



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY



MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY

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November 3, 2011

GUIDANCE FOR DEBRIS OPERATIONS

Massachusetts received a Presidential Disaster Declaration on November 1, 2011 that enables the federal government to assist in providing emergency protective measures; it does not authorize reimbursement for the cost of emergency protective measures. As the response progresses and the situation is stabilized, MEMA will initiate a process to assess damages across the Commonwealth and determine whether the state and its counties are eligible for Public Assistance or Snow Assistance under a Major Disaster Declaration. A Major Disaster Declaration that authorizes Public Assistance likely would authorize 75% reimbursement for the cost of emergency protective measures and the cost of repairing/replacing damaged public infrastructure. A Major Disaster Declaration that authorizes Snow Assistance likely would authorize 75% reimbursement for the cost of emergency protective measures and the cost of snow and ice removal.

This memorandum is intended to offer guidance for management of debris on public property. Debris on private property is the responsibility of the property owner. Debris management operations generally occur in two phases: emergency clearance (under Category B emergency protective measures) and debris removal (under Category A Debris Management). Whether cities and towns will receive federal reimbursement for emergency clearance and/or debris removal depends on whether the Commonwealth receives a Major Disaster Declaration, and whether Category A and/or Category B assistance is authorized under the Major Disaster Declaration.

PHASE I: EMERGENCY CLEARANCE (CATEGORY B) – Initial clearance activities necessary to eliminate immediate threats to life, public health and safety. Activities must meet the definition of emergency work:

- The debris must be located within the declared disaster area;
- The debris must be located on improved property or right of ways; and
- The improved property or right of ways must be the legal responsibility of the applicant at the time of the event.

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Region III / IV  
1002 Suffield Street  
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Essentially, Phase 1, Emergency Clearance, is limited to the initial opening of roadways to allow access for emergency vehicles. The transition period from initial emergency clearance to the debris removal phase begins after the emergency access routes are cleared and police, firefighters, and other first responders have the necessary access to public property. Guidance for the emergency clearance phase:

- Cut and push to clear debris from roadways to restore emergency access/egress
- Emergency protective measures only – push to side of road and move on to next emergency site
- Contract pricing may use time and materials method (not volume) for first 70 hours of work, a ceiling cost or not to exceed provision must be included in the contract
- Carefully monitor and document contractor expenses
- Document all locations, labor, equipment, type, etc

Under the FEMA Public Assistance Program, FEMA will typically only reimburse applicants for a time and materials contract for eligible debris clearance during the first 70 hours of work (hours are for the particular work task, not the amount of time since the storm began or a declaration was made) following a declared disaster. After 70 hours of actual time and material work, the applicant should have sufficient information on the scope of work necessary to complete debris collection and disposal, and a basis for estimating a reasonable cost for the contract work to effectively solicit a lump sum or unit price contract.

**PHASE 2: DEBRIS REMOVAL OPERATIONS (CATEGORY A)** – After emergency clearance work is complete (meaning debris has been cut and pushed to the side to allow emergency access), Debris Removal entails moving debris, reducing debris or disposing of debris. These operations require applicants to follow procurement requirements, monitor contract debris operations, quantify debris and have a final approved destination for debris.

- The transition from initial emergency clearance to debris removal phase begins after access routes to public property are cleared to allow for emergency vehicles
- Reduction and removal of debris pushed or left in place
- Must be independently monitored for volume, type, hours, and equipment
- An approved debris management disposal site must be used
- If removing debris prior to an assessment by MEMA and FEMA, utilize a central, segregated location for all storm debris
- For final removal, debris should be diverted from disposal to recycling, composting, or other beneficial use
- Debris from Private Property - Communities that choose to offer curbside pick-up of debris from private property must follow all applicable FEMA rules and can only be reimbursed to the extent that the private property debris posed an imminent threat to public safety or access/egress to the property. Generally, FEMA assistance is not available to reimburse private

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property owners for the cost of removing debris from their property. Property owners should be encouraged to consult their insurance carriers.

The below links are offered to assist communities with meeting procurement requirements established in 44 CFR Part 13, as well as other Public Assistance Program eligibility requirements when procuring debris removal and monitoring contracts.

FEMA Debris Monitoring Overview and Fact Sheet;

[http://www.fema.gov/government/grant/pa/9580\\_203.shtm](http://www.fema.gov/government/grant/pa/9580_203.shtm)

Other useful FEMA links can be found at: <http://www.fema.gov/government/grant/pa>:

- Debris Operations Hand loaded trucks and trailer (9523.12);
- Hazardous stump removal (9523.11);
- Debris removal from private property (9523.13);
- Debris removal contract cost analysis (9580.201, attachment 1);
- Debris Operations Contract Bid Sheet(9580.201, attachment 2);
- Debris Contracting Guidance (9580.201);
- Documenting and validating hazardous trees, limbs and stumps (9580.204);

State contracts are available for debris management and monitoring. These contracts may be used for Phase 1 and/or Phase 2 work:

- <http://www.mass.gov/dep/recycle/laws/ddcontsm.pdf>

State disaster debris management guidance – see <http://www.mass.gov/dep/floodcleanup.htm#dm>  
ADDITIONAL NOTES:

- Please ensure all State and local procurement laws and regulations are met throughout the emergency and non-emergency procurement process.
- Document for your records and FEMA/MEMA review all debris activity from cradle to grave including:
  - Location of work
  - Roadway jurisdiction (state, local, federal aid)
  - Equipment utilization (type and hours used)
  - Labor (position, hours, rates)
  - Type of debris cleared or removed
  - Volume of debris cleared or removed
- Emergency Clearance work should be documented separately from Debris Removal because Emergency Clearance is reimbursed under Category B and Debris Removal is reimbursed under Category A.

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