



Office of the Mayor-President

City of Baton Rouge
Parish of East Baton Rouge

222 St. Louis Street
Post Office Box 1471
Baton Rouge, Louisiana 70821

225/389-3100
Fax 225/389-5203

SHARON WESTON BROOME
Mayor-President

March 23, 2017

Michael McDuff
Executive Director
Louisiana State Licensing Board for Contractors
2525 Quail Drive
Baton Rouge, LA 70808

Subject: Construction and Reconstruction Waste Materials Related to the August 2016 Flooding

Mr. McDuff:

I am reaching out to ask for your continued assistance and support regarding an issue involving contractors operating in the City of Baton Rouge, Parish of East Baton Rouge (City-Parish), primarily as it relates to the disposal of waste materials generated from residential construction projects in areas or for homes impacted by the August 2016 flooding.

As you know, debris removal efforts are still ongoing in Baton Rouge as our community continues to recover from the devastation of this flooding event. Last month, we requested and received a six-month extension from the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) authorizing our debris removal program to continue through August 13, 2017. This extension provides us with valuable time to continue serving the needs of our residents related to flood debris collection. However, over the past several months in particular, we have seen a tremendous amount of confusion among Baton Rouge residents regarding what we are able to collect through our flood debris removal program, what is the responsibility of our garbage collection contractor, Republic Services, and what contractors are responsible for as it relates to the disposal of materials generated by residential construction projects.

While many recent residential construction or reconstruction projects may have been initiated by the homeowner as a direct result of damage caused by this flooding event, FEMA policy stipulates construction and reconstruction waste materials remain ineligible for FEMA reimbursement – despite our attempts to request a policy shift or exemption that would accommodate the very real needs of our residents following this unique disaster. On March 1, my office was notified that FEMA denied our request “for consideration of reimbursement of debris removal associated with construction, repair or reconstruction of residential structures damaged in the August flood event.” While we are in the process of appealing this decision, there is still no federal reimbursement mechanism for our debris removal crews to collect these ineligible materials, and thus we are unable at this time to pick them up.

The Louisiana State Licensing Board for Contractors has been very helpful during this disaster in urging residents to utilize licensed contractors to perform work at their homes and include a

clause about the disposal of construction or reconstruction waste materials as part of their contractor's scope of work. We have communicated similar messaging through our own outreach efforts to residents and local media, including posting notices on the doors of homes where our field teams notice reconstruction materials have already been placed curbside. However, it is becoming increasingly apparent that many homeowners do not understand that the responsibility for disposing of these materials rests with their contractor, or that they are individually responsible if they choose to do the work themselves. In a recent news article, contractors were even quoted as acknowledging their tendency to place such materials curbside with the hope that crews will eventually come and pick them up. Again, to reiterate, at this time the City-Parish is unable to pick these materials up due to the financial burden associated with doing so without federal reimbursement.

Respectfully, I am requesting that you please urge all contractors licensed by the Louisiana State Licensing Board for Contractors to ensure clauses for the disposal of these construction waste materials are present within the scope of work associated with any projects they are hired to perform for a resident. In some instances, residents may not know to ask for or ensure disposal clauses are included in the scope of work associated with their project, which creates confusion once the job is complete and there are resulting waste materials with no obvious means to dispose of them. In turn, these materials are then sitting curbside for weeks and months on end, creating a public health and safety hazard in the process, and an expectation on the part of the resident that the City-Parish is responsible for collecting these materials.

As we have done throughout our response to this disaster, we will continue to encourage residents who are initiating new construction or reconstruction efforts to use licensed contractors to perform this work by searching the LSLBC web database, and secure in writing how the contractor plans to dispose of any construction or reconstruction materials. Our permitting division will also be attaching notices to any permit applications for residential construction projects with similar reminders and requests. Additionally, we are continuing to communicate to homeowners who opt to repair their homes themselves to dispose of these materials properly – by either placing them in their garbage carts if they will fit, or transporting them to the North Landfill located at 16001 Samuels Road.

We appreciate your ongoing support and value the partnership we have with the LSLBC in serving the needs of both our licensed contracting community and residents as we continue to work together in our recovery from this devastating disaster. Should you have any questions or require additional information about this request, please contact Adam Smith, Interim Director of Environmental Services, at (225) 389-4865.

Sincerely,



Sharon Weston Broome
Mayor-President

cc: Rowdy Gaudet, City-Parish, Assistant Chief Administrative Officer
Adam Smith, City-Parish, Interim Director of Environmental Services