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ART FAULKNER
DIRECTOR

TO: ALL FEMA 1971 INTERESTED PARTIES
FROM: JEFF BYARD, STATE COORDINATING OFFICER
DATE: MAY 28, 2011
RE: OPERATION CLEAN SWEEP

Today, Governor Bentley announced that the pilot project “Operation Clean Sweep” 90 percent Federal cost share has been extended until July 12, 2011, for Direct Federal Assistance (USACE). The program also has been expanded to include a 90 percent Federal cost share for all Category A Debris Removal (now including the use of private contractors and force account labor), for debris removal for those areas within Public Assistance designated counties where there is “extensive” or “catastrophic” damage, or in areas immediately adjacent to those areas, as determined by the Federal Coordinating Officer, Michael Byrne, and depicted by the National Geospatial Intelligence Agency. I want to remind you of the definitions of “catastrophic” or “extensive” damage as previously provided to you in the Operation Clean Sweep CONOPS dated May 5, 2011.

The definition of “catastrophic damage,” as stated in the CONOPS dated May 5, 2011 is where most solid and all light or mobile home structures are destroyed. The definition of “extensive damage” is where some solid structures are destroyed and most solid structures sustain exterior and interior damage. In addition, the FCO may also determine eligible areas “immediately adjacent” to areas of extensive or catastrophic damage on a case by case basis. FEMA will work with state and local governments to obtain street addresses for properties that are eligible pursuant to the USNG coordinates mapping. Please note that the catastrophic/extensive damage classifications apply to damage to structures, not to trees.

In authorizing Operation Clean Sweep, the President determined that the extent of the damage in these catastrophically or extensively damaged areas required a more immediate, deliberate and comprehensive debris removal program, **from both public and private property**. He determined that it was in public interest to authorize debris removal from private property, focusing on residential property, to facilitate a speedier recovery and rebuilding, particularly with respect to any need to install temporary housing or begin house construction/ restoration on these parcels. Authority to remove debris from private property is limited to residential property unless otherwise determined by the FCO to be in the public interest. FEMA’s public assistance rules remain in place and determine what type of debris is eligible for debris removal reimbursement.

NOTE: NOT ALL DEBRIS ON PRIVATE PROPERTY IS ELIGIBLE FOR REMOVAL UNDER OPERATION CLEAN SWEEP.

See - http://www.fema.gov/government/grant/pa/9523_13.shtm.

The FEMA Disaster Assistance Policy (DAP) 9523.13 (see link above) provides the rules for reimbursement for private property debris removal. This DAP still applies to Operation Clean Sweep. DAP 9523.13(vii)(C) provides examples of eligible and ineligible debris.

A. Eligibility of Debris Removal Work from Private Property (authority 44 CFR 206.224(b)).

1. Eligible debris removal work from private property includes removal of:

- a) Large piles of disaster-generated debris in the living, recreational, and working areas of properties in urban, suburban, and rural areas, including large lots.
- b) Disaster-generated debris obstructing primary ingress and egress routes to improved property.
- c) Disaster-damaged limbs and leaning trees in danger of falling on improved property, primary ingress or egress routes, or public rights-of-way.
 - i. Hazardous tree removal is eligible only if the tree is greater than six inches in diameter (measured at diameter breast height) and meets any of the following criterion: more than 50% of the crown is damaged or destroyed; the trunk is split or broken branches expose the heartwood; or the tree is leaning at an angle greater than 30 degrees and shows evidence of ground disturbance.
 - ii. Hazardous limb removal is eligible only if the limb is greater than two inches in diameter measured at the point of break.
- d) Debris created by the removal of disaster-damaged interior and exterior materials from improved property.
- e) Household hazardous wastes (such as household cleaning supplies, insecticides, herbicides, etc.)
- f) Disaster-generated debris on private roads, including debris originating from private property and placed at the curb of public or private rights-of-way, provided that the removal of the debris is the legal responsibility of an eligible applicant, on the basis of removing an immediate threat to life, public health, and safety.

2. Ineligible debris removal work on private property includes the removal of:

- a) Debris from vacant lots, forests, heavily wooded areas, unimproved property, and unused areas.
- b) Debris on agricultural lands used for crops or livestock.
- c) Concrete slabs or foundations-on-grade.
- d) Reconstruction debris consisting of materials used in the reconstruction of disaster-damaged improved property.

If you have any questions regarding this Memo, please do not hesitate to contact the debris hotline at 1-800-432-6365.