

Avaltroni, Robert

From: Avaltroni, Robert
Sent: Thursday, August 01, 2002 10:01 AM
To: Ward, Chris
Cc: Grob, Shauna; Hoffer, Mark
Subject: EPA Scope of Work

As per my conversation with Kathy Callahan last night, I have referred the Scope of Work to Mark Hoffer to make the necessary changes in line with EPA being the lead agency in the interior clean up program. My conversation with Kathy last evening was very animated and I made it clear that the document as written would not suffice and could prohibit the City's participation in this program. Kathy indicated that the changes were made by the EPA attorneys in Washington, D.C.

In my conversation with Mark Hoffer, I told him to reinforce to the EPA lead attorney that the prior agreement i.e., the Hot Line, had no such language, but was clear that DEP's role would be merely in a procurement capacity. You should note that Kathy C. said that EPA could have done an internal agreement with FEMA but opted to go through the City as per your request with FEMA. I told Kathy that was sheer nonsense and later confirmed this with Brad Gair. Brad said the rationale for going through the City was necessary because the period for a "mission assignment" used in the catastrophe had past. Brad gave his complete support to us and will back us at every turn in dealing with these issues.

Finally, I also asked Mark Hoffer to close the loop on the indemnification and right of entry issues as we discussed. Obviously it is important that we get these matters corrected prior to our 4:00 p.m. meeting with Jane Kenny.

Please advise.

Bob

Avaltroni, Robert

From: Avaltroni, Robert
Sent: Thursday, August 01, 2002 11:11 AM
To: Pecunies, Russ
Cc: Hoffer, Mark
Subject: Scope of Work

Russ,
Bob said you advised him of the changes to the EPA/Scope of Work. He asked if you would e-mail or fax this document down to me so that I can fax it to the Commissioner at the Muni Building. Bob's fax number is 4544.

Thanks,
Jane Maldonado

Avaltroni, Robert

From: Avaltroni, Robert
Sent: Friday, August 02, 2002 12:10 PM
To: Hoffer, Mark
Cc: Ward, Chris; Grob, Shauna
Subject: EPA letters

Mark,

Great job in securing the indemnification letter. As you know, we committed to a minor asbestos project letter that Russ has been speaking with EPA about. I told Chris we would have it for his review today. In fact, I just spoke with Russ and told him we will need two letters. One addressing the concerns EPA had with the AG concerning the definition of the scope of work and secondly, a letter supporting the initiative. If you guys feel one letter will suffice, I acquiesce to your judgment. Russ indicated he would have the letter for the Commissioner this afternoon.

I have pushed the folks at EPA (again this AM) to get us the fact sheet and right of entry agreement by Monday, 8/5. (I need to close this out with FEMA.) With respect to your comments comparing how you would handle the draft fact sheet compared to the way they have handled things – they are not in your league. Mark, we both know how difficult this process has been and you and your staff have been sensational. It's a privilege to work with you.

Bob

Avaltroni, Robert

From: Avaltroni, Robert
Sent: Friday, August 02, 2002 3:55 PM
To: Ward, Chris
Cc: Grob, Shauna; Hoffer, Mark
Subject: EPA/FEMA

Chris,

I received a call from Kathy Callahan asking me to release the FEMA funds related to Interagency Agreements. As per my conversation with Brad Gair Wednesday evening, funds would be withheld until we had an acceptable agreement.

I just spoke to Brad who will now release the funds so EPA may proceed. He again reinforced FEMA's position that no funds would be released without my approval.

We had a brief discussion about DOH's submittal, which has been on hold. Based on my description of the program and its necessity from the City's perspective, he guaranteed that the \$400,000 would be approved.

We agreed to continue to work in partