U.S. Department of Transportation
Federal Highway Administration

Memorandum

Subject: **ACTION**: Use of Debris from Demolished Bridges and Overpasses

Date: March 7, 2006

/s/ Original Signed by
From: M. Myint Lwin, P.E., S.E.
Director, Office of Bridge Technology

Reply to
Attn. of: HIBT-10

To: Directors of Field Services
Resource Center Director and Operations Managers
Division Administrators
Federal Lands Highway Division Engineers

Please notify the States that they have the responsibility to administer or implement Public Law 109-59, August 10, 2005, Section 1805, "Use of Debris From Demolished Bridges and Overpasses." The legislation directs a State to first make the debris from the demolition of such structure available for beneficial use by a Federal, State, or local government, unless such use obstructs navigation. This section covers the beneficial use of debris from a demolished structure that is eligible for Federal assistance under the Highway Bridge Replacement and Rehabilitation Program under Section 144, Title 23, United States Code. The "beneficial use" is defined as the use of the debris for purposes of shore erosion control or stabilization, ecosystem restoration, and marine habitat creation.

Recognizing the differences in each State's highway bridge program, the States may develop their own procedures for notifying recipients of the availability of bridge demolition debris. We suggest the States reach out to the local, State and Federal agencies each year and solicit interest in using the bridge debris. The recipient of the debris shall bear the additional cost of processing, delivery, placement and use of the materials, and shall assume all legal responsibility for the placement of the debris. Preconstruction agreement should be established between the States and recipients of the debris, outlining responsibility, cost and compliance with environmental laws and regulations. The agreement should include such language holding the owner of the demolished structures harmless in any liability action. The State should include appropriate contract provisions to clearly identify the responsibilities of the contractor, the State and the recipient.

If there are any questions or request for more information, please call Benjamin Tang at 202-366-4592.

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