



CHAPTER 3 ROLES OF GOVERNMENT AND THE PRIVATE SECTOR

3.1 Overview

Under New York State Executive Law, Article 2-B, the Chief Executive Officer of a Village, Town, County or State may declare a state of emergency and issue emergency orders in the event of a public emergency or reasonable apprehension of immediate danger thereof. The decision to declare a disaster will be based largely on information and advice provided to the Chief Executive Officer by staff operating in an Emergency Operations Center (EOC). Consultation between Village Mayors, Town Supervisors, the County Executive and the NYS Governor may also be conducted in determining the need for a disaster declaration. The potential impact of an emergency event on state and county agency operations as well as local and town response capabilities shall be considered in determining the need for an emergency declaration.

After an Emergency Declaration has been issued, it is the responsibility of agencies operating within the impacted EOC to follow through on the issuance by providing public information on the situation and affected areas, enforce emergency orders, utilize feedback networks amongst agencies of the same discipline at the local, State, and Federal levels, and ensure extraordinary powers are available to agencies under the emergency order are properly implemented

In most cases, debris clearance, removal and disposal actions can be accomplished quickly using Town, County, and State resources augmented by assistance from neighboring municipalities, State agencies and contractor resources. In other cases however, the damage and resulting debris in a municipality is so extensive that it can only be successfully managed through adequate pre-planning and the coordinated efforts of the local communities, State and Federal government. Debris on State property will be the cleanup responsibility of the State. The roles of government and the private sector in managing natural debris are discussed below.

3.2 Mission Statement

The shared mission of Suffolk County's Emergency Management community in times of natural disaster is to:

- Maximize the preservation of life and property;
- Correct or alleviate, as expeditiously as possible, serious disaster or emergency-related conditions which present continued threats to the health or welfare of the residents of the County;
- Facilitate a return to normalcy by all practical means.

In a catastrophic disaster, Suffolk County Agencies will be tasked to locate staff, equipment, and funds to devote to emergency debris removal tasks that, in a worst-case scenario, could last many months. Such activities will be reliant upon: debris removal and disposal policies and strategies as cited by a requested FEMA Debris Management Specialist Plan; technical assistance provided by NYS DEC and implemented under NYS DEC statutory authorities; and the Governor's emergency powers as necessary. The coordination of all emergency response during a major natural disaster will be conducted through the Suffolk County Emergency Operations Center (EOC). In the event that the County could not effectively manage the debris removal or was overwhelmed by the magnitude of the disaster event, the State could request, on behalf of affected towns, direct Federal Assistance through



FEMA as was used in the Fire Island clean-up for Super Storm Sandy in 2012. All State (and Federal) requests for assistance (including those by Towns) are the responsibility of the County Executive and executed by Incident Command through NYS DHSES staff assigned to the County's Emergency Operations Center.

3.2.1 Planning Partnerships & Mutual Aid Operations

Section 201.6.a (4) of Chapter 44 of the Code of Federal Regulations (44CFR) states "Multi-Jurisdictional plans may be accepted, as long as each jurisdiction has participated in the process and has officially adopted the plan." The Federal Emergency Management Agency (FEMA) and New York State Department of Homeland Security and Emergency Services (NYS DHSES) both encourage multi-jurisdictional planning. Therefore, in the preparation of the *Suffolk County Multi-Jurisdictional Debris Management Plan*, a planning partnership was formed to meet the Federal requirements for Suffolk County and its ten towns.

The Disaster Mitigation Act (DMA) of 2000 defines a local government as "any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity."

Suffolk County Department of Fire, Rescue and Emergency Services (SC FRES) solicited the participation of the ten towns within the County at the outset of this project. Each town signed an "Intermunicipal Agreement" and/or an authorizing resolution committing their participation and resources to the development of the *Suffolk County Multi-Jurisdictional Debris Management Plan*. By approving and adopting this plan, each Town has recognized the need for Debris Mutual Aid Agreements. These agreements will be specifically related to the clearance/removal/disposal of debris generated from a disaster or emergency event. FEMA required that these types of agreements were in place for both Hurricane Irene (DR 4020) and Super Storm Sandy (DR 4085) to satisfy Public Assistance eligibility requirements. Guidance for developing these agreements and a template, prepared in a collaborative effort by the Town planning partners, and modeled after the FEMA sponsored Regional Catastrophic Planning Team document in their *Regional Debris Management Plan*, has been included in the Appendix Section of this plan and is intended for the use of all Town planning partners as needed.

