



**Department of
Environmental
Protection**

59-17 Junction Boulevard
Flushing, New York
11373-5108

May 31, 2002

**Christopher O. Ward
Commissioner**

Edward F. Jacoby Jr.
Governor's Authorized Representative
Director, State Emergency Management Office
1220 Washington Avenue
Albany, NY 12226

Dear Director Jacoby:

The United States Environmental Protection Agency, in cooperation with the City of New York (the "City"), acting in the public interest, will undertake a cleanup of the exterior surfaces of buildings and structures in close proximity to the site of the former World Trade Center. The cleaning work will consist of the removal of debris from facades, rooftops, setbacks, and other exterior surfaces of these structures.

To facilitate this project, the City's Department of Environmental Protection (DEP) will offer to each affected landowner a License Agreement that grants DEP and its contractors access to each premises and permission to perform the cleaning work. The License Agreement includes other provisions, including term, reimbursement and termination clauses along with a scope of work. A copy of the License Agreement is attached.

By this letter, the City agrees to indemnify and hold harmless the State of New York for any claims arising from the removal of debris or wreckage from exterior surfaces of buildings or structures performed pursuant to the above-referenced License Agreement as a result of the terrorist attacks at the World Trade Center that were the subject of a major disaster declaration by the President of the United States in FEMA-1391-DR, except for those claims attributable to the negligence or willful misconduct of the State of New York, its employees

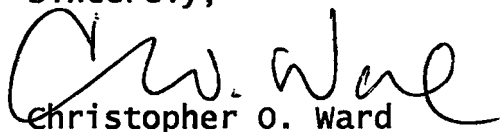


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(718) DEP-HELP

or agents. This agreement is necessary to authorize eligible assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Ward", written over the printed name "christopher o. Ward".

christopher o. Ward