

DEBRIS FACT SHEET FOR LOCAL OFFICIALS



The information contained within this document is intended to assist local officials responsible for all or a portion of the issues relating to managing all types of waste (“debris”) resulting from a disaster or significant emergency. Removal, reduction, recycling, temporary sites, contracting and disposal data as well as points of contact are included in the following pages.

The Ohio Environmental Protection Agency (EPA) and Ohio Emergency Management Agency (EMA) are two state agencies that have primary responsibilities to respond to disasters. Disasters can generate a significant amount of debris and can disrupt local government operations in general. Their roles and day-to-day points of contact are detailed below.

Local Governments

Local health departments may be able to provide technical assistance regarding debris management and public health issues. Local health departments may also have primary responsibility during a disaster in the regulatory oversight for proper management of debris. Of particular concern for public health and safety is the management and proper disposal of debris created by a disaster or by demolition, yard waste, household hazardous waste, food stuffs, and spoiled food.

Ohio Environmental Protection Agency (www.epa.state.oh.us/dmwm)

Division of Materials and Waste Management, Central Office
50 West Town Street, Suite 700, Columbus, OH 43215
Phone (614) 644-2621 Fax (614) 728-5315

Primary responsibility during a disaster is regulatory oversight for proper management of debris. This is accomplished by providing rule interpretations (regulatory requirements), technical assistance/coordination regarding temporary staging, collection, removal and disposal of debris, and resource lists.

Ohio Emergency Management Agency (www.ema.ohio.gov)

Recovery Section, Mitigation and Recovery Branch
2855 West Dublin Granville Road, Columbus, OH 43235
Phone (614) 799-3665 Fax (614) 791-0018

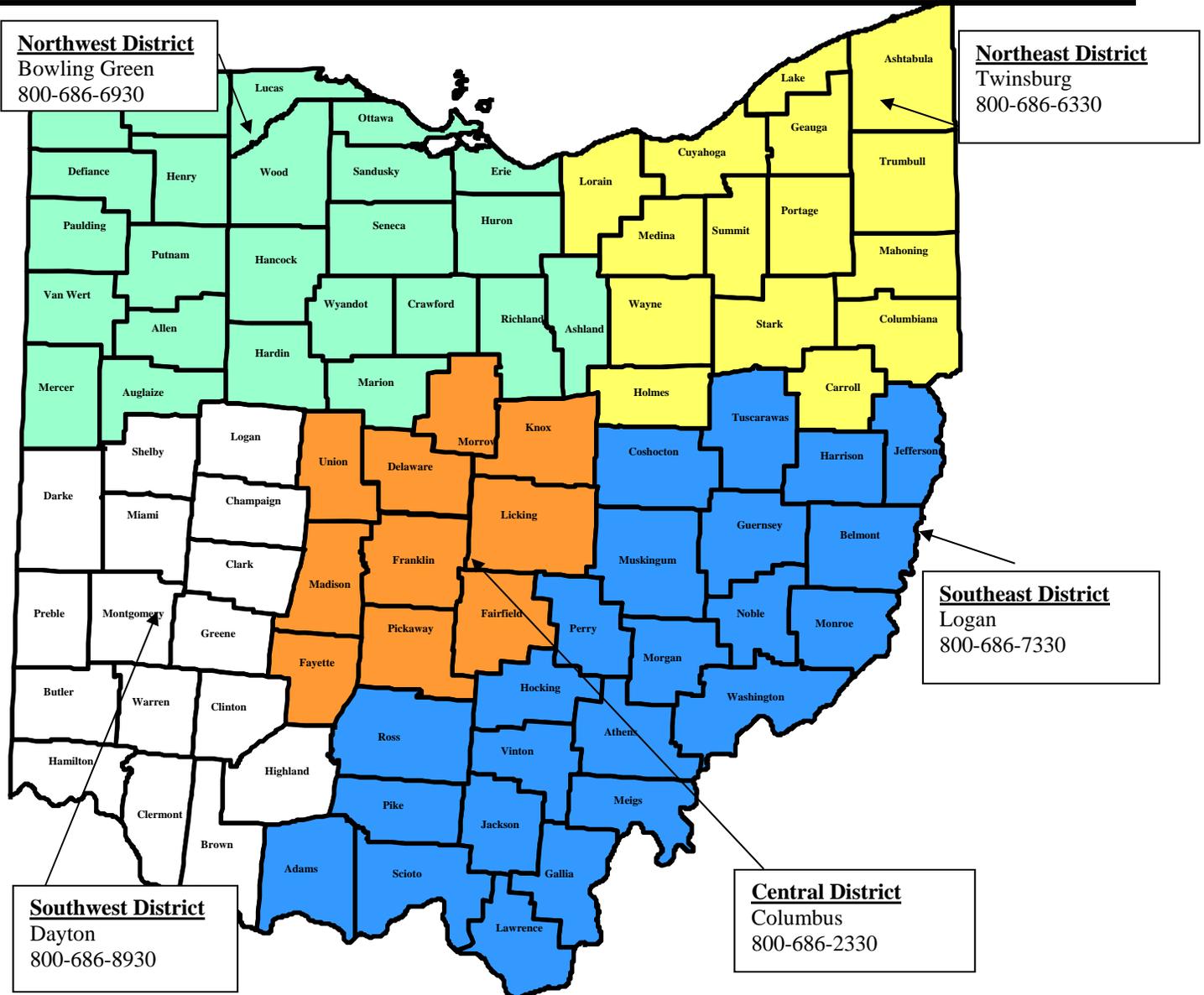
Primary responsibility is coordination of state assistance, through County Emergency Management Agency offices, to support the efforts of local officials following disasters. The Disaster Recovery Branch administers reimbursement programs for costs associated with local response/recovery actions, including debris operations.

