

Smyth, Virginia

From: Barry, Paul [Paul.Barry@fema.gov]
Sent: Monday, July 01, 2002 1:09 PM
To: 'virginia@nysnet.net'; 'virginias@dep.nyc.gov'
Cc: Chacon, Emily
Subject: FW: Unoccupied Buildings

Virginia,
 Our OGC noted the \$5m for unoccupied buildings on the matrix, and requested answers to the questions noted below. Our initial take on this is that, if its eligible, it'll go as a separate PW.

Thanks
 Paul

-----Original Message-----

From: Hagerty, Steve
Sent: Monday, July 01, 2002 12:45
To: Barry, Paul; Chacon, Emily
Cc: Sevier, Adrian; Connolly, Gerald; Teeri, Bob; Gair, Brad
Subject: FW: Unoccupied Buildings

Paul, Emily,

Please obtain information from DEP that will allow us to address Adrian's questions.

Thanks,
 Steve

-----Original Message-----

From: Sevier, Adrian
Sent: Monday, July 01, 2002 12:34
To: Hagerty, Steve
Cc: Barry, Paul; Chacon, Emily
Subject: RE: Unoccupied Buildings

*Bob
 what do we do
 next?*

* Thanks Steve. I saw \$5,000,000 for this in the interior cleaning matrix. I do have significant concerns about this and they are as follows: 1) What efforts has the City made to compel owners to clean the buildings?; 2) Does the City have legal means to compel owners to clean the buildings and has the City exhausted all legal remedies?; 3) Will liens be placed on the buildings?; 4) How will insurance be addressed?; and 5) Assuming there is absolutely no other option but for the government to step in and clean, will the City be able to produce very specific, documented reasons why these buildings, present a public health and safety threat? As I have indicated before, the standards for determining any risk should be different for unoccupied buildings. If people are not occupying and using the buildings on a day to day basis, then the City will presumably have to rely on a reentrainment argument. For any building interiors that are presently sealed up, one would think the City could address any danger of reentrainment by forcibly sealing the building and instituting legal proceedings to force the owner to clean -- if there is a health and safety threat.

Adrian Sevier
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 500 "C" St., SW

Washington, DC 20472
(202) 646-3696

FEMA Federal Recovery Office
80 Centre St., 3rd Floor
New York, NY 10013
(212) 693-7490

-----Original Message-----

From: Hagerty, Steve
Sent: Monday, July 01, 2002 12:20
To: Sevier, Adrian
Cc: Barry, Paul; Chacon, Emily
Subject: FW: Unoccupied Buildings

Adrian,

FYI. I have asked Paul/Emily to coordinate with you since I know you have an interest in this. It will not be part of the interior cleaning PW. This will be a separate PW if it is found by FEMA management to be eligible.

Steve

-----Original Message-----

From: Chacon, Emily
Sent: Monday, July 01, 2002 09:01
To: Hagerty, Steve
Cc: Barry, Paul
Subject: FW: Unoccupied Buildings

Steve,

Here is a message that Virginia Smyth from the DEP sent to me regarding the cleaning of unoccupied buildings. I have called her and asked that she fax the scope and whatever costs they have. Unfortunately, there is no cost breakdown yet. They just have a rough estimate of \$1m per building for a total of \$5m.

Please let me know how to proceed.

Thanks,

Emily

-----Original Message-----

From: Smyth, Virginia [mailto:virginias@dep.nyc.gov]
Sent: Friday, June 28, 2002 12:17
To: 'Emily.Chacon@fema.gov'
Subject: Unoccupied Buildings

I checked with Mike, and they need to move forward with the cleaning of the unoccupied buildings. Whether it is included in this worksheet or a separate one, we need to request funding now. I have a very rough draft of a scope which I can fax to you. Please give me a call so we can discuss what information you will need. Thanks.