3.3 The Town Role

Towns will always be the first responders in a disaster situation. Therefore, it is highly advantageous to have a coordinated *Debris Management Plan* developed in advance of a debris-generating event to expedite the response and recovery process. FEMA encourages and expects Towns and Villages to do this pre-event preparation and planning. This includes:

- Pre-identifying TDSR and Vegetative debris sites, preferably on municipal property, but contracting to use private property if ideally suited;
- Preparing pre-existing contracts with haulers and demolition contractors for the collection and removal of debris; and
- Pre-planning communication with impacted residents and businesses about cleanup and waste stream segregation and methods of information dissemination.
- Coordination with other Towns and Suffolk County

The criteria for TDSR and Vegetative Debris sites can be found in Chapter 5 of this plan. NYS DEC



will authorize the operation of TDSR and Vegetative debris sites under the NYS DEC Uniform Procedures Regulations Section 621.12 to ensure that they are managed in accordance with this Debris Management Plan and in such a way as to protect human health and safety, and the environment. Proper management of the sites ensures efficient waste handling and segregation, safety, and accountability to ensure that debris disposal operations are eligible for federal reimbursement.

Towns are responsible for the oversight of disaster-related work performed by private contractors working for the municipality. It is strongly recommended that Towns have pre-positioned contracts for their local debris removal and monitoring. If needed, Suffolk County DPW has competitively bid contracts in place for debris related Services and Equipment which can be used by other municipalities within the borders of the County. The use of these contracts and their applicable rates is left up to the discretion of the Towns. In a large county-wide debris generating event, coordination of debris clearance/removal/disposal activities will be coordinated through the SC EOC. Contracts must exhibit fair and open competition where a complete, adequate and realistic specification or purchase description is publicly solicited and multiple responsible bidders are allowed to compete effectively for the business. FEMA requires three qualified bidders. Time and Materials Contracts are discouraged, but may be used when no other contract type is suitable. This contract type must include a ceiling amount and must be limited to work that is necessary during the first 70 hours immediately after a disaster. It can then be followed by a competitively bid unit based contract for cleanup during the remainder of the recovery period. Two types of prohibited contracts include noncompetitive contracts and cost-plus percentage of cost contracts.

Town officials may be required by FEMA to explain local procedures for validating contractor invoices for work done. Inadequate monitoring of contractors by Town officials could result in loss or reduction of federal and state disaster assistance funds in cases where FEMA determines that contractor invoices are excessively high and that local monitoring of contractors was inadequate to guard against inappropriate billings. Owner/operators of the TDSR and Vegetative debris sites must contact NYS DEC prior to closing a site to discuss and coordinate what will be required for closure, including environmental sampling, if needed.

3.4 The County Role

3.4.1 Suffolk County Department of Fire, Rescue and Emergency Services (FRES)

In compliance with local, State, and Federal laws, the Commissioner of FRES will be the Incident Commander for all Suffolk County agencies throughout the course of county-wide emergency operations.

It is the responsibility of the Commissioner of Suffolk County Fire, Rescue and Emergency Services (FRES) to activate the EOC and notify all appropriate agencies at their discretion in times of emergency. This can include any emergency, from a weather event, to a Terrorist or WMD attack. For emergencies such as weather events, which are often pre-forecasted, FRES will activate the EOC at the appropriate level to ensure adequate preparation before arrival of the storm. EOC Activation Levels are as follows:

- Level 3: Controlled emergency situation without a serious threat to life, health or property which requires no assistance beyond initial first responders. Under this activation, the Debris Task Force will not be utilized.
- Level 2: Limited emergency situation with some threat to life, health, or property, but confined to a limited area, often within a municipality or involving a small population. Under this activation, the Debris Task Force may be utilized at the discretion of the Commissioner.
- Level 1: Full emergency situation with a major threat to life, health, or property, involving large populations or multiple municipalities. Under this activation, the Debris Task Force will



be utilized throughout the duration of operations.