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DEBRIS MANAGEMENT CONTACTS

OHIO ENVIRONMENTAL PROTECTION AGENCY

Div. Materials & Waste Management (includes solid, infectious, & hazardous) (614) 644-2621
 Public Drinking Water (614) 644-2752 Burn Permits (614) 644-2270
 Waste Water Treatment (614) 644-2001 Chemical Spills (800) 282-9378



ADDITIONAL CONTACTS

Local Solid Waste Mgmt District (Recycling)	See Local Listing	Ohio EMA (Response and Recovery)	(877) 644-6362
Local Department of Health	See Local Listing	Ohio Historic Preservation Off (Environmental/Historic)	(614) 298-2000
Ohio Department of Health (Private Drinking Water)	(614) 466-1390	Attorney General (Consumer Protection)	(800) 282-0515
Ohio Department of Agriculture (Dead Animals)	(614) 728-6200	Ohio Dept. Natural Resources (Recycling, Floodplain Mgmt.)	(614) 265-6565
U.S. Corp of Engineer (Regulatory-Great Lakes Division)	(513) 684-3002		

Ohio Environmental Protection Agency – Management Options for Disaster Related Wastes

Type of Waste	Description of Waste	Management Options
General Solid Waste (aka Municipal Solid Waste)	Food, packaging, clothing, appliances, furniture, machinery, electronic equipment, garbage, plastic, paper, bottles, cans, loose carpeting, paper products, scrap tires, street dirt, dead animals, vehicles Sand Bag Note: Sand from sand bags used to control flooding may be emptied from the bags and reused. The empty bags, if not reused, are considered solid waste. Sand contaminated with other materials (hazardous, etc.) should be handled appropriately.	<ul style="list-style-type: none"> • Recycling: segregate / recycle as much as possible (preferred) • MSW Landfill Disposal • MSW Transfer Facility Disposal • Scrap Tires: licensed tire recovery / recycling facility • Appliances: remove refrigerants prior to disposal • Vehicles: auto salvage yards • Dead Animals: landfill, compost, burn / bury / render (per Ohio Dept. of Ag. Guidelines)
Agricultural Waste & Vegetative Waste (aka Solid Waste)	Vegetative or woody waste, tree limbs, brush, shrubs (does not include buildings, other structures, dead animals, or vehicles)	<ul style="list-style-type: none"> • Recycling: drying, chipping, grinding for use in landscaping, mulching, and as a fuel supplement (preferred) • MSW Landfills Disposal • MSW Transfer Facility Disposal • Appropriate Composting Facilities • Controlled Burning – for use in declared disaster areas only; air curtain destructor use and Ohio EPA approval required
Construction & Demolition Debris (CDD)	Brick, stone, mortar, asphalt, lumber, wallboard, glass, roofing, metal, piping, fixtures, electrical wiring, heating equipment, insulation, carpeting attached to structures, railroad ties, utility poles, mobile homes	<ul style="list-style-type: none"> • Recycling: segregate and reuse as much materials as possible • CDD Landfill Disposal • MSW Landfill Disposal • MSW Transfer Facility Disposal • Mobile Homes: take to salvage company or CDD landfill
Clean Hard Fill (a subset of CDD)	CDD which consists only of reinforced or non-reinforced concrete, asphalt concrete, brick, block, tile, and stone which can be reused as construction or fill material	<ul style="list-style-type: none"> • Segregate and reuse materials as appropriate. Notify local health district of intent to use clean hard fill in filling operations
