of all proposed agreements.

L. Avoidance Checklist

1. Jurisdictional officials must be aware of the pitfalls of 'contracting' and ensure that all personnel involved in oversight of the debris management efforts are aware of the following:
 - a. DO NOT: Award a debris removal contract on a sole-source basis.
 - b. DO NOT: Sign a contract (including one provided by a contractor) until it has been thoroughly reviewed by your legal representative.
 - c. DO NOT: Allow any contractor to make eligibility determinations, since only FEMA has that authority.
 - d. DO NOT: Accept any contractor's claim that it is "FEMA certified." FEMA does not certify, credential, or recommend debris contractors.
 - e. DO NOT: Award a contract to develop and manage debris processing sites unless you know it is necessary and have contacted the state for technical assistance concerning the need for such operations. Temporary debris storage and reduction sites are not always necessary.
 - f. DO NOT: Allow separate line-item payment for stumps 24 inches and smaller in diameter; these should be treated as normal debris.
 - g. DO NOT: "Piggyback" or utilize a contract awarded by another entity. Piggybacking may be legal under applicable state law; however, the use of such a contract may jeopardize FEMA funding.
 - h. DO NOT: Award pre-disaster/stand-by contracts with mobilization costs or unit costs that are significantly higher than what they would be if the contract were awarded post-disaster. Such contracts should have variable mobilization costs depending upon the size of the debris work that may be encountered.

M. Documentation

1. Documentation of debris management activities is extremely important for potential reimbursement of costs. It is important to record all debris activities performed, costs and authorizations granted. Copies need to be maintained for a historical record and for reference in updating plans.
2. Documentation of activities and costs associated with debris is the responsibility of those performing work at all levels of government as well as those who provide oversight and direction.
3. Each jurisdiction must maintain complete and accurate records of the jurisdiction's costs for debris removal in order to justify costs for reimbursement under the state and federal disaster assistance rules.
4. At a minimum, documentation needs to address the following:
 - a. Labor, equipment, rental fees and material costs
 - b. Mutual-aid agreement expenses
 - c. Use of volunteered resources, including labor
 - d. Administrative expenses
 - e. Disposal costs
 - f. Types of debris collected, amounts of each type, and location of origin.
5. Documentation must also meet State and/or FEMA standards in order for reimbursement of expenses to be approved.

V. **DIRECTION AND CONTROL**

A. Activation of the Plan

1. City of Pacific Plans will be activated as soon as it is apparent that there is a significant degree of debris that requires immediate action.
2. The Team will be notified of the situation by the EMA Director/Coordinator and certain members may be activated with the EOC Staff.
3. The City of Pacific Public Works Commissioner will work with the EOC staff to coordinate activities.

B. Establishment of Debris Removal Priorities

1. When a debris-generating event occurs there is an immediate need for prioritization of actions.

- a. The first priority shall include roadways that allow ingress and egress to the critical public facilities such as fire stations, police stations, hospitals, and other critical facilities.
- b. Other essential, but perhaps not critical facilities include schools, municipal buildings, water treatment plants, wastewater treatment plants, power generation units, airports, temporary shelters for disaster victims, etc.
- c. The City of Pacific will need to prioritize debris removal from roadways that allow ingress or egress to these facilities.

C. Environmental Compliance

- 1. Compliance with environmental protection laws and regulations is still required after disasters.
- 2. Federal and State Environmental Protection Agencies and local Health Departments should be consulted for applicable regulatory requirements.
- 3. Hazardous waste will be a significant issue in the debris management strategy.
 - a. The City of Pacific will work closely with Federal and State environmental protection agencies to ensure proper removal and disposal of hazardous waste.
 - b. Procedures for establishing a separate staging area for hazardous waste, to include lining with an impermeable material so chemicals do not leak into the groundwater and soil will need to be developed.

VI. CONTINUITY OF GOVERNMENT

- A. Public Works Commissioner
- B. Pacific PW Streets Supervisor
- C. City Parks Commissioner
- D. City Administrator

VII. ADMINISTRATION & LOGISTICS

- A. Temporary Debris Storage and Reduction (TDSR) Sites
 - 1. Some specific considerations when using these types of sites include:
 - a. Location: Care should be taken in selection of TDSR sites. Land use, proximity to housing, location of the nearest water table and/or public water supply, and other factors that may impact the use of the site should be taken into account.

