



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

March 16, 2009

CIRCULAR LETTER 2009-06

BENEFICIAL USE OF BRIDGE DEMOLITION DEBRIS

COUNTY ENGINEERS/SUPERINTENDENTS OF HIGHWAYS
MUNICIPAL ENGINEERS/DIRECTORS OF PUBLIC WORKS/MAYORS
CONSULTING ENGINEERS

Federal Public Law 109-59, Section 1805 requires the Illinois Department of Transportation to first make the debris from the demolition of bridges available for beneficial use by a federal, state, or local government, unless such use obstructs navigation. Beneficial use is defined as shore erosion control or stabilization, ecosystem restoration or marine habitat creation. For this purpose, demolition material is considered debris if the department does not otherwise identify use of the material in the project documents.

A recipient of the debris shall (1) bear the additional cost associated with having the debris made available; (2) ensure that placement of the debris complies with applicable law; and (3) assume all future legal responsibility arising from the placement of the debris. Any agency interested in receiving debris should review the latest Proposed Highway Improvement Program available on the department's web site at www.dot.il.gov/opp/planning.html to determine planned bridge demolition projects.

In order to incorporate the disposition of debris into the contract documents and to enter into an intergovernmental agreement, the recipient agency should contact the appropriate District Bureau of Local Roads and Streets at least 16 weeks prior to the letting. Requests made less than 16 weeks prior to the letting may be accommodated after the letting. The recipient agency will be responsible for any additional cost.

If you have any questions regarding this Circular Letter, please contact the Local Policy and Technology Unit at (217) 785-5048 or DOT.LocalPolicy@illinois.gov.

Sincerely,

A handwritten signature in cursive script that reads "Darrell Lewis".

Darrell W. Lewis, P. E.
Acting Engineer of Local Roads and Streets

Attachment

(3) conduct research on the history of historic covered bridges; and

(4) conduct research on, and study techniques for, protecting historic covered bridges from rot, fire, natural disasters, or weight-related damage.

(c) GRANTS.—

(1) IN GENERAL.—The Secretary shall make a grant to a State that submits an application to the Secretary that demonstrates a need for assistance in carrying out one or more historic covered bridge projects described in paragraph (2).

(2) ELIGIBLE PROJECTS.—A grant under paragraph (1) may be made for a project—

(A) to rehabilitate or repair a historic covered bridge;

or

(B) to preserve a historic covered bridge, including through—

(i) installation of a fire protection system, including a fireproofing or fire detection system and sprinklers;

(ii) installation of a system to prevent vandalism and arson; or

(iii) relocation of a bridge to a preservation site.

(3) AUTHENTICITY REQUIREMENTS.—A grant under paragraph (1) may be made for a project only if—

(A) to the maximum extent practicable, the project—

(i) is carried out in the most historically appropriate manner; and

(ii) preserves the existing structure of the historic covered bridge; and

(B) the project provides for the replacement of wooden components with wooden components, unless the use of wood is impracticable for safety reasons.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund (other than the Mass Transit Account), \$10,000,000 for each of fiscal years 2006 through 2009.

(e) APPLICABILITY OF TITLE 23.—Funds made available to carry out this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project or activity carried out under this section shall be determined in accordance with section 120 of such title, and such funds shall remain available until expended and shall not be transferable.

SEC. 1805. USE OF DEBRIS FROM DEMOLISHED BRIDGES AND OVER-PASSES.

23 USC 144 note.

(a) IN GENERAL.—Any State that demolishes a bridge or an overpass that is eligible for Federal assistance under the highway bridge replacement and rehabilitation program under section 144 of title 23, United States Code, is directed to first make the debris from the demolition of such bridge or overpass available for beneficial use by a Federal, State, or local government, unless such use obstructs navigation.

(b) RECIPIENT RESPONSIBILITIES.—A recipient of the debris described in subsection (a) shall—

(1) bear the additional cost associated with having the debris made available;

(2) ensure that placement of the debris complies with applicable law; and

(3) assume all future legal responsibility arising from the placement of the debris, which may include entering into an agreement to hold the owner of the demolished bridge or overpass harmless in any liability action.

(c) DEFINITION.—In this section, the term “beneficial use” means the application of the debris for purposes of shore erosion control or stabilization, ecosystem restoration, and marine habitat creation.

SEC. 1806. ADDITIONAL AUTHORIZATION OF CONTRACT AUTHORITY FOR STATES WITH INDIAN RESERVATIONS.

Section 1214(d)(5)(A) of the Transportation Equity Act for the 21st Century (23 U.S.C. 202 note; 112 Stat. 206) is amended by striking “\$1,500,000 for each of fiscal years 1998 through 2003” and inserting “\$1,800,000 for each of fiscal years 2005 through 2009”.

SEC. 1807. NONMOTORIZED TRANSPORTATION PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish and carry out a nonmotorized transportation pilot program to construct, in the following 4 communities selected by the Secretary, a network of nonmotorized transportation infrastructure facilities, including sidewalks, bicycle lanes, and pedestrian and bicycle trails, that connect directly with transit stations, schools, residences, businesses, recreation areas, and other community activity centers:

- (1) Columbia, Missouri.
- (2) Marin County, California.
- (3) Minneapolis-St. Paul, Minnesota.
- (4) Sheboygan County, Wisconsin.

(b) PURPOSE.—The purpose of the program shall be to demonstrate the extent to which bicycling and walking can carry a significant part of the transportation load, and represent a major portion of the transportation solution, within selected communities.

(c) GRANTS.—In carrying out the program, the Secretary may make a grant of \$6,250,000 per fiscal year for each of the communities set forth in subsection (a) to State, local, and regional agencies that the Secretary determines are suitably equipped and organized to carry out the objectives and requirements of this section. An agency that receives a grant under this section may suballocate grant funds to a nonprofit organization to carry out the program under this section.

(d) STATISTICAL INFORMATION.—In carrying out the program, the Secretary shall develop statistical information on changes in motor vehicle, nonmotorized transportation, and public transportation usage in communities participating in the program and assess how such changes decrease congestion and energy usage, increase the frequency of bicycling and walking, and promote better health and a cleaner environment.

(e) REPORTS.—The Secretary shall submit to Congress an interim report not later than September 30, 2007, and a final report not later than September 30, 2010, on the results of the program.

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund (other than the Mass Transit Account), \$25,000,000 for each of fiscal years 2006 through 2009.

Missouri.
California.
Minnesota.
Wisconsin.
23 USC 217 note.