As required by law, Suffolk County FRES shall serve as the official source of coordination between Suffolk County and all levels of government for the duration of recovery operations. FRES shall conduct briefings beginning 72-hours before the expected arrival of gale-force winds, and periodically after that.

FRES will coordinate activities and resource needs through the EOC. SC FRES, in conjunction with the Communications Bureau and with assistance from the Community Emergency Response Team (CERT), shall be responsible for monitoring all potential threats, and coordinating disaster recovery activities through the EOC. It will be the responsibility of FRES to ensure that all operations are being conducted in compliance with the National Response Framework (NRF), specifically Emergency Support Function (ESF) #3: Public Works and Engineering Annex, and ESF #14: Long-Term Community Recovery and Mitigation Annex. Coordination of all disaster debris operations shall also be conducted in compliance with the National Incident Management System (NIMS).

It should be noted that Suffolk County and its ten Towns use the widely accepted E-Team software system for managing and coordinating Emergency Events. The system, which has been in County use for more than a decade, has a proven track record and is extremely flexible in its response and recovery capabilities. Its ease of use, interoperability, performance, mapping abilities, database support and compliance with the federal Incident Command Structure (ICS) and NIMS all contribute to the system's functionality. E-Team will be used in the monitoring and coordination of debris generating events from the initial planning phase through final stages of recovery.

FRES will monitor all debris response and recovery activities by both primary and supporting agencies throughout all operational periods. It will be their responsibility to ensure that emergency communications plans are in place, and that health and safety procedures are being followed in accordance with OSHA regulations. They should provide debris forecasts and estimations to all teams involved, and provide them damage assessment priorities. Throughout operations, FRES will monitor all phases of debris response and recovery. This includes ensuring that all waste is disposed of properly, in accordance with Federal, State, and local law and regulations. In addition, they are to monitor all procurement procedures, and review all debris contracts. The Logistics division shall be assigned to monitor all equipment assets throughout operations, and all media inquiries are to be handled by FRES' Public Information Officer (PIO).

Removal of debris on private property shall be the responsibility of the home owner unless the debris poses a threat to public health or safety, or to surrounding public or private properties. In the event that debris on private property is to be removed by contractors, Right of Entry and Hold Harmless agreements must be signed prior to removal operations. FRES shall monitor all Right of Entry and Hold Harmless agreements throughout the County.

A Right-of-Entry is a written agreement signed by the land owner which gives permission to another party to enter on to their land for a specific purpose. For purposes of debris removal, a signed Right-of-Entry would authorize Suffolk County, its municipalities, employees, agents, contractors, and subcontractors, as well as the United States of America, to include the U.S. Army Corps of Engineers, its employees agents, contractors, and subcontractors to enter the land owners property to remove any or all debris that resulted from the applicable storm only. This form can only be signed by the title owner of the land, a lessee, mortgagor, or authorized agent, and all signatures must be witnessed. By signing this agreement, the land owner, lessee, mortgager, or authorized agent has given debris removal parties permission to remove debris that is on or touching the home or dwelling. This agreement does not obligate the government to remove any debris. By signing the Right-of-Entry, the land owner,



lessee, mortgager, or authorized agent has agreed that they will not hold the Government or agents of the Government at fault for any loss, damage, or destruction of any type of property, and that have agreed that they will not receive any compensation for debris removal from any other source, such as homeowners insurance. While the debris clearance is conducted at no expense of the land owner, lessee, mortgager, or authorized agent, by signing the Right-of-Entry they have authorized the release of insurance information relating to the receipt of money for debris removal, which helps avoid duplication of efforts. The signed Right-of-Entry may also be provided to other parties indicated so that these parties may carry out debris removal on the private property.