Infectious Waste	Needles and medical related glass (“sharps”), syringes, blood containing or saturated items including tubing, clothing, bandages, etc.	<ul style="list-style-type: none"> • Contact local health district or Ohio EPA District Office for guidance
Hazardous Wastes & Household Hazardous Wastes	Flammable materials (fuels, gasoline, kerosene, propane tanks, oxygen bottles, etc.), explosives, batteries, common household chemicals, industrial and agricultural chemicals, cleaners, solvents, fertilizers, etc.	<ul style="list-style-type: none"> • Segregate materials as practical and dispose of at an approved hazardous waste facility. Contact appropriate Ohio EPA District Office for guidance. • Household hazardous waste disposal is permitted at MSW facilities. However, strongly consider segregation from waste stream, where practical, and dispose of with other hazardous materials.
Radiological Wastes	Nuclear medicine materials and associated patient wastes, certain monitoring equipment	<ul style="list-style-type: none"> • Contact Ohio Department of Health for regulatory requirements and management options. Not regulated by Ohio EPA.

Variances / Exemptions: All regulated disposal facilities in Ohio have operational requirements / restrictions regarding the types and volume of waste that can be accepted for disposal. During emergency events, a facility may seek authorization from the Director of Ohio EPA to temporarily accept different waste streams or an increased volume of waste. Before taking disaster-related debris to a disposal facility, please make sure that the facility is willing and properly authorized to accept the material.

Stream Cleanup Activities: Prior to removing debris from streams and waterways, please make sure you have the appropriate authorizations, if necessary (permits from COE and/or Ohio EPA, property owner permission, etc.). Once debris is removed from the streams / waterways segregate the debris as much as possible and manage according to the above outlined options.

Temporary Debris Sites

Things to Consider

- Site Ownership – Use public lands whenever possible to avoid potentially costly and complicated leasing arrangements, and to lessen potential trespassing allegations. Use privately owned land only if no public sites are available. If using private lands, be sure to obtain proper, detailed usage agreements with all parties having an ownership interest.

- Site Location
 - Consider impact of noise, dust, traffic
 - Consider pre-existing site conditions
 - Look for good ingress/egress at site
 - Consider paved versus unpaved areas
 - Consider potential impact on ground water
 - Determine whether any existing drains need to be sealed
 - Consider site size based on:
 - Expected volume of debris to be collected
 - Planned volume reduction and debris processing activities
 - Avoid environmentally sensitive areas, such as:
 - Wetlands
 - Rare and critical animals or plant species
 - Well fields and surface water supplies
 - Historical / archaeological sites
 - Sites near residential areas, schools, churches, hospitals, and other sensitive areas
 - Record detailed conditions of chosen site (pictures, video, etc.)