- b. Operations: Monitoring receipt of debris and verifying types of debris received are critical functions for successful operation of a TDSR site. Included in the attachments to this document is a sample TDSR site layout.
 - c. Closeout: In order to close out a TDSR site, care should be taken to restore the site to its original condition in an environmentally friendly and timely manner. Included in the attachments to this document is a checklist for site closeout.
- B. Tracking of Resources
 - 1. Tracking of resources is essential in order to obtain the most possible utilization from those available in the City of Pacific.
- C. Meetings and Briefings
 - 1. Meetings and briefings will be conducted by or through the City of Pacific EOC. The main purpose of the meetings is to brief EOC staff and media on current and future debris management activities.
 - 2. Debris management staff personnel will attempt to participate in all EOC meetings, provide briefings as necessary and provide the latest information available to the EOC staff.
- D. Documentation Process
 - 1. Debris management personnel will maintain records regarding planning and decisions made on debris management activities.
 - 2. This includes minutes of meetings, debris site selections, debris removal policies and priorities, demolition of public/private structures and other.
- E. State Agency Support
 - 1. Following is a list of state agencies that may participate in, or support, debris removal activities:
 - a. Missouri Department of Natural Resources
 - b. Missouri Department of Agriculture – Animal or Food Safety Offices
 - c. Missouri National Guard
 - d. Missouri Department of Corrections
 - e. Missouri State Highway Patrol
- F. Direct Federal Assistance

1. Direct federal assistance may be available during certain incidents; however, this applies only to emergency work (debris removal and emergency protective measures) and must meet general FEMA eligibility criteria. Debris activities that are eligible for Direct Federal Assistance include:
 - a. Debris removal from critical roadways and facilities
 - b. Debris removal from curbsides or from eligible facilities and hauling to either temporary or permanent sites
 - c. Identification, design, operation, and closeout of debris management sites
 - d. Monitoring debris contractor's activities
 - e. Demolition or removal of disaster damaged structures and facilities in accordance with FEMA regulations and policies

G. Technical Assistance

- a. State Technical Assistance is available to local officials for a variety of tasks related to debris planning via the Missouri Emergency Management Agency (SEMA).

H. Federal Technical Assistance

1. Federal technical assistance may be available and applies when a state or City of Pacific lacks technical knowledge or expertise to accomplish an eligible task. The Federal Emergency Management Agency will then request technical assistance from the appropriate federal agency in the National Response Plan.
2. Eligible technical assistance includes:
 - a. Assistance in developing an overall debris management plan
 - b. Assistance in developing Debris Management Site plans
 - c. Assistance in developing of monitoring plans
 - d. Assistance in developing contract guidelines
 - e. Assistance in developing and implementing trip tickets processes
3. Agencies that may be assigned missions from the Federal Government
 - a. Federal Highway Administration
 - b. United States Department of Agriculture
 - c. Environmental Protection Agency

- d. United States Army Corps of Engineers
- e. United States Coast Guard
- f. Bureau of Indian Affairs

I. Volunteer Organizations

- 1. Volunteer organizations may aid with debris removal from private property. There is a wide range of volunteer organizations at the local, state, and federal levels. The following is a sample list of organizations:
 - a. American Red Cross
 - b. Citizen Corps:
 - (1) Community Emergency Response Teams (CERT)
 - (2) AmeriCorps St. Louis
 - c. Religious Organizations, e.g. Catholic Social Services, Lutheran ERT, Southern Baptist, Salvation Army, Mennonite Services
 - d. MO Voluntary Organizations Active in Disaster (MOVOAD)
 - e. Civic Clubs, e.g. VFW, Eagles, Masons
 - f. Student Organizations, e.g. ROTC, Key Club
 - g. Samaritan's Purse
 - h. Team Rubicon

VIII. PLAN DEVELOPMENT & MAINTENANCE

- A. The Public Works Commissioner is responsible for updating this Plan based on deficiencies identified through actual events, drills and exercises, and changes in government structure and emergency organizations.
- B. Identified changes, once approved, shall be given to the Pacific EMD who shall will prepare, coordinate publish and distribute necessary changes and revisions to this Plan.

IX. APPENDIX

- A. General Debris Management and Contracting Considerations
- B. City of Pacific Temporary Debris Storage Location(s)

Appendix 1 to ESF3-2

GENERAL CONTRACTING CONSIDERATIONS

CONTRACTING OFFICE RESPONSIBILITIES

1. Determine the type of contracting needed to satisfy specific debris clearance, removal and disposal requirements of an unusual and compelling urgency.
2. Determine if any purchasing and contracting requirements are waived as a result of the disaster and subsequent declarations of emergency (See Missouri Revised Code 125.023).
3. Solicit bids, evaluate offers, award contracts, and issue notices to proceed with all contract assignments.
4. Supervise the full acquisition process for service and supply contracts and the oversight of contract actions to ensure conformance to regulatory requirements.
5. Coordinate with the local Dept. of Public Works and Dept. of Solid Waste Management staffs and consult with legal counsel. The contracting office must take care to avoid the solicitation of assistance from the general public and giving the impression that compensation will be provided for such assistance. In general, this would be considered as volunteer actions. In addition, there are a number of other issues involved with such a solicitation, including licensing, bonding, insurance, the potential for the communities to incur liability in the event of injury or death, supervision and certification of work done.

