

EXECUTIVE ORDER NO. 67

EFFECTIVE DATE: March 28, 1997

SUBJECT: CONDITIONS FOR METRO REGIONAL DISASTER DEBRIS DISPOSAL ASSISTANCE

PURPOSE

The purpose of this Executive Order is to identify the conditions under which Metro will provide regional disaster debris disposal assistance. No formal criteria currently exist to guide Metro on the level of response to events that generate substantial amounts of debris in short periods of time. In the past, this has hindered the timely coordination of response among local governments, haulers, and residents in the region. It has also caused delays in Metro's ability to provide assistance.

The criteria in this Executive Order will be followed by Metro in the event of a disaster or other emergency that produces a substantial amount of debris. These criteria are to be incorporated into a set of standard operating procedures for managing emergencies by Regional Environmental Management (REM) as those procedures are developed.

CONDITIONS FOR METRO REGIONAL DISASTER DEBRIS DISPOSAL ASSISTANCE

Metro desires to provide assistance for disaster debris disposal to citizens and local governments in the region in order to help protect public safety, health, and welfare and to minimize the hardships created by natural or man-made disasters that produce substantial amounts of debris. To enable Metro to provide this kind of assistance in a consistent and orderly manner, REM will be developing a set of standard operating procedures for emergency and disaster situations. These procedures will be used in conjunction with the Regional Disaster Debris Management Plan to guide and direct the decisions and actions of REM personnel in an emergency or disaster. When completed, the REM standard operating procedures will be incorporated into the Metro Emergency Operations Plan.

Until these standard operating procedures have been developed, at least one of the following conditions must occur before Metro may initiate disaster debris assistance. Different conditions will trigger the different levels of response that are described below. If one or more of these conditions have been met, REM may immediately mobilize an appropriate response, as described below. Unless one or more of these conditions have been met, no Metro disaster debris assistance may be initiated without prior recommendation of the Executive Officer and approval of Metro Council. The conditions and appropriate responses are:

1. Declaration of a disaster by an authorized official of a city or county within the Metro boundary, without a governor-declared state of emergency or presidentially-declared disaster, upon request by the official declaring the disaster. Metro response will be limited to non-monetary assistance, such as provision of volunteers and information dissemination through Metro Recycling Information. The response may involve re-allocation or prioritization of work to address specific needs.
2. Governor declaration of a state of emergency in one or more of the three counties in the Metro region (Washington, Multnomah, Clackamas). Metro response may include monetary assistance. The exact nature and level of the response is to be assessed at the time of the event and each event will be assessed individually. Assistance efforts under a governor-declared state of emergency may be less restrictive than #1, above, but will be more restrictive than under #3, below.
3. Presidential declaration of a disaster area in one or more of the three counties in the Metro region (Washington, Multnomah, Clackamas). Metro response may include monetary assistance. The exact nature and level of the response is to be assessed at the time of the event and each event will be assessed individually. Assistance efforts under a presidential declaration may be more aggressive than #1 or #2 above, due to the potential of federal disaster relief.

When one or more of the above conditions have triggered a response, the REM Director or his designee will meet to determine the exact and immediate course of action REM should take. The intent is to allow REM to be able to respond quickly and decisively in these events. REM management will take the first possible opportunity to brief the Metro Executive Officer and Council on the specifics of the response. The Council must approve, and the Executive Officer must be consulted on commitments by Metro to long-term responsibilities or major expenditures, or that conflict with the above criteria for Metro disaster debris assistance.

Possible Services/Assistance Metro May Provide

The particular services or assistance Metro may choose to provide if one or more of the above conditions are met should always be determined at the time of the event. Each disaster event will be different. The needs particular to that disaster will become apparent at that time and solutions appropriate to those needs are to be explored. However, any assistance implemented by Metro should recognize and be consistent with the implications of the following:

- Services and assistance to the region's residents should be provided through a partnership between local governments and Metro. As outlined in the Regional Disaster Debris Management Plan, local governments have primary responsibility for the collection and hauling of waste in their jurisdictions and ensuring that that collection is appropriate and adequate. Metro has primary responsibility for ensuring safe and adequate disposal options. Metro and local governments should strive to provide collection, hauling, and disposal services for disaster debris that are cooperative, efficient, and work well as a system.
- Controlling fraud is an important element in any kind of assistance or service provision. Fraud is best controlled when all of the service providers - Metro, local governments, haulers, and private disposal facilities - work together to ensure that the guidelines established for assistance or services are abided by. Control of fraud is also aided by the existence of clear guidelines for the allocation of any government assistance funds.
- The Federal Emergency Management Agency (FEMA) has issued guidelines that it uses to reimburse local and state government agencies for debris removal. If a disaster is presidentially declared, thereby making FEMA assistance available, services and assistance offered by local and state governments for disaster debris must follow these guidelines if FEMA reimbursement is expected.

In general, FEMA views debris removal from private property as the responsibility of the individual property owner aided by insurance settlements and assistance from volunteer agencies. FEMA assistance is not available to private property owners for this purpose. However, local or state governments may pick up and dispose of disaster-related debris placed at the curb by those private individuals, as long as the service is carefully controlled with regard to extent and duration. Also, 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, the actual removal of debris may be eligible.

ORDERED by the Executive Officer this 27 day of March, 1997.



Mike Burton, Executive Officer

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For more information on FEMA and its requirements for disaster debris disposal assistance, please see, "FEMA Public Assistance Guide for Applicants" available in the Regional Emergency Management Disaster Debris Library or through FEMA.