

# Debris Management Right of Entry

## Frequently Asked Questions



### GENERAL

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#### **Who is responsible for the household hazardous waste and debris removal?**

Federal, state and local government agencies are coming together under the coordination of the State of Oregon's Debris Management Task Force to address household hazardous waste (HHW) and debris ("ash and trash") removal. The task force consists of the Office of Emergency Management (OEM), Oregon Department of Transportation (ODOT) and Oregon Department of Environmental Quality (DEQ).

#### **What is the process for household hazardous waste and debris removal?**

Household hazardous waste (HHW) and debris removal is a two-phase process:

**Phase 1:** The U.S. Environmental Protection Agency (EPA) will assess and remove HHW from properties impacted by the fires. This work will be 100% funded by FEMA and the State of Oregon. Property owners will be not charged for Phase 1 – neither from out-of-pocket nor insurance funds.

**Phase 2:** State, county and federal partners are actively working to develop details for the removal of ash, debris and structures. Financial contribution from property owners will be based on insurance policy details, but there should be no out-of-pocket costs to the property owners.

For insured property owners, FEMA will try to recoup the funds specifically designated for debris removal. For insurance policies that do not have specific debris removal funds, property owners will be asked to contribute to cleanup costs if there are insurance funds still available after their home has been rebuilt. If insurance funds have been exhausted during rebuilding, there will be no cost to the homeowner.

Federal, state and local agencies are required by FEMA to make an effort to recoup specific debris removal funds or general insurance funds after the property owner has rebuilt. This is to ensure there is not a duplication of benefits. Federal, state and local agencies will not recoup insurance money designated for rebuilding your home.

For uninsured property owners, the work will be 100% funded by government agencies at no expense to the property owners.

## ELIGIBILITY FOR ASSISTANCE AND HOW TO APPLY

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### **Who can apply for assistance with debris removal?**

Property owners in Marion County can apply for assistance with the removal of household hazardous waste and wildfire debris removal. The first step is for the property owner to grant access by submitting a right-of-entry permit.

### **Can property owners apply for assistance with commercial- or industrial-zoned properties?**

Yes. FEMA has to pre-approve any commercial or industrial property for debris removal. The first step is for the property owner to grant access by submitting a right-of-entry permit.

### **If FEMA denied my request for Individual Assistance, can I still get assistance for household hazardous waste (HHW) and all wildfire debris removal?**

Yes, in most cases property owners are eligible for Phase 1 (HHW removal). Details are being determined for Phase 2 (all wildfire debris removal). The first step is for the property owner to grant access by submitting a right-of-entry permit.

### **Do undocumented residents qualify for household hazardous waste and debris removal?**

Yes. The property owner first needs to grant access by submitting a right-of-entry permit.

### **On the Right of Entry permit form, it asks me to select one of two options, but I'm not sure which to select?**

The Right of Entry form includes two options:

**Option 1: Right of Entry Permit for Phase 1 - Household Hazardous Waste (HHW) Removal Only**  
**OR**

**Option 2: Right of Entry Permit for Phase 1 – Household Hazardous Waste (HHW) AND Phase 2 - Wildfire Debris Removal**

Option 1 will grant access to federal, state, local government, and their contractors so they can inspect and remove any household hazardous waste (HHW). This work is considered urgent and will be prioritized over removal of other debris.

Option 2 will grant access for the same staff to inspect and remove any HHW and to ALSO complete the removal of additional wildfire ash and debris. Phase 1 (HHW) participation is required for Phase 2 (all wildfire debris) participation.

### **What information will I need to complete the form?**

Property owners must include:

- Property address
- Current contact info (*if you have been displaced due to fire*)
- Proof of any insurance policy which should include the insurance company name, policy number, agent's name and contact information (*optional*) and claim number (*if you have submitted a claim*)

Other information requested but NOT required includes:

- Parcel number of your property

- FEMA number (*your individual assistance number if you have applied for FEMA assistance*)

**What if I don't have insurance coverage? Am I still eligible for household hazardous waste and debris removal assistance?**

Yes, you are still eligible. Under the insurance section of the online form, be sure to select:

This Property is Not Insured

**Will there be any cost to me for household hazardous waste and debris removal? Will my insurance be billed?**

For Phase 1 (household hazardous waste removal, HHW), 100% of the cost will be paid by FEMA and the State of Oregon. They will not ask your insurance company to repay any of the cost of this Phase 1 HHW cleanup.

