



County of Santa Clara  
Department of Environmental Health – Debris Removal  
1555 Berger Drive #300, San Jose, CA 95112  
Email: [DEHWildfire@cep.sccgov.org](mailto:DEHWildfire@cep.sccgov.org)  
Phone: (408) 918-3411  
[www.EHInfo.org/fire](http://www.EHInfo.org/fire)

## COUNTY OF SANTA CLARA APPLICATION TO USE PRIVATE CONTRACTOR FOR DEBRIS REMOVAL PROGRAM

### WHO NEEDS TO COMPLETE THIS FORM?

All private property owners who are subject to County of Santa Clara ("County") Ordinance No. NS-9.294 ("Ordinance") due to owning a parcel that contains ash or debris from structures that were damaged or destroyed in the 2020 SCU Lightning Complex Fires ("Fires"), and/or "Hazard Trees" as defined in the Ordinance must complete this form if they:

1. **Decide not to participate** in or are ineligible to participate in the publicly-funded Consolidated Debris Removal Program operated by the California Office of Emergency Services ("CalOES") in conjunction with other State and Federal agencies, through which wildfire ash and debris are removed and disposed of at no direct cost to the property owner;

AND

2. Have not been approved by the Department of Environmental Health (DEH) for a conditional exemption from the Private Contractor Debris Removal Program. See [www.EHInfo.org/FireDebris](http://www.EHInfo.org/FireDebris) for conditional exemption criteria and application forms.

### IMPORTANT NOTES

Property owners are required to clean up their property to standards adopted and published by DEH for the Private Contractor Program ("Program"), including those set forth in this document, so that health and safety risks are adequately addressed for the community and the environment. Depending on the nature of the cleanup involved, certain tasks must be performed by an individual with an appropriate license or certification. DEH must certify completion of property cleanup to Program standards before building permits may be issued to repair or reconstruct a fire-damaged structure on the property. Property owners must submit this Application together with a workplan for debris removal from the private property described in this application ("Workplan"), demonstrating that the standards adopted for the Program will be met. Owners are required to obtain approval from DEH for the debris removal work set forth in the Workplan prior to starting debris cleanup. Property owners are also required to submit a certification of successful completion of the work set forth in the Workplan for certification by DEH. Property owners may be required to provide documentation demonstrating adequate cleanup and proper disposal of debris.

Property owners will not be reimbursed with public funds for any portion of remediation or debris removal work conducted by the property owner or through a hired contractor under the Private Contractor Program.

### APPLICATION SUBMITTAL

Submit this completed Application form and the accompanying Workplan by mail or in person to the Department of Environmental Health – Debris Removal located at 1555 Berger Drive #300, San Jose, CA 95112 or by email to [DEHWildfire@cep.sccgov.org](mailto:DEHWildfire@cep.sccgov.org). **The deadline to submit this Application is December 15, 2020.**

**PROPERTY INFORMATION**

Property Address: \_\_\_\_\_

Assessor's Parcel Number (APN): \_\_\_\_\_

Property Owner Name(s): \_\_\_\_\_

Phone(s): \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing City / State / Zip: \_\_\_\_\_

Provide a description of the fire debris being removed from the above-described real property ("Property"). Include the number and square footage of structures, and their primary contents, as well as any Hazard Trees. Identify the different types of waste, or waste streams, the debris removal is expected to generate (e.g. asbestos waste, ash/debris/soil, metals, concrete/masonry).

**CONTRACTOR INFORMATION**

**Who will perform the debris removal:**  **Owner**  **Licensed Contractor**

Provide the following information for contractors hired by the owner to perform debris removal work on the Property. Property owners are not required to list sub-contractors, but principal contractors hired directly by the owner must be disclosed:

Name of Contractor: \_\_\_\_\_

Contractor's Email: \_\_\_\_\_ Contractor's Phone: \_\_\_\_\_

License Number: \_\_\_\_\_ Proposed Start Date: \_\_\_\_\_

Name of Contractor: \_\_\_\_\_

Contractor's Email: \_\_\_\_\_ Contractor's Phone: \_\_\_\_\_

License Number: \_\_\_\_\_ Proposed Start Date: \_\_\_\_\_

## REQUIREMENTS

Contractors must comply with the California Contractors State License Board (CSLB) requirements to perform cleanup work under the Private Contractor Program. Any employee performing debris removal shall have (at a minimum) OSHA 40-hr HAZWOPER Training in accordance with 29 C.F.R. §1910.120. All contractors must also review and comply with State and County Health Officer Orders and directives governing construction work during the COVID-19 pandemic, including the County Health Officer's [Mandatory Directive for Construction Projects](#) and the State's [COVID-19 Industry Guidance: Construction](#). They must also submit a Social Distancing Protocol to the County Public Health Department at [www.COVID19prepared.org](http://www.COVID19prepared.org) prior to performing work in the County.