The Suffolk County Debris Task Force will participate in all preparedness activities and serve as operational representatives when debris management and monitoring activities are undertaken. This team is comprised of Suffolk County's ten towns, FRES, SC DPW, and NYS DEC. Depending on the severity of the situation, NYS DOT, US EPA, US ACE, FEMA, and/or other local, State, and Federal agencies may be needed as well. They are responsible for assigning requests to the appropriate agencies by developing task order. The EOC Manager will work in conjunction with the Debris Task Force to determine if additional Federal Emergency Support Functions (ESF's) are required to support removal and disposal efforts. Suffolk County Department of Fire, Rescue and Emergency Services shall serve as the core agency in the Debris Task Force.

When activated, the Debris Task Force will conduct pre-scheduled daily conference calls each morning throughout the course of operations lasting no longer than one-hour. These conference calls will cover the current situations of each agency on the team, and address any outstanding concerns or requests. The Debris Task Force will present all information to the EOC Manager and the EOC staff. The Debris Task Force will focus on long-term recovery, addressing concerns such as debris clearance, mitigation, appropriations, loans, and other services that may be necessary for relief efforts. Once activated, the Debris Task Force will be staffed during the day, and will remain activated until the end of operations.

3.4.2 Suffolk County Department of Public Works (DPW)

Through all phases of the debris clearance and removal process, DPW will serve as the official source of coordination within Suffolk County between all levels of government. In addition to debris clearance and removal, DPW is also responsible for reporting damages to infrastructure normally in purview, including County buildings, bridges, roadways, and sewage treatment facilities. Additional reports are to be made regarding local damages provided by municipal public works agencies and NYS DOT, as well as damages to public infrastructure that is normally under its purview.

DPW shall serve as the focal point for missions and questions with local and State agencies, as well as private utility representatives. They will be responsible for administering all debris-related activities from the EOC for the duration of the activation. Priorities for extraordinary County debris-related assistance shall be established after consultation with the County executive, FRES, and any other coordinating agencies. Coordination assistance shall be provided to county, State, and private sources, as well as debris-related assistance through New York State and the New York State Disaster Preparedness Commission Highway Emergency Task Force. The specific needs of National Grid, PSEG-LI, and Verizon shall be addressed, and access to specific areas to allow restoration of services shall be provided. If conditions warrant, assistance to municipalities shall be provided prior to fulfilling all debris clearance requirements for County roadways and facilities.

DPW shall be responsible for the activation of the Debris Management Recovery Team (DMRT). The DMRT Incident Management Handbook is to be followed and updated as necessary. Responsibilities include, but are not limited to:

3.4.2.1 Pre-Storm



- Assign a representative to the EOC at least 12-24 hours to prepare for the potential storm;
- Contact crews for availability, and ensure there is enough Personal Protective Equipment (PPE) for all County personal that may be involved in storm recovery (each Town will be responsible for their own PPEs);
- Establish contact information for the Debris Management Recovery Team (DMRT);
- Issue ID Numbers to all employees;
- Utilize DMRT@suffolkcountyny.gov for open communication between DMRT and a representative from each municipality to request debris removal and/or equipment;
- Conduct training class emphasizing safety, regulations, and assign job locations;
- Rotate staff through EOC;
- Set up staging areas throughout County yards with GPS coordinates. The County has guidelines to assist each Town with their staging areas, and the severity of a disaster event will dictate the availability of County personnel to assist Towns;
- Establish times of operation for County personnel, and work in conjunction with Towns for operational compatibilities;
- Assign TDSR ID numbers;
- Determine if flagmen/signalmen are required at debris sites;
- Brief crews on Cubic Yard Load Ticket procedure;
- Ensure sites have adequate lighting;
- Verify incoming trucks are from authorized agencies;
- Establish a nightly check-out procedure;
- Assign one roving supervisor to assist personnel at all staging areas;
- Report any concerns to DMRT supervisor;

3.4.2.2 Storm Assignments Activation & Staging Areas

- Verify workers are issued a DMRT identification number, and that all personnel have proper ID and PPE;
- Establish staging areas under Suffolk County and FEMA guidelines;
- Keep team informed of other townships staging areas with same perimeters, always get GPS coordinates, and establish site numbers for all staging areas;
- Ensure sites have proper safety equipment, such as scissor lifts and light towers;
- Ensure sites have temporary fencing to secure area;
- Ensure security is in place to prevent illegal dumping;