- Site Operations
 - Use portable containers
 - Ensure portable containers are emptied/replaced when necessary
 - Separate types of waste as operations continue
 - Monitor site at all times
 - Perform on-going volume reduction (on site or removal for disposal / reduction)
 - Provide nuisance management (dust, noise, etc.)
 - Provide vector controls (rats, insects, etc.)
 - Provide special handling for regulated hazardous materials
 - If household hazardous waste is segregated, ensure disposal options exist
 - Provide security (limit access to site)
 - Ensure appropriate equipment is available for site operations

- Site Closeout
 - Remove all remaining debris to authorized locations
 - Restore site to pre-use conditions
 - Record detailed conditions of site after closeout is complete (pictures, video, etc.)

Ohio Environmental Protection Agency Resources

The following documents are available for download from the Ohio EPA Website or by contacting the appropriate Ohio EPA division.

- Ohio EPA Registered and/or Licensed Debris Disposal Facility and Company Listings - DMWM
 - Composting Facilities
 - Construction and Demolition Debris Landfills
 - Infectious Waste Transporters
 - Municipal Solid Waste Landfills
 - Municipal Solid Waste Transfer Facilities
 - Scrap Tire Storage and Disposal Facilities
 - Scrap Tire Transporters
 - Solid Waste Management District Contacts

- Emergency Response Contractors - DERR
- Orphan Drum Program – DERR
- Open Burning Regulations – DAPC
- Ohio EPA District Office Map and Contact Numbers (included with this fact sheet)

Ohio EPA Division of Materials & Waste Management (DMWM)

www.epa.state.oh.us/dmwm

(614) 644-2621

Ohio EPA Division of Environmental Response and Revitalization (DERR)

www.epa.state.oh.us/derr

(614) 644-2924

Ohio EPA Division of Air Pollution Control

www.epa.state.oh.us/dapc

(614) 644-2270

CONTRACTING AND FEMA ELIGIBILITY

GENERAL WORK ELIGIBILITY

Under a presidential disaster declaration for the state of Ohio, 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; pick up, hauling, and storage at a temporary site, segregation, reduction, and final disposal. This document provides information on the eligibility of debris removal operations for Public Assistance (PA) funding.

Determination of eligibility is a FEMA responsibility. Removal and disposal of debris that is a result of the disaster, is within a declared county and is on public property, is eligible for federal assistance. Public property includes roads and publicly-owned facilities. Removal of debris from parks and recreation areas is eligible when it affects improved facilities (i.e. trails), 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 PA applicant, such as a municipal or county government. The cost of debris removal by private individuals is not eligible under the Public Assistance Program; however, during a specific time period, a private property owner may move disaster-related debris to the curbside for pick up by an eligible PA applicant. Applicants should set the specific period of time to ensure curbside debris does not include non-event related or reconstruction debris (ineligible).

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, as long as the contract is reasonable.

Documentation: To ensure that processing of federal funding is done as quickly as possible, applicants should maintain the following information: debris estimates, procurement information (bid requests, bid tabulations, etc.), contracts, invoices, and monitoring information (load tickets, scale records, etc). If an applicant performs debris removal, the payroll and equipment hours must be kept. All records should be maintained in the manner prescribed by the local government with consideration of state and federal record retention guidelines.

CONTRACTING FOR DEBRIS REMOVAL

Procurement

- Determine the type of contracting needed to satisfy specific debris clearance, removal and disposal requirements of an unusual and compelling urgency;
- Ensure adherence to state and local procurement guidance;
- Determine if any purchasing and contracting requirements are waived as a result of the disaster and subsequent declarations of emergency (see Ohio Revised Code 125.023 and/or 44 CFR 13.36(d)(4));

- To ensure federal reimbursement, applicants should follow FEMA requirements for procurement, 44 CFR Part 13.36. FEMA requires that the procurement process allow for competition and reasonable cost. To show competition, applicants should at a minimum solicit three quotes (projects under \$100,000) or formally bid (advertise) the work. Reasonable costs are those that are fair and equitable for the type of work performed in the affected area. To show reasonable cost, the applicants should be able to document a base amount to which they compared the awarded bid;
- Solicit bids, evaluate offers, award contracts, and issue notices to proceed with all contract assignments. (See pg 8 of this document for debarred/suspended contractor information);
- Supervise the full acquisition process for service and supply contracts and the oversight of contract actions to ensure conformance to regulatory requirements;
- Coordinate with the local Department of Public Works and Department 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 fatality, supervision and certification of work done;
- Please see the Ohio 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 recommends use of pre-drafted contracts or pre-event contracts so long as they follow procurements requirements as outlined in 44 CFR Part 13.36 and also recommends pre-qualifying contractors to expedite the bid process.

