



U.S. Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: **INFORMATION:** Emergency Relief (ER) Program
Debris Removal Policy

Date: February 16, 2012

David A. Nicol

In Reply Refer to:
HIPA-10

From: David A. Nicol
Director, Office of Program Administration

To: Division Administrators
Directors of Field Services

Recently we became aware of inconsistencies in the application of FHWA policy on the removal of debris with ER funds. FHWA limits ER participation in debris cleanup to debris that was directly deposited by an ER eligible event. Our statute restricts ER participation to the repair or reconstruction of eligible roads. As such, our ER policy limits participation in debris removal to assure the full functioning of the roadway, and includes "the cost of stockpiling and disposing of debris at adjacent sites, as well as the cost of removing marketable timber from the acceptable clearing limits and transporting to adjacent stockpile sites...." Debris removal beyond that is outside the scope of roadway repair and not eligible for ER participation. Debris removal beyond the general proximity of the damaged roadway is the responsibility of the agency responsible for the maintenance of the roadway. In some cases, the Federal Emergency Management Agency (FEMA) may participate in debris removal under their Public Assistance Program.

To ensure consistency, we are reminding Divisions that FHWA's debris removal policy is contained in the ER Manual (Chapter II.B-13, "Timber and Debris Removal") and can be found at <http://www.fhwa.dot.gov/reports/erm/ermchap2.cfm#b13>. Divisions that have provided guidance that is not consistent with the ER Manual, including guidance material posted on their websites, must revise such guidance to be consistent with the ER Manual.

If you have any further questions regarding this issue, please contact Greg Wolf at 202-366-4655 or via e-mail.