3.4.2.3 Equipment Procurement

- Upon storm activation, contact local contractors to inquire about available equipment and rates. During the initial 70 hour period, Suffolk County will follow its emergency procurement procedures for debris clearance contracted efforts. This will allow time for enacting the major Services and Equipment contract;
- Contact all towns via e-mail or fax notifying them to request equipment and/or personnel. In accordance with FRES and DPW, all requests must be written and signed with a name, address, phone number, and point of contact who will be accountable for resources;
- Establish an equipment check-in station where trucks and equipment will be



photographed, decaled, and assigned tracking numbers. Five (5) photos must be taken on each piece of equipment – 1of each side, and 1 of the tracking number and/or placard;

- When equipment is reassigned from one township to another, a field representative can approve but all trucks must be checked, re-inspected, and photographed;
- Tracking cards should be filled out and logged in every time a piece of equipment checks in;

3.4.2.4 Storm Operations

- It is imperative to monitor and track equipment and debris moved, staged, and processed, and document everything;
- Cubic Yard Load Tickets are the most important form, so they must be filled out completely and legibly.
- Numerous photos must be taken for FEMA documentation and payment
 - Never take photos in the dark;
 - Make sure Date and Time are accurate on the camera;
 - Always have an extra set of batteries;
 - Always review the picture to ensure they are not blurry or incomplete;
 - Always photograph the placard or DM # first so it can be identified with the load ticket;
 - Ensure Scissor lifts, lights, vests, hats and glasses, and safety harnesses are OSHA, FEMA, and NYS DEC compliant

3.4.2.5 Post-Storm

- Complete all paperwork, getting accurate debris totals from towns, and filling in all forms;
- Follow up with vendors to make sure all equipment has been checked out and all work tickets have been submitted;
- Reach out to towns for confirmation that further assistance is no longer needed;
- Finalize and total out all accounts;
- Debriefing;
- Training;
- Update all DMRT forms;

3.4.3 Suffolk County Department of Parks, Recreation and Conservation

Suffolk County Parks will furnish information on the events impact throughout the parks system, particularly for those facilities that are in the more remote areas of Suffolk County. Following a disaster event, personnel may be tasked with assisting in emergency roadway clearance activities and/or debris removal pertaining to the parks. In extreme cases, Suffolk County parks may be utilized for TDSR and Vegetative debris sites as needed, depending on availability of sites across the County.

3.4.4 Suffolk County Attorney

The Suffolk County Attorney is charged with handling primarily all civil legal business of the Suffolk County government and its agencies. They shall be responsible for ensuring the legality of all debris removal activities, while providing legal advice and representation. All contracts will be reviewed, in addition to Right-of-Entry and Hold Harmless agreements and any other contracts used for private land for the purpose of debris removal. Intermunicipal Agreements are also the responsibility of the County Attorney's Office.

3.4.5 Suffolk County Office of Budget and Management



Throughout debris removal operations, it will be the responsibility of the Office of Budget and Management to coordinate with FRES and other Suffolk County departments regarding Project Worksheet (PW) development under FEMA's Public Assistance (PA) program, as well as maintain responsibility for all financial systems, accounting, purchasing, revenue management, equipment services, and fiscal reporting.

3.4.6 Suffolk County Police Department

The Suffolk County Police Department has direct involvement in debris clearance and removal operations:

3.4.6.1 Crime Scene (s) Involving Debris

Secure the Area - A member of the Force at the scene of a crime bears the responsibility for the immediate security of same. Detective personnel assigned to the incident assume command upon arrival. No unauthorized persons are to have access to the area until the initial investigation is completed and all evidence is secured. When physical conditions warrant such attention, an area of sufficient size to protect the scene is roped off and clearly designated.