TYPES OF DEBRIS CONTRACTS

1. Time and Materials Contracts may be used for short periods of time immediately after the disaster to mobilize contractors for emergency removal efforts. They must have a dollar ceiling or a not-to-exceed limit for hours (or both), and should be terminated immediately when this limit is reached. The contract should state that (a) the price for equipment applies only when equipment is operating, (b) the hourly rate includes operator, fuel, maintenance, and repair, (c) the community reserves the right to terminate the contract at its convenience, and (d) the community does not guarantee a minimum number of hours.
2. Unit Price Contracts are based on weights (tons) or volume (cubic yards) of debris hauled, and should be used when the scope of work is not well defined. They require close monitoring of pick-up, hauling and dumping to ensure that quantities are accurate. Unit price contracts may be complicated by the need to segregate debris for disposal.
3. Lump Sum Contracts establish the total contract price using a one-item bid from the contractor. They should be used only when the scope of work is clearly defined, with areas of work and quantities of material clearly identified. Lump sum contracts can be defined in one of two ways: Area Method where the scope of work is based on a one-time clearance of a specified area; and Pass Method where the scope of work is based on a certain number of passes through a specified area, such as a given distance along a right-of-way.

CONTRACT MONITORING

The debris staff member should monitor the contractor's activities to ensure satisfactory performance. Monitoring includes: verification that all debris picked up is from public property or right-of-way and is a direct result of the disaster; measurement and inspection of trucks to ensure they are fully loaded; on-site inspection of pick-up areas, debris traffic routes, temporary storage sites, and disposal areas; verification that the contractor is working in its assigned contract areas; verification that all debris reduction and disposal sites have access control and security.

Please see the Missouri Revised Code, Sections 125.023 307.86-.92, 153.54, 153.57, 2921.01 and 2921.42 and supplementary rules and local ordinances for additional information pertaining to competitive bidding.

FEMA ELIGIBILITY

Under a Presidential disaster declaration for the State of Missouri, the Federal Emergency Management Agency (FEMA) may provide assistance to state and local governments for costs associated with debris removal operations. (Debris removal operations include collection, pickup, hauling, and disposal at a temporary site, segregation, reduction, and final disposal.) This document provides information on the eligibility of debris removal operations for Public Assistance funding.

Public / Private Insurance Coverage: FEMA requires that any and all insurance coverage is invoked and claimed prior to consideration for state or federal reimbursement of expenses. All entities are required to notify their insurance company and determine coverage immediately following an event. Deductibles and expenses over \$1,000 that are not covered by insurance may be reimbursable.

General Work Eligibility: Determination of eligibility is a FEMA responsibility. Removal and disposal of debris that is a result of the disaster, and is on public property, is eligible for Federal assistance. Public property includes roads, streets, and publicly-owned facilities. Removal of debris from parks and recreation areas is eligible when it affects public health and safety or limits the use of those facilities.

Debris Removal from Private Property: Costs incurred by local governments to remove debris from private property may be reimbursed by FEMA if it is pre-approved by the Federal Disaster Recovery Manager, is a public health and safety hazard, and if the work is performed by an eligible applicant, such as a municipal or City of Pacific government. The cost of debris removal by private individuals is not eligible under the Public Assistance Program; however, within a specific time period, a private property owner may move disaster-related debris to the curbside for pick-up by an eligible applicant. That time period will be established by FEMA in coordination with the state and local government. (The cost of picking up reconstruction debris is not eligible for FEMA reimbursement.)

Eligible Costs: If an applicant uses force account (their own) personnel and equipment, the cost of the equipment and overtime costs for personnel are eligible for federal funding. If an applicant chooses to award a contract(s) for debris operations, the costs of the contracts are also eligible for

federal funding. Applicants should exercise judicious care in contracting for debris operations, since by law, FEMA is authorized only to assist with reasonable costs. Reasonable costs are those that are fair and equitable for the type of work performed in the affected area. If desired, FEMA staff will provide technical assistance on this subject prior to contract award.