Unit Price Contracts

- 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.

Lump Sum Contracts

- Establishes the total contract price using a one-item bid from the contractor;
- Should only be used when the scope of work is clearly defined, with areas of work and quantities of material clearly identified;
- These 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.

Time and Materials Contracts (T/M)

- This is an administratively labor intensive type of contract and should only be used if the applicant has the administrative resources to successfully accomplish and document the monitoring aspect;
- May be used for short periods of time immediately after the disaster to mobilize contractors for emergency removal efforts (generally FEMA accepts these contracts for the first 70 hours).

Applicants should move towards either Unit Price or Lump Sum contract as soon as possible after the beginning of debris removal operations;

- If T/M contracts are determined by the applicant to be the most cost-effective and well-suited to the type of work, they may be continued beyond the initial 70 hour period if the following applies:
 - A determination was made and documented that no other contract was suitable and a ceiling price was included;
 - The applicant can document monitoring of contractor activities. This includes but is not limited to monitoring load tickets or completion of daily reporting forms and requesting backup to contractor invoices (i.e. time cards, etc.).
- T/M contracts 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 (a) detail labor costs to include job classification, skill level and hourly rate, (b) the price for labor and equipment applies only when in operation, (c) cost for equipment includes fuel and maintenance, (d) the community reserves the right to terminate the contract at its convenience, and (e) the community does not guarantee a minimum number of hours.

Contract Monitoring

An employee or contractor should monitor the contractor's activities to ensure satisfactory performance. Monitoring includes: verification that all debris picked up 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.

Contracting Do-Nots: 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. Additionally, only FEMA has the authority to make eligibility determinations, not contractors. Finally, do not accept contractor-provided contracts without close review. FEMA /Ohio EMA can provide technical assistance on contracts and contract procedures, if requested to do so by local officials.

Ineligible Contracts: FEMA will not provide funding for cost-plus-percentage of cost contracts (including markups), contracts contingent upon receipt of state or federal disaster assistance funding, or contracts awarded to debarred or suspended contractors.

See www.epls.gov (federal-list) and <http://www.sos.state.oh.us/SOS/recordsindexes.aspx> (state-list) for debarred contractor information. A second site for suspended contractors is <http://www.auditor.state.oh.us/resources/findings/default.htm>.

ENVIRONMENTAL CONSIDERATIONS

Federal, State and local regulations, laws and ordinances need to be addressed and followed for all environmental and historic preservation issues. Examples of how these considerations could affect reimbursement for debris removal operations:

- Executive Order 11988, Floodplain Management: Temporary storage sites should not be in the floodplain;

- Executive Order 12898, Environmental Justice: Do not purposefully choose routes to disposal sites that avoid more affluent neighborhoods over minority or low-income neighborhoods;
- Clean Water Act: Temporary storage sites not located within ¼ mile from ground or surface water supply.
- Ohio EPA: There was no burning of debris unless expressly authorized by the Director of Ohio EPA.

OTHER FEDERAL AGENCIES

Debris removal on federal highways is not eligible under the FEMA Public Assistance Program except in very limited circumstances.

DEBRIS REMOVAL FROM WATERWAYS

If an applicant has debris (obstructions to include sunken vessels) generated by an event within waterways, FEMA has very specific eligibility criteria. Please see FEMA policy

http://www.fema.gov/media-library-data/20130726-1859-25045-8039/rp9523.5_debris_removal_from_waterways_final_103012_.pdf for additional information or contact Ohio EMA directly.

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