3.4.6.2 Commanding Officer, Highway Patrol Bureau Actions

- Assign all available Officers and necessary equipment to the mobilization point or scene as directed by the Incident Commander.
- Proceed to scene promptly, report to Chief of Patrol, and assume command of Highway Patrol personnel.
- Instruct bureau members as to assignments and duties.
- Furnish police escort to vehicles transporting vital supplies and to employees of essential businesses within special zones. This will assist the Department in sustaining business functions during a critical time of need and help speed the recovery of local companies or organizations.
- Provide traffic control to assist emergency vehicles responding to scene along primary traffic routes and exclude unnecessary traffic from special zones and isolation areas.
- Officers assigned to an emergency response route are to enforce applicable traffic restrictions and keep the route clear.

3.5 The State Role

3.5.1 Department of Environmental Conservation (NYS DEC)

Management of disaster debris falls under the existing solid waste management statutes. Implementing recycling and material segregation practices under these statutes, together with statutes related to the management of debris during an emergency situation, is the framework for debris cleanup measures during a disaster event. A summary discussion of emergency authorizations follows:

3.5.1.1 Emergency Authorizations (as set forth in NYS Environmental Conservation Law Section 70-0116):

During and after a catastrophic natural disaster, NYS DEC will offer information and technical assistance to the municipalities and regional resources recovery authorities in several typical areas including, but not limited to, the following:

- Permitting authorizations covering the collection, processing, recycling, and disposal of debris resulting from the natural disaster incident;
- Contact information for final debris management sites; and
- Contact information for volume reduction, resources recovery, and recycling facilities



Emergency Authorizations can only be issued for a period up to 30-days and renewed for up to an additional 30-day period. Projects that continue beyond the 60-day period require a full and complete application for permit and will be subject to all procedural requirements for review. All TDSR sites require an Emergency Authorization. NYS DEC should be notified of the use of TDSR sites that will solely be used for vegetative debris for informational purpose only; no formal approval is needed for these sites.

3.5.2 Division of Homeland Security and Emergency Services (NYS DHSES)

NYS DHSES assists in coordination of emergency management resources with local, State, and Federal agencies. Routine assistance is available to local governments, volunteer organizations, and private industries through various emergency management programs, including hazard identification, loss prevention, planning, operational response, technical support, and disaster recovery assistance.

Emergency Equipment Stockpiles may be made available on a temporary loan to local and State governments during emergencies. This equipment may include power generators, pumps, piping and water filters, portable water tankers, portable light towers, chainsaws, chlorinators, and sandbag-filling machines.

3.6 The Federal Role

3.6.1 Federal Emergency Management Agency (FEMA)

There are a number of Federal Agencies that have a role in supporting disaster debris recovery and response and recovery efforts following a Presidential Emergency or Major Disaster Declaration. Among the agencies most directly involved are FEMA, US ACE, US EPA, and OSHA. See [FEMA Fact sheet 9580.202](#) outlining the federal agencies and their roles and responsibilities.

FEMA is among the most critical federal agency that will coordinate emergency response and recovery efforts within a catastrophic event.

When the response and recovery efforts appear to be beyond the capacity of both the municipalities and the State, federal assistance through FEMA in the form of a Presidential Disaster Declaration may be requested. A major disaster declaration in response to a Governor's request specifies, among other things, the type of incident covered, the time periods covered for specific activities, the types of disaster assistance available, and the declared counties.

Following a Presidential disaster declaration, public assistance funds are available to eligible applicants for debris clearance, removal, and disposal operations. Eligible applicants typically include State and local governments, federally recognized Indian Tribes, and certain private nonprofit organizations. Debris located on public property and rights-of-way is eligible.

FEMA required that Debris Mutual Aid Agreements related to clearance/removal/disposal activities were in place for both Hurricane Irene (DR 4020) and Super Storm Sandy (DR 4085) to satisfy Public Assistance eligibility requirements. Guidance for developing these agreements and a template, prepared in a collaborative effort by the Town planning partners, and modeled after the FEMA sponsored Regional Catastrophic Planning Team document in their *Regional Debris Management Plan*, has been included in the Appendix Section of this plan and is intended for the use of all Town planning partners as needed.

3.6.1.1 Eligibility for FEMA Funding

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.

3.6.1.2 Debris Removal Justifications

In addition, debris removal work must be necessary to:

- eliminate an immediate threat to lives, public health and safety;
- eliminate immediate threats of significant damage to improved public or private property; or
- ensure the economic recovery of the affected community to the benefit of the community-at-large.

