



Overview of Property Owner Requirements for Choosing a Private Contractor for Phase II Debris Removal

If property owners elect not to participate in the Government (CalOES) Program, they are still required to remediate the property and remove the burn debris **at their own expense**, comply with all applicable requirements, and do so in a timely manner. The property owners will not be reimbursed with public funds for the remediation and debris removal. The property owners shall complete the remediation through a licensed contractor with proper certifications according to the requirements of the California Contractors State License Board. The Santa Cruz County Local Health Officer has issued a Declaration of Health Emergency describing the public health and environmental dangers associated with the ash and debris from the CZU Lightning Complex Fire. As a result, the cleanup work must be done safely and in a way that protects the public health and environment. Public funds will not be used to reimburse property owners for any portion of the remediation and debris removal process, including but not limited to pre-cleanup site preparation, hazardous waste and asbestos survey and remediation, ash and debris removal, foundation removal or survey, soil investigation and remediation and erosion control.

Property owners opting out of the Government (CalOES) Program must submit the Property Owner Application to Hire a Private Contractor for Fire Debris Removal (Private Contractor Program Application) and work plan to Santa Cruz County Environmental Health for approval prior to commencing debris removal. The Santa Cruz County Board of Supervisors will issue deadlines for property owners to submit the Private Contractor Program Application. A work plan must be submitted and approved by Santa Cruz County Environmental Health prior to the commencement of work. After implementation of the approved work plan, the owner must submit a certification showing that all work has been completed as specified. The work must be completed pursuant to standards set forth by the State and local jurisdictions. These standards are established to ensure protection of public health and are the same standards applicable to the Government (CalOES) Program.

Property owners are required to submit documentation verifying adequate cleanup and proper disposal of debris. Property owners shall review all requirements thoroughly before planning or pursuing their own debris removal. Property owners will not be allowed to rebuild on their property until the County has issued a certification of completion of the Private Contractor Program.

Due to the recent COVID-19 pandemic, California has issued industry guidance for construction. All contractors must read the COVID-19 Industry Guidance for Construction (<https://files.covid19.ca.gov/pdf/guidance-construction--en.pdf>) and complete the COVID-19 General Checklist for Construction Employers (<https://files.covid19.ca.gov/pdf/checklist-construction.pdf>).

¹This document sometimes refers to property owners, owners, contractors, consultants or you. These terms all refer to the property owner and his or her duties, as an owner is required to use contractors and consultants to complete the cleanup process.

A summary of the protocols and requirements is below:

Cleanup Operations	Cleanup Protocols
<p>Whenever necessary to make an inspection to ensure compliance with the approved work plan, any authorized official of the County may, upon presentation of proper credentials, enter such property at all reasonable times to inspect any provision of the approved work plan.</p>	
<p>Work Plan</p>	<p>Contractor must create a work plan that provides for site protocols listed below including (but not limited to) testing and analysis, hazardous waste and asbestos removal, debris removal, erosion control, soil grading and confirmation sampling. Areas with naturally occurring asbestos (NOA) may have additional requirements to comply with State regulations, including notifying the local air district and submitting a formal NOA Dust Mitigation Plan.</p>
<p>Site preparation/ documentation</p>	<ul style="list-style-type: none"> • Contractor must measure, record and photograph foundation and cleanup area (square footage of ash footprint) • Contractor must notify appropriate entities of cleanup, such as local utilities and USA Underground.
<p>Application Process</p>	<p>Property owner and/or contractor must submit the Private Contractor Program Application and work plan to the Santa Cruz County Environmental Health Division.</p>
<p>Asbestos Assessment and Removal</p>	<ul style="list-style-type: none"> • Contractor or Property owner shall hire a Certified Asbestos Consultant (CAC) to perform asbestos testing at the property and hire a licensed contractor with a certificate for asbestos abatement (Certified Asbestos Contractor) to properly remove and dispose of any remaining asbestos. During Phase I, USEPA or its contractor may not remove all asbestos from the property. USEPA or its contractor will remove asbestos-containing materials which are easily identifiable and removable. Materials that are believed to be asbestos-containing which are not removed will be marked by US EPA or its contractor. Asbestos-containing materials shall be properly assessed and removed by a Certified Asbestos Contractor. • The CAC will evaluate each property for suspect asbestos containing material.

Cleanup Operations	Cleanup Protocols
Asbestos Assessment and Removal (continued)	<ul style="list-style-type: none"> • As chimneys are considered a free-standing structure, a full asbestos survey is required. Each standing chimney on a property will be knocked over using one to two water streams to abate potential dust and exposures. The chimney shall be pre-wetted along with the fall zone. Once the chimney is safely on the ground, the CAC shall visually observe the interior of the chimney flue for suspect materials. If no suspected asbestos materials are identified, then the debris removal may commence. • If asbestos is discovered on the property, the CAC must submit the results of the asbestos survey including laboratory results and documentation of proper asbestos removal to the Santa Cruz County Environmental Health Division to obtain authorization to dispose of ash and debris at a properly permitted landfill.
Hazardous Waste Removal	<ul style="list-style-type: none"> • Contractor or Property owner must take all reasonable precautions required to remove and properly dispose of any remaining hazardous waste. During Phase I, USEPA and their contractors will remove any hazardous materials and hazardous waste that they find during their assessment but may not find all hazardous waste that is present. • If discovered, the Environmental Consultant is required to submit results of the hazardous waste survey and documentation of proper hazardous waste removal and disposal to the Santa Cruz County Environmental Health Division to obtain authorization to dispose of ash and debris at a properly permitted landfill.
Debris and Ash Removal	<ul style="list-style-type: none"> • Contractor is required to remove ash and debris, metals and concrete from site and dispose of properly. • Contractor should recycle metals and concrete when possible. Concrete and metal must be generally free of ash and debris. • Contractor must dispose of waste at a properly permitted landfill (Appendix C). Contractor must present a clearance from the Santa Cruz County Environmental Health Division at the scale house to allow for disposal.

