

Guidance Inquiry Response
Disaster Recovery Reconstruction Debris
Public Assistance Program
FEMA-4332-DR-TX

Question: Is the removal and disposal of materials generated from construction, repair or renovation activities for residential or commercial structures eligible as FEMA Public Assistance (PA) Emergency Work – Category A - Debris Removal?

Answer:

No. FEMA PA’s debris removal policy can be found in the *Public Assistance Program and Policy Guide* (PAPPG) (pg. 45) and with regard to this issue it states “removal of materials related to the construction, repair, or renovation of either residential or commercial structures is not eligible.”

Discussion:

The Robert T. Stafford Disaster Relief and Emergency Assistance Act’s (Stafford Act) Section 407 authorizes debris removal when the debris is a direct result of a major declared disaster. 44 C.F.R. 206.223(a)(1) and 206.224(a)(1)(2)(3) further defines FEMA PA participation in debris removal activities.

FEMA PA considers debris removal activities to be a category of Emergency Work (PAPPG, pgs. 43-4). Emergency Work activities are considered activities that are taken to save lives, ensure public health and safety, protect improved property and actions taken to eliminate or lessen the threat for additional damage. Debris picked up from the public right-of-way in a residential area after the initial muck out and clean-up is an example of eligible Category A – Debris Removal.

FEMA PA does not consider construction, repair and renovation activities to be Emergency Work. Therefore, debris removal associated with construction, repair or renovation activities performed on storm damaged residential or commercial structures is not eligible for FEMA PA funding.

Policies and other references

- 44 C.F.R. § 206 Federal Disaster Assistance
- Public Assistance Program and Policy Guide, FP 104-00902 / April 2017 pgs. 43-5
- Robert T. Stafford Disaster Relief and Emergency Assistance Act; Section 407