



**Department of
Environmental
Protection**

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

**Christopher O. Ward
Commissioner**

September 9, 2002

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 (EPA), in cooperation with the City of New York (the "City") and its Department of Environmental Protection (DEP), acting in the public interest, will undertake a cleanup of apartments, common areas and heating, ventilation, and air conditioning (HVAC) systems at 125 Cedar Street, Manhattan, near the site of the former World Trade Center. The cleaning work will consist of the removal of dust and debris from floors, walls, furnishings, and other items and surfaces within the building, as well as air monitoring, as described in the attached Scopes of Work.

To facilitate this project, DEP has offered to the building owner and each tenant a "Cleaning Request Form" that grants DEP and its contractors access to the premises and permission to perform the cleaning work. The Request Form includes other provisions, including a reimbursement clause. Copies of the Request Forms are 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 dust or debris from apartments, common areas, HVAC systems, or other interior spaces of 125 Cedar Street performed pursuant to the above-referenced Request Forms 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 or agents. This agreement is necessary to authorize assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Sincerely,

A handwritten signature in black ink that reads "C. Ward".

Christopher O. Ward



(718) DEP-HELP



**Department of
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Flushing, New York
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**Christopher O. Ward
Commissioner**

May 31, 2002

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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**Department of
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Protection**

59-12 Jinchuan Boulevard
Hawthorne, New York 10732
Tel: 212-260-1000

**Christopher O. Ward
Commissioner**

May 3, 2002

Brad Gair
Federal Emergency Management Agency
26 Federal Plaza
New York, NY 10278

Dear Mr. Gair:

The collapse of the World Trade Center (WTC) towers on September 11, 2001 resulted in the depositing of dust and debris on and/or in many buildings in lower Manhattan. Recent inspections of buildings near the WTC site have revealed that, while many buildings are now free of debris, other buildings still have visible deposits of material from the WTC collapse.

The City of New York believes that it is in the public interest to remove this material from buildings in the vicinity of the WTC site. Samples collected during the inspections indicate that asbestos may be present in some of the debris. The removal of this material will assure that it will not become re-entrained in the air in the future, thereby protecting against any adverse effects on air quality or public health and safety. This will also reinforce the confidence of area residents and workers and therefore expedite and enhance the economic revitalization of lower Manhattan.

The City of New York therefore requests that FEMA provide the necessary funding for the hiring of contractors to perform the cleaning and/or testing of interior and exterior spaces, as appropriate.

Very truly yours,

A handwritten signature of Christopher O. Ward in black ink, written in a cursive style.

Christopher O. Ward

DEP



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May 31, 2002

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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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