3.6.1.3 Eligible Activities

Examples of eligible debris removal activities include:

- debris removal from a public right-of-way to allow the safe passage of emergency vehicles; and
- debris removal from public property to eliminate health and safety hazards.

3.6.1.4 Ineligible Activities

Examples of ineligible debris removal activities include:

- removal of debris, such as tree limbs and trunks, from an applicant's unimproved property or undeveloped land;
- removal of pre-disaster sediment from engineered channels;
- removal of debris from a natural channel unless the debris poses an immediate threat of flooding to improved property;
- removal of debris from federal lands or facilities that are the authority of another federal agency or department, such as federal-aid roads, US ACE navigable waterways, and Natural Resources Conservation Service (NRCS) canals.

3.6.1.5 Debris Removal from Private Property

Debris removal from private property is generally not eligible for Public Assistance (PA) funding because it is the responsibility of the individual property owner. If property owners move the disaster – related debris to a public right-of-way, the local government may be reimbursed for curbside pickup and disposal for a limited period of time. If the debris on private business and residential property is so widespread that public health, safety, or the economic recovery of the community is threatened, FEMA may fund debris removal from private property, but it must be approved in advance by FEMA. For instance under normal conditions, removal of debris in waterways falls under a number of federal, state and municipal jurisdictions, as well as private property owners. Signed Right-of-Entry and Hold Harmless agreements may be required for Public Assistance (PA) grants.

A municipality may exert its authority to cause the removal from any waterway or tidal water within its jurisdiction of debris wreckage or other similar materials for which a private person or firm or corporation is responsible and which prevents or may tend to prevent the free discharge of flood waters. However, the governor may authorize state departments or agencies or the use of any of the state's instrumentalities to clear or remove debris from land or water.

3.6.1.6 Robert T. Stafford Disaster Relief and Emergency Assistance Act

The Robert T. Stafford Disaster Relief and Emergency Assistance Act broadly authorizes the President to direct federal agencies to provide *essential assistance* as needed, including cleanup and disposal of



waste and debris. FEMA evaluates the request and recommends to the President the type of federal assistance that is warranted. FEMA then implements the National Response Plan (NRP) and issues mission assignments in the form of Emergency Support Functions (ESF). FEMA also opens a Joint Operations Center (JOC) and a Disaster Field Office(s) in the affected area(s) to coordinate efforts with local and State authorities.

For more information on the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended, access the FEMA website at <http://www.fema.gov/about/stafact.shtm>.

3.6.1.7 FEMA's Debris Mission

FEMA's Debris Mission is as follows: *When directed, remove debris in support of affected States to eliminate threats to lives, public health and safety; eliminate immediate threats of significant damage to improved public or private property; or ensure economic recovery of affected communities to the benefit of the community-at-large.*

3.6.1.8 Emergency Support Functions (ESFs)

ESFs identify critical areas of federal assistance needed to augment state and local response efforts. There are a number of major ESFs that help to facilitate coordinated federal response to a disaster under the National Response Plan. The Public Works and Engineering Emergency Support Function includes debris management and the issuance of debris removal and disposal contracts. The USACE is tasked with managing, monitoring, and providing technical assistance in the clearance, removal, and disposal of debris and the clearing of roads and waterways in the affected areas. The vast majority of debris removal will be conducted by private contractors who are normally responsible for all of the transportation and logistical support required for their operations.

If an emergency or major disaster declaration is made under the authority of the Stafford Act, assistance is usually provided in the form of financial reimbursement of a portion of the disaster-related costs. Debris removal costs incurred by municipalities would be evaluated and if determined eligible would be reimbursed on a cost-sharing basis.

3.6.1.9 FEMA Direct Assistance

In catastrophic disasters, FEMA can also provide direct federal assistance to support activities related to debris removal, recycling and disposal. The response capabilities of municipalities and New York State must be clearly exceeded before this level of assistance can be provided.