Property owners are required to obtain approval from DEH for the debris removal Workplan prior to starting debris cleanup.

## PROPERTY OWNER ACCEPTANCE OF REQUIREMENTS AND INDEMNIFICATION:

Owner(s) of the Property agree to each of the following:

I understand that ash and debris contain hazardous substances and exposure to hazardous substances may lead to acute and chronic health effects, and may cause long-term public health and environmental impacts, and that proper removal, handling, transport, and disposal of the debris is necessary to limit these impacts. I further understand that removal, handling, transport, and disposal of certain forms of waste must be done by individuals with appropriate licenses or certifications and will ensure that any licensing or certification requirements are met. I understand that appropriate personal protective equipment (PPE) must be worn by all individuals working or present at the debris removal site.

I have read and will fully comply with the conditions, standards, protocols, and requirements set forth in this Application and in the debris removal Workplan approved by DEH for the real property located at the above address ("Property"), and any additional conditions, standards, protocols and requirements promulgated by DEH for the Private Contractor Program and published at [www.EHInfo.org/DebrisRemoval](http://www.EHInfo.org/DebrisRemoval). I further agree to ensure that the following requirements will be met for removal of ash and debris from the Property:

- Ash and debris shall be wet down before removal and that dust shall be controlled.
- Ash and debris shall be completely encapsulated with a tarp ("burrito wrap" method) prior to transportation for proper disposal.
- Soil samples shall be collected, and results of soil samples submitted with the Debris Removal Cleanup Certification for the Property to certify that debris removal from the Property has been completed to applicable standards. I shall notify the principal contractor of these requirements by providing them with a copy of these clean up requirements.

I understand that human remains may be encountered during the cleanup and that due to the extreme heat of the fire, any human remains are likely to consist of bones or bone fragments. I agree that if possible human remains are encountered (including any type of bones) during debris removal efforts, all personnel will be careful not to disturb the possible remains, exit the property, immediately report the possible remains to the County of Santa Clara Office of the Sheriff at 408-808-4500, and will wait for a search team to arrive and determine whether they are in fact human remains before resuming debris cleanup.

I understand that Hazard Trees must be removed from the Property. I understand that a Hazard Tree means a tree that has been so damaged by the SCU Lightning Complex Fires that its structural integrity is compromised and it: (1) poses an immediate threat of falling onto work crews or obstructing their access to the debris clearance site, or (2) presents a threat to public health or safety due to risk of falling onto a public right of way or public infrastructure.

I agree that the decision as to whether the Private Contractor Program requirements have been met is in the sole discretion of DEH and that such decision is final. I agree that the debris removal project shall not deviate from the Workplan approved by DEH for the Property without written approval from DEH. I agree that whenever necessary to make an inspection to ensure compliance with the approved Workplan, any authorized official of the County may, upon presentation of proper credentials, enter the Property at all reasonable times to inspect any provision of the approved Workplan.

I certify that I am the owner or authorized agent of the Property. I hereby certify that I have full power and authority to execute this Application without the need for any further action, including but not limited to notice or approval from any other party.

I acknowledge that the decisions made by the County are discretionary functions and the County is not liable for any claim based on the exercise or failure to exercise a discretionary function and promise not to make such a claim. I further release and agree to hold and save harmless the County from all liability for any damage or loss whatsoever that may occur during or after performance of the Private Contractor Program activities. I therefore waive any claim or legal action against the County.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DEPARTMENT OF ENVIRONMENTAL HEALTH APPROVAL**

DEH has reviewed this Application and the Workplan for debris removal for the above-referenced Property. This Application and the Workplan are complete and are therefore approved. This approval constitutes a permit to conduct the work on the Property described in the Workplan.

DEH Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_