Use of Contractors: If an applicant decides to award contracts for debris removal, FEMA advises the following:

- Do not allow contractors to make eligibility determinations; they have no authority to do so;
- Utilize pre-negotiated contracts, if available;
- Consider using qualified local contractors because of their familiarity with the area;
- Request copies of references, licenses and financial records from unknown contractors;
- Document procedures used to obtain contractors;
- Do not accept contractor-provided contracts without close review. FEMA can provide technical assistance on contracts and contract procedures, if requested to do so by local officials.

FEMA does not recommend, pre-approve, or certify any debris contractor. FEMA does not certify or credential personnel other than official employees and Technical Assistance Contract personnel assigned to the disaster by FEMA. Only FEMA has the authority to make eligibility determinations.

Debris Removal from Private Property

There are many considerations in debris removal to ensure that the debris removal activities of the jurisdiction comply with FEMA eligibility policies and debris removal guidance.

Removal of eligible debris for private property:

Reference see FEMA Publication 325 entitled '*Debris Removal Guide*'.

Issues regarding removal of debris from private property are common. Problems may arise regarding the definitions of 'public health and safety'

Removal of debris from private property is primarily the responsibility of the *individual property owner*, aided by insurance settlements or volunteer organizations.

Jurisdictions (applicants) must be aware of FEMA's guidance and eligibility rules. The following items need to be understood and considered by the authorities when setting local clean-up policies:

- Applicants must be aware of the limitations of debris removal from private property early in the disaster.
- Be aware that only FEMA makes eligibility determinations regarding removal of debris from private property. FEMA's representative on the ground will make this determination after consideration of all issues.
- If FEMA determines that debris is so widespread that removal from private property is appropriate the applicant must ensure that specific requirements (right-of-entry, insurance, release from liability, etc.) are complied with before removal of the debris.

- Ensure that the term “economic recovery of the affected areas” is not being misapplied. Use of this criterion is normally restricted to removal of disaster-related debris from large commercial areas to expedite restoration of the economic viability of the affected community.
- Ensure that the determination that a “public health and safety issue exists” is NOT based on building codes. Generally, the determination would be based on ordinances related to condemnation.
- Ensure that there is a clear understanding that a public health and safety hazard must exist for the removal of the debris to be eligible. Again, FEMA will make the final determination for removal from private property.
- Concrete slabs or foundations-on-grade do not present a health or safety hazard to the general public except in very unusual circumstances, such as erosion under a concrete slab on a hillside.
- Broken slabs or slabs incapable of supporting a new structure, do not constitute a public health or safety hazard. Costs of removing substantially damaged structures, as well as associated slabs, driveways, fencing, garages, and similar appurtenances, are eligible when the property is part of a Section 404 Hazard Mitigation buyout and relocation project.

Eligibility of Curbside Pick-up:

Debris may continue to accumulate as residents bring debris from their properties to public rights-of-way. Normally this will occur in three stages:

1. Woody debris and yard waste moved to the right-of way.
2. Household waste, such as damaged personal goods, moved to the right-of way.
3. Construction and demolition materials removed by the homeowner prior to receipt of insurance and individual assistance payments. **Debris Removal from Private Property**

The following curbside policies and issues must be considered:

- **Residents must not mix garbage with debris.** Debris deposited at the curbside must be disaster-related to be eligible for pickup and disposal by the jurisdiction. The jurisdiction should resume normal garbage pick-up schedules as soon as possible.
- Construction and demolition materials from minor and major repairs of reconstruction by contractors should not be deposited at the curbside. Contractors should remove and deposit the debris at approved landfills.
- Insurance proceeds usually cover the cost for demolition debris removal from private property. Remember, only disaster-related debris removal costs *not covered* by insurance are eligible for reimbursement.
- Deadlines for curbside pickup must be coordinated with appropriate State and FEMA officials and announced to the public as soon as practical following the event. Normally a 72 hour period following the end of the disaster event would be allowable. Any time extension given to State applies only to disaster-related debris.

Homeowners’ Insurance Coverage for Debris Removal:

Essentially all general homeowner's insurance policies contain a provision for the pick-up of debris resulting from damages to a facility covered by the policy. That usually includes structures, fences, playground equipment, etc., but maybe not the removal of vegetative debris. The insurance policy must be checked to determine whether or not it covers vegetative debris. If removal of vegetative debris is not covered by insurance that does not mean that it is eligible for federal funding.

Appendix 2 to ESF3-2

TEMPORARY DEBRIS STORAGE LOCATION(S):

The following locations have been defined and shall be considered as the primary choices when a disaster strikes:

1. The “Lagoon” off Denton Road for general and most debris
2. Liberty Field for electronics.

An alternate “overflow” option is the Commuter Lot off S. First Street and the railroad tracks.