Cleanup Operations	Cleanup Protocols
Air Monitoring	<p>Fugitive Dust – Dust is a significant concern and contractor is required to take adequate dust control measures at all times, such as water applied to burn ash materials, most importantly during owner or contractor disturbance and loading. Contractor is required to properly contain fire debris and ash during transport to prevent escape.</p> <ul style="list-style-type: none"> • Contractor is required to visually monitor the cleanup site for fugitive dust. • If recommended by a Certified Asbestos Consultant (CAC), the contractor shall monitor the air at the site for asbestos during debris removal activities. • If required, contractor must provide air monitoring results at final certification
Foundations	<p>Contractor is required to completely remove and dispose of foundation; or Submit a letter from a Licensed Civil or Structural Engineer certifying the foundation is acceptable for rebuild. The letter shall certify structural reasons for the decision and include process and procedure used to reach the conclusion and testing data (foundations are retained at the property owner’s own risk and may not be accepted by the County for reuse).</p>
Soil Grading	<p>There is a risk of potential soil contamination from the fire debris and ash. As a result, after the ash and debris are removed from the property to a level of visually clean, the contractor is required to remove an additional 3 to 6 inches of soil from the impacted area after the burn ash and debris is removed to a level of visually clean. This soil can be disposed of at a properly permitted landfill (Appendix C) and will require the asbestos/hazardous waste certification from the Santa Cruz County Environmental Health Division. Care shall be taken during transport of the material, as with the fire debris and ash, to prevent this material from blowing out of the transport vessel during transport, including covering the load with a tarp, and using reduced speeds on unpaved roadways. See Appendix E for additional precautions.</p>

Cleanup Operations	Cleanup Protocols
Confirmation Sampling	<ul style="list-style-type: none"> • After removing 3 to 6 inches of soil as part of the soil grading work described above, the certified hazmat contractor or qualified environmental health consultant shall collect soil samples from a depth of 0 to 3 inches for confirmation sampling. Results must be at or below cleanup goals as established. • Confirmation sampling shall be conducted by or under the direction of responsible licensed engineer or professional geologist and/or other applicable professional(s), and is to be conducted after fire- related debris and 3 to 6 inches of soil have been removed from the property.
Appliance and Vehicle Recycling	Appliances and vehicles shall be handled properly to meet the requirements of metals recycling facilities. Any remaining hazardous materials, such as car batteries, shall be managed properly. Vehicle Identification numbers shall be documented as outlined by the California Department of Motor Vehicles (DMV) and provided to the salvage company.
Erosion Control	Contractor is required to implement and maintain adequate erosion control measures at the end of the debris removal process.

Owners Who Fail to Adequately Remove Debris from Their Property

Due to the dangers to the public health, welfare and environment, if property owners choose not to participate in the Government (CalOES) Program and also do not complete an adequate cleanup through the Private Contractor Program, they may be subject to enforcement actions. Such actions may include, but not be limited to, hazard removal and/or relocation, cleanup, site evaluation, soil testing, and/or chemical analysis. **All expenses incurred for such inspection and mitigation, including but not limited to, abatement costs, expenses, and attorney’s fees, are subject to full cost recovery from the owner with a lien recorded on the property.** Deadlines for completing an adequate cleanup through the Private Contractor Program will be set by the Santa Cruz County Board of Supervisors.

Confirmation Sampling

Following the removal of ash, debris, hazardous waste and asbestos and the removal of 3 to 6 inches of soil, consultants shall collect and analyze representative soil samples to determine compliance with established cleanup goals. Sampling shall be per Government (CalOES) Program’s typical operations plan sampling frequencies included below. The total number of samples to be collected is based on estimated square footage of the ash footprint as follows:

Estimated Square Footage of Ash Footprint (Decision Unit)	Number of 5-Point Composite Samples (square feet of each area sampled is total square feet of ash footprint / the number of required samples)
0-100 square feet	1
101-1,000 square feet	2
1,001-1,500 square feet	3
1,501-2,000 square feet	4
2,001-5,000 square feet	5
>5,000 square feet	Must consult with local environmental health officials

The consultant shall collect all confirmation samples from a depth of 0-3 inches using a dedicated 4-ounce plastic scoop and mix such samples (homogenized) in a one-gallon plastic bag before placing them in 8-ounce jars. Samples shall be shipped using chain of custody documentation to a California ELAP Certified laboratory and analyzed for Title 22 Metals by EPA Method 6020 for the following metals: antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc. In addition, the consultant shall collect three background samples at a depth of 3-9 inches outside the ash footprint (minimum of 20 feet) to determine if naturally occurring levels of any metals tested are above the cleanup goals. If samples from the ash footprint are below the cleanup goals, then the lab will not test the background samples. If sample results for any metals are above the cleanup goals, but are at or below the background sample results, the consultant must explain this and why it is acceptable in the final testing report. Should the confirmation results exceed the cleanup goals and the site-specific background, the consultant must resrape and retest the soil. The consultant may be required to execute multiple rounds of soil scraping and sampling to achieve cleanup goals.