



The City of New York
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 Represent
 Director, State Emergency Manag
 1220 Washington Avenue
 Albany, NY 12226

⑤ WORLD TRADE
 CENTER -
 SEMO
 INDEMNIFICATION

Dear Director Jacoby:

The United States Environmental
 (EPA), in cooperation with the
 "City") and its Department of Environmental
 (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,

Christopher O. Ward



www.nyc.gov/dep

(718) DEP-HELP



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Environmental
Protection**

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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