State, county and federal partners are actively working to develop details for the removal of ash, debris and structures. Financial contribution from property owners will be based on insurance policy details, but there should be no out-of-pocket costs to the property owners.

For insured property owners, FEMA will try to recoup the funds specifically designated for debris removal. For insurance policies that do not have specific debris removal funds, property owners will be asked to contribute to cleanup costs if there are insurance funds still available after their home has been rebuilt. If insurance funds have been used up during rebuilding, there will be no cost to the homeowner.

Federal, state and local agencies are required by FEMA to make an effort to recoup specific debris removal funds or general insurance funds after the property owner has rebuilt. This is to ensure there is not a duplication of benefits. Federal, state and local agencies will not recoup insurance money designated for rebuilding your home.

For uninsured property owners, the work will be 100% funded by government agencies at no expense to the property owners.

**I have already received a check from my insurance company for debris removal and cleanup. Will I have to pay FEMA for debris removal?**

You will not need to pay for household hazardous waste (HHW) removal. See question above regarding reimbursing FEMA from insurance payments.

**Can I take care of the cleanup myself?**

You do have the option of taking care of the cleanup yourself; however, it will be at your own cost. Removal of household hazardous waste and debris can be an incredibly expensive process, costing as much as \$75,000. Even with insurance, a majority of this cost may not be covered. The state and federal government is committed to paying for removal of household hazardous waste (HHW) and property owners are encouraged to reserve their insurance funds for other recovery and rebuilding efforts.

DEQ and EPA strongly urge individual property owners **not to** remove hazardous materials and debris themselves because of the potential risks to health and safety. However, if you choose to take on the cleanup yourself, please consider the following precautions:

- Contact your insurance provider before you begin to understand any requirements they may have for reimbursement.
- Contact your county or city code enforcement agency to determine cleanup requirements for new construction permits.
- Before you begin, get ash and other debris material tested to determine if it contains asbestos. State rules govern various aspects of managing and removing asbestos. Refer to guidance on [DEQ's asbestos webpage](#) or contact DEQ prior to starting any demolition activities. If it contains asbestos, hire a licensed asbestos abatement contractor.
- Contact Coffin Butte Landfill to learn what requirements they have for waste acceptance. Many landfills, including Coffin Butte, require specific documentation of the waste you drop off so that it can be handled properly and ensure regulations are met for disposal. This can include lab results to determine what hazardous materials are in your debris. If you do not have the proper documentation, you may not be allowed to dispose of your debris. Coffin Butte Landfill may require you to call in advance of dropping off your debris.
- Cover ash and debris loads during transport.
- Recycle metal, concrete and wood debris. Clean recyclable materials with water prior to transport to reduce the spread of asbestos or other contaminants in the ash. Do not discharge water containing ash into the stormwater system or surface waters, as it can cause water quality issues.
- Follow safety precautions outlined on the [Marion County website](#).

**I rent the property where I live and am not the property owner. Should I still apply for assistance?**

Yes, you can still submit the right-of-entry form for Phase 1: Household Hazardous Waste (HHW). However, property owners will have to submit the right-of-entry form for Phase 2: additional wildfire debris removal.

**I own multiple tax lots. Do I need to apply for each tax lot number or can I apply once?**

You should submit one right-of-entry form for each physical address. For multiple taxlots adjacent to an impacted property with a physical address, you can complete one form noting multiple tax lot/parcel numbers.

The online form requires a physical address. If you are submitting for an isolated property without a physical address, please be sure to leave a note to refer to the taxlot number and enter the taxlot number in the appropriate field.

**How do I find my tax lot number?**

You can find your tax lot number on your property tax bill or online at <https://mcasr.co.marion.or.us/>, select Situs Address in the dropdown Search Category box and enter your address in the Search Criteria box.

