



Public Assistance Alternative Procedures Pilot Program for Debris Removal FEMA Recovery Policy FP 104-09-12

BACKGROUND

Section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended (Stafford Act)¹, authorizes alternative procedures for debris removal under the Public Assistance (PA) Program. It also authorizes the Federal Emergency Management Agency (FEMA) to implement the alternative procedures through a pilot program. This “*Public Assistance Alternative Procedures for Debris Removal Pilot*” (Pilot) policy supersedes the “*Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal, Version 6.1*” and any conflicting language in “[Chapter 2:VI.A of the Public Assistance Program and Policy Guide](#)” (PAPPG). All other portions of the PAPPG apply except where specifically stated otherwise.

The Pilot Program for Debris Removal is available to any applicant upon request, for both Small and Large projects under any major disaster declared on or after June 28, 2019. For incidents declared prior to that date, please refer to the version of the [Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal](#) applicable on the date of the declaration. Applicants electing to participate in the Pilot must sign an acknowledgement form which FEMA will attach to the Subaward Application/Project Worksheet.

PURPOSE

The purpose of this policy is to define the framework and requirements to ensure appropriate and consistent implementation of the PA Alternative Procedures Pilot Program for Debris Removal.

PRINCIPLES

- A. FEMA will increase flexibility in the administration of debris removal assistance while reducing the costs to the Federal Government of providing Public Assistance.
- B. FEMA will expedite the provision of assistance to a state, tribal or local government, or private nonprofit owner or operator of a private nonprofit facility.

¹ Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, *et seq.*, as amended.



- C. FEMA will provide financial incentives and disincentives for timely and cost-effective completion of projects.

REQUIREMENTS

A. APPLICANT PARTICIPATION

Outcome: Applicants are provided the flexibility to control their own recovery.

1. Participation in the Pilot is voluntary.
2. Applicants must notify FEMA of their intent to participate in the Pilot by signing and submitting the *Public Assistance Alternative Procedures Pilot Program for Debris Acknowledgement* (Appendix A) before obligation of their first subaward for debris removal.
3. Applicants participating in the Pilot must abide by the elements of this policy for applicable components of the PA Program, however all other statutory, regulatory and policy requirements of the PA Program apply and are not affected by the Pilot.
4. The Pilot does not affect requirements for compliance with other Federal requirements, including environmental and historic preservation (EHP) laws, regulations, and executive orders.

B. DEBRIS PILOT PROCEDURE

Outcome: Successful implementation of the Debris Removal Pilot Program will increase effectiveness of debris removal operations, reduce cost, and incentivize timely cost-effective completion of projects.

1. Straight Time Force Account Labor

- a. When Applicants use their own labor force to perform all or part of debris and wreckage removal operations, FEMA will reimburse, at the appropriate cost share level, the base and overtime wages for existing employees and the hiring of additional staff.

C. FEDERAL AWARDS MANAGEMENT

Outcome: The Debris Removal Pilot Program is implemented appropriately and consistently.

1. The Applicant must complete work within established regulatory timeframes in accordance with 44 CFR § 206.204.



2. The Applicant must submit quarterly progress reports to the Recipient for Large Projects in which the work is not completed and financially reconciled, pursuant to 44 CFR § 206.204(f) *Progress reports*.
3. The Recipient will provide funds to the Applicant in accordance with Federal and state requirements.
4. The Recipient will ensure that Applicants understand and adhere to Federal procurement requirements as well as other requirements of 2 CFR Part 200.
5. The Recipient will ensure that Applicants comply with EHP requirements, notify FEMA of any work that requires EHP compliance reviews, and provide necessary documentation to conduct EHP reviews.
6. The Applicant must not deposit subaward funds in an interest-bearing account. If that occurs, the Applicant must remit any interest earned to FEMA.
7. The Applicant will submit to the Recipient a final report of project costs. This report will be used to track and monitor the success of the pilot. The final report should include the following components as documented on the Project Worksheet (FEMA Form 90-91):
 - a. Total actual costs to complete the subaward
 - b. Actual quantities of debris removed
 - c. Time frames for full removal of debris
 - d. Compliance with Federal procurement requirements
 - e. Documentation of compliance with all subaward conditions
 - f. Compliance with EHP conditions

D. CLOSEOUT REQUIREMENTS

Outcome: The monitoring and closing of projects is streamlined.

1. Pilot subawards are closed when the approved scope of work is completed, and the Applicant provides the Recipient an accounting of the subaward in accordance with the requirements detailed in subsection C – Federal Awards Management. The Recipient will provide the accounting of project costs to FEMA and will request the project be closed.



FEMA

E. AUDITS AND COMPLIANCE REVIEWS

1. The Office of Inspector General may audit any Applicant and/or subaward. FEMA also can conduct compliance reviews of awards and subawards. For Pilot subawards, a compliance audit will review subawards and costs to ensure that the Applicant complied with the guidelines contained within this document and other applicable requirements. Any corrective actions the Agency takes because of these audits or compliance reviews may be appealed in accordance with 44 CFR §206.206.

Keith Turi
Assistant Administrator, Recovery Directorate

Date

APPENDIX - A

Public Assistance Alternative Procedures Pilot Program for Debris Removal Acknowledgement

In accordance with the Sandy Recovery Improvement Act of 2013, the Federal Emergency Management Agency (FEMA) is implementing alternative procedures for the Public Assistance (PA) Program through a pilot program.

As a representative of the Applicant, we elect to participate in the in the Debris Pilot.

1. The pilot is voluntary and the Applicant must apply the alternative procedure to all of its debris removal subawards.
2. The Applicant acknowledges that FEMA may request joint quantity evaluations and details regarding Applicant operations necessary to assess the pilot program procedures.
3. All contracts must comply with local, state, and Federal requirements for procurement, including provisions of 2 CFR Part 200.
4. The Applicant must comply with all Federal, state and local environmental and historic preservation laws, regulations, and ordinances.
5. The Office of Inspector General may audit any Applicant and/or subaward.

Signature of Applicant's Authorized Representative

Date

Printed Name and Title

Applicant Name

PA ID Number