

VEM: Debris Guidance and FEMA Eligibility

July 17, 2023



From: Canarecci, Kim

Sent: Friday, July 14, 2023 2:48 PM

Subject: DEBRIS GUIDANCE

Importance: High

Good afternoon Towns-

As you continue your recovery efforts, many are facing challenges with debris and removal of it. Several of you have had questions regarding eligibility. While debris management plans and procurement policies are **strongly encouraged** to be in place prior to an event, many towns may not have one in place. A debris management plan outlines for towns what to do in a disaster event as well as establishing a pre-procured contractor. A comprehensive debris management plan is a **critical element** in efficient recovery efforts when a disaster strikes.

While you may not currently have a debris management plan, having proper documentation and following your local and federal procurement policy is key in receiving federal public assistance recovery funds.

Eligibility

Public Assistance funds are available to eligible applicants in declared counties for debris clearance, removal and disposal operations.

Eligible applicants include State and local governments, Indian tribes, and certain CRITICAL private nonprofit organizations.

In order to be eligible for FEMA funding, the debris removal work must:

- Be a direct result of a Presidentially declared disaster;
- Occur within the designated disaster area; and
- Be the responsibility of the applicant at the time of the disaster.

In addition, at least one of the following must apply:

- Removal eliminates immediate threats to human lives, public health and safety;
- Removal eliminates immediate threats of significant damage to improved public property; and/or
- Removal ensures economic recovery of the affected areas to the benefit of the community-at-large.
- Must be in the Public right of way. **Debris located on public property and rights-of-way is eligible.** Debris on private property is not eligible. **Debris from private property can be put out to the Right of way on a determined date by the town for removal by the town, and can be eligible.** White boots must be separated from hazardous material and both separated from woody debris.

Public Assistance debris can include downed trees, sand, building wreckage, and damaged property.

- Before picking up debris note the GPS location of debris pick up and disposal (required!) and take a photograph if you can.

- If you hire a contractor to pick up your debris (it must be cost reasonable and procured), you need to hire a debris monitor to ensure the contractor is picking up what they are charging you for. A monitor can be a current town employee.

Contracts

The following important points should be considered during the acquisition and oversight of debris removal and disposal contracts:

- All contracts should have a well-defined scope of work, specified costs, basis of payment, and performance schedule.
- Contracts must be competitively bid.
- Long-term contracts should be written on a unit price basis.
- Complete and accurate records of contractor activities should be kept by the applicant and are essential for receipt of federal funds.
- Contractor activities must be monitored
- Time and materials (T&M) contracts are only allowed for the first 70 hours of response. After that point, the contracts must be competitively re-bid on a unit price basis.
- Unit price contracts are based on weights or volume of debris hauled and should be used when the scope of work is not well defined.
- Lump sum contracts are allowed but should be used only when the scope of work is clearly defined. An example of clearly defined work would be removal and disposal of an existing wood chip pile at a processing site.
- Cost plus percentage of cost contracts are not allowed.
- FEMA does not certify or approve contracts or contractors.

Again...Debris type should be separated. Do not put white goods or hazardous materials in with trash or woody debris.

Keep these items separate:

- Dangerous wastes such as toxics, pesticides, explosives, gasoline, oil, pool chemicals, acids, drain cleaner, fireworks, flares, ammo, unprotected “sharps”
- Appliances such as refrigerators, freezers, air conditioners, washers, dryers, scrap metal- white goods.
- Mercury products such as fluorescent bulbs, thermostats, thermometers
- Hazardous Waste
- Oil, brake cleaner, other toxic car products
- Paint, stain, varnish, paint thinner/stripper
- Propane cylinders, other gas cylinders
- Batteries and electronics
- Tires

More

- Obtain appropriate Federal, State and local permits.
- Dispose of debris at proper landfills/locations.

Debris Removal Monitoring

Monitoring of debris removal and disposal contractor activities is a critical component in successful debris operations and in the justification and documentation of any application for FEMA Public Assistance funding.

- The applicant should have debris monitors to observe and document contractor activities. At a minimum, these monitors should be stationed at all pick-up and disposal sites.
- Applicants may use their own full-time workforce or hire temporary workers as monitors;
- Applicants may contract with local firms to provide debris monitoring services;
- Applicants may request FEMA/State staff assistance for debris monitoring activities.
- For unit price contracts, applicants should use load tickets to document weights and volumes of contractor vehicles. These load tickets should be treated as accounting

forms and represent critical documentation when applying for FEMA funds.

- When unit price payments are based on weight, provisions should be made for weighing trucks at the disposal site. Periodically confirm empty weight of trucks.
- When unit price payments are based on volume, monitors should verify truck capacities and inspect trucks for proper loading and compaction.
- For T&M contracts, applicants should document equipment and manpower time and ensure efficiency in usage. There is no reimbursement by FEMA for "down time" of equipment or manpower.
- Monitors should be on the look out for inappropriate contractor activities including: improper loading of trucks; picking up ineligible debris; posting trucks with inaccurate load capacities; etc.

Frequently Asked Questions

Q: What kind of debris training is available?

A: FEMA offers an Emergency Management Institute (EMI) Independent Study course, IS 632- Introduction to Debris Operations, which is a CD-ROM computer-based training course. Applicants can enroll at www.training.fema.gov/EMIWeb/enroll.htm or by calling the Independent Study office at 301- 447-1200.

FEMA also provides classroom instruction in debris management for State, Tribal and Local officials at EMI in Emmitsburg, MD.

Vermont also hosts and instructs a debris course.

Q: Are the costs of contract monitoring eligible for FEMA funding?

A: Yes. Overtime incurred by applicant forces, reasonable costs for contracted debris monitoring services, and costs for temporary monitors hired by the applicant, are eligible for FEMA reimbursement.

Q: If I have an existing T&M contract in place, can I convert it to unit price after 70 hours without rebidding?

A: No. The T&M contract must be competitively rebid on a unit price basis. However, if a few hours of work remain, an extension may be provided in order to complete the work.

Q: Does FEMA pay for debris on privately owned land?

A: Generally no, however, disaster-related debris from private property brought to the curbside for public pickup is usually covered.

Q: Does FEMA have to approve my debris removal and disposal contracts?

A: No. FEMA does not approve contracts; however, FEMA can provide technical assistance to applicants regarding proper contracting procedures.

Q: Is debris generated by post-disaster reconstruction activities eligible?

A: No. This type of debris is the owner's responsibility and generally covered by insurance

Additional Resource Material

- [FEMA Debris Disposal Guidelines \(republicservices.com\)](https://www.republicservices.com)
- [fema_329_debris_estimating.pdf](#) – Quick guide to help estimate debris quantities.
- [FEMA Debris Monitoring Guide \(March 2021\)](#) – Hire Debris Monitors to ensure your contractor is hauling what they say they will. Photograph and load tickets. Hazardous wastes require segregation and special handling. Guide explains how to handle different debris.
- [Debris Removal Guidelines for Private Residential Properties](#)

Kimberly Canarecci

Vermont State Public Assistance Officer 802-585-4209