**How can I submit the right-of-entry permit form?**

To ensure everyone can easily apply for the right-of-entry permit, we have provided the following options:

1. Complete the form online at [www.mcwildfirerecovery.net](http://www.mcwildfirerecovery.net). This is preferred because the data is automatically entered into a database, which will be sent to EPA.
2. Pick up a paper form at:
  - a. Marion County Public Works at 5155 Silverton Rd NE in Salem

- b. Anthony Hall at 11758 Sublimity Rd. in Sublimity
- c. Gates Community Church at 40070 Gates School Rd. in Gates

All completed paper forms can be hand-delivered or mailed to Marion County Public Works at 5155 Silverton Rd NE, Salem, OR 97305. **You cannot leave these forms at the other locations.** Alternatively, you can also scan (or take photos) and email the completed form to [WildfireRightofEntry@co.marion.or.us](mailto:WildfireRightofEntry@co.marion.or.us).

- 3. If you are not able to use one of these options, please call 503-365-3140 or email [WildfireRightofEntry@co.marion.or.us](mailto:WildfireRightofEntry@co.marion.or.us) for assistance.

## OPTION 1 VS. OPTION 2

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### **Can I authorize only Household Hazardous Waste removal at this time? Or, can I also authorize debris removal for phase 2 of the clean-up process?**

Yes. The Option 1 right-of-entry form grants access to federal, state, local government and their contractors to inspect and remove any household hazardous waste. This work is considered urgent and will be prioritized over removal of other debris.

You can also select Option 2 on the right-of-entry form which would grant access for the same staff to complete removal of additional wildfire ash and debris, in addition to the household hazardous waste listed in Option 1.

### **If I apply for an Option 2 right-of-entry permit and change my mind later, can I cancel the agreement at a later date?**

Yes, but you will need fill out a withdrawal form to be removed from the Phase 2 right-of-entry list.

### **What if I can't decide if I should apply for Option 1 (Household Hazardous Waste removal only) or Option 2 (All Wildfire Debris Removal)?**

Federal, state and local government agencies are working on details for Phase 2. If there is not sufficient information for a property owner to decide on Phase 2 (all wildfire debris), it is recommended that they apply for at least Phase 1 by the October 16, 2020 deadline. If property owners apply for Option 2 (both Phases 1 and 2) but change their minds about Phase 2 participation at a later date, they can fill out a withdrawal form to opt out of Phase 2 later.

### **If I participate in the Household Hazardous Waste removal (Option 1 permit), will I be able to complete my own debris removal? What type of contractor can I hire? Where can debris be disposed?**

Please reference [DEQ requirements](#) online as well as the [Coffin Butte landfill acceptance policy](#). Also make sure any contractors you hire are DEQ-certified in asbestos abatement. Many landfills, including Coffin Butte, require specific documentation of the waste you drop off so that it can be handled properly and ensure regulations are met for disposal. This can include lab results to determine what hazardous materials are in your debris. If you do not have the proper documentation, you may not be allowed to dispose of your debris. Coffin Butte Landfill may require you to call in advance of dropping off your debris.

## DEBRIS REMOVAL PROCESS

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### **What will EPA do in order to access and remove household hazardous waste (HHW)?**

EPA will move any debris in order to access and remove HHW, including trees, metal and remnants of structures.

### **What is the anticipated schedule for debris removal?**

A schedule for debris removal has not been determined at this time. EPA staff is assessing needs in several Oregon counties due to the multiple wildfires throughout the state.

Phase 1: Household hazardous waste (HHW) removal, could start in mid- to late October and it is anticipated to be completed by Dec 31, 2020.

Phase 2: Additional wildfire debris removal, will start as early as November and could take several months. Planning is underway but a specific schedule has not yet been determined.

### **Can I be present when EPA comes for inspection and debris removal?**

No, unfortunately for safety purposes, you will not be allowed on the property when EPA comes for inspection and removal.