FEMA may also direct other federal agencies to provide debris removal technical assistance to municipalities and State agencies. Technical assistance may be provided in contract preparation, bid solicitation, contract management, and debris disposal activities. Municipalities and State agencies remain responsible for all debris removal activities and are reimbursed for their eligible costs. Cost share for federal technical assistance is 100 percent federal.

3.6.2 United States Environmental Protection Agency (US EPA)

US EPA is the primary agency responsible for emergency support related to hazardous materials. US EPA responds to releases of hazardous materials and provides technical assistance for environmental monitoring needs. US EPA may provide technical assistance and advice on collection, reduction, and disposal of contaminated debris and other hazardous materials during debris management operations. EPA also has contract resources available to assist with collection, management, and disposal of hazardous materials. The EPA and its contracted resources were used by Suffolk County in the response and recovery efforts following Super Storm Sandy.



3.6.3 United States Army Corps of Engineers (US ACE)

The Department of Defense is responsible for emergency support related to public works and engineering, and has designated US ACE as its operating agent. The US ACE is the lead agency for ESF #3, Public Works and Engineering, of the NRF, which includes debris management. During a Presidentially declared disaster, the US ACE may supply technical assistance to local responders for completing debris removal. Assistance may include technical advice and evaluations, engineering services, construction management and inspection, emergency contracting, emergency repair of wastewater and solid waste facilities, and real-estate support. The US ACE also has contract resources available to support local debris management operations. US ACE assistance is arranged through FEMA.

3.7 The Private Sector Role

The private sector will have direct and indirect roles in managing debris resulting from a catastrophic natural disaster. For example, private contractors and waste disposal companies will play a significant role in the debris removal, collection, volume reduction and disposal process for both municipalities and State agencies. Private contractors may include those already contracted with Suffolk County. Suffolk County will make every effort to utilize the contracting capabilities of local small businesses. While re-establishment of commercial entities is a private responsibility, access to the facilities of many large retailers may affect overall response and recovery efforts. This should be considered when setting priorities for catastrophic response. Prevailing wage in all private-sector contracting and operations will be required for FEMA PA reimbursement.

3.7.1 Public Service Enterprise Group – Long Island (PSEG-LI)

PSEG Long Island recognizes the importance of clearing main thoroughfares and emergency evacuation routes after major storm events and understands the key role it can play in helping to make roads safe to clear by removing and/or de-energizing downed electrical facilities which may be blocking roads, entangled in downed trees, or not visible in roadway debris.

During an emergency or disaster event, PSEG – LI maintains a presence in the Suffolk County Emergency Operating Center (EOC). This is done for situational awareness, information sharing, to provide a direct link between the utility and local government, and to assist the County in Response and Recovery activities as needed. Accordingly, once a major storm has passed and it is safe to begin the restoration process, PSEG - LI will directly assign Road Clearance (RC) Teams to Towns so that they may work cooperatively with the respective Department of Public Works (DPW) or Highway Department crews to “make safe” downed wires so that trees and other debris that block major roads may be safely removed. As resources are limited, PSEG – LI will assign the RC Teams in accordance with the severity of damage experienced by the various entities. The Suffolk County EOC and the SC Debris Management Recovery Team (DMRT) will be made situationally aware of the activities of the RC Teams.

These PSEG – LI RC Teams are comprised of trained high voltage linemen that have the proper skill sets to cut, clear and/or de-energize downed wires so that municipal crews can then safely remove downed trees and other debris from the roadways, thus re-opening key arteries that have become impassible during the storm event. The PSEG Teams are not equipped to perform debris removal, which remains the responsibility of the Towns.

Given the skill sets of these RC teams, it is imperative that these crews return to the utility to address activities directly related to the reconstruction of the electric system soon after this initial focus on road clearance. Consequently, they will not engage in activities related to the clearing of secondary roads,



individual properties, etc., and it is envisioned that they will only be tasked to work with the Towns to clear major roadways for a 2-3 day period immediately following the storm. As such, in order to address efforts related to “wire down”/”make safe” issues not covered by these assigned resources, PSEG - LI has a parallel process in place whereby resources are dispatched through its operating divisions across Long Island in response to requests received for such assistance. In these cases, resources are dispatched on a job by job basis in direct response to the trouble calls received.