### **Will I receive any sort of notification when the debris removal process has been completed on my property?**

Yes. There will be a live online GIS map that shows when properties are cleaned and the debris removal process is complete. Counties will also be informed when the EPA is done in their county. There will not be certificates issued by EPA.

### **Will I be notified or given a certificate from EPA when the Household Hazardous Waste (HHW) removal process is complete?**

There will not be certificates issued but a tag will be placed on each property when the EPA is finished. Documentation will also be made on the online GIS map, which will be accessible by the public.

### **Can I specify if I have items I do not want removed from my property?**

No.

## DIY ASSISTANCE

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### **Where can I find testing and disposal assistance pertaining to asbestos?**

Information can be found at <https://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Information.aspx>.

### **Where can I find DEQ requirements regarding safe debris removal and disposal?**

You can get more information online regarding [DEQ requirements and recommendations](#). You can also reference the [Coffin Butte landfill acceptance policy](#) for information regarding safe disposal of hazardous materials and debris. Also make sure any contractors you hire are DEQ-certified in asbestos abatement.

## INSURANCE

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### **How do I decide if the cost of debris and hazardous materials removal should go through the government assistance program or through my insurance?**

State, county and federal partners are actively working to develop details for the removal of ash, debris and structures. Financial contribution from property owners will be based on insurance policy details, but there should be no out-of-pocket costs to the property owners.

For Phase 2, It can be dependent on your insurance policy details. Contact your insurance agent to fully understand your policy and make a decision.

For insured property owners, FEMA will try to recoup the funds specifically designated for debris removal. For insurance policies that do not have specific debris removal funds, property owners will be asked to contribute to cleanup costs if there are insurance funds still available after their home has been rebuilt. If insurance funds have been used up during rebuilding, there will be no cost to the homeowner.

Federal, state and local agencies are required by FEMA to make an effort to recoup specific debris removal funds or general insurance funds after the property owner has rebuilt. This is to ensure there is not a duplication of benefits. Federal, state and local agencies will not recoup insurance money designated for rebuilding your home.

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## TREES

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### **Will damaged trees be removed from my property? When will this happen?**

Some trees deemed hazardous will be felled on private properties during Phase 2. Phase 2 details are still being determined by the State of Oregon's debris management task force.

### **Who determines which trees will be removed from my property as well as on any surrounding government properties where there may be hazardous trees impacting my property?**

There will be arborists assessing damaged trees to determine whether tree removal is necessary on both private properties and County/City right-of-ways.

### **What happens to the wood after trees are felled on my property? Will it be removed or left on my property for my own use?**

Phase 2 details are still being determined by the State of Oregon's debris management task force.

### **There is a tree down on my driveway limiting access to the property. Am I responsible for making my property accessible to allow FEMA/EPA to inspect and remove Household Hazardous Waste (HHW) and debris?**

EPA will remove any hazards or trees in order to access properties to remove HHW.

## SEPTIC

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### **What is the best way to protect my septic system or drain field?**

Marion County has wooden stakes and ribbon available for property owners to mark septic. Materials are available at the Gates Community Church located at 40070 Gates School Rd and can be picked up Monday through Saturday, between 9 a.m. and 4 p.m.

### **Who is liable if damages are incurred on my septic system and/or drain field during EPA/FEMA inspections, testing and debris removal?**

The property owner is responsible for any damage (and associated repairs) caused during EPA/FEMA inspections and debris removal activities. It is recommended that you clearly mark your septic and drain field (see above details for material pickup).

### **How do I find someone to help evaluate my septic system and determine if repairs are needed?**

You can find a [list of septic installers](#) on the Marion County website to help do an evaluation of your septic system and determine if repairs are necessary.

## MISCELLANEOUS

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### **Am I allowed to place an RV on my property? What are the minimum requirements and for how long can I stay during the rebuilding process?**

The Marion County Board of Commissioners has decided to allow the use of RVs for longer durations during this emergency response and rebuild process. There will be requirements to leave the property intermittently for FEMA/EPA inspections and debris removal activities. For properties within incorporated cities, you should contact your City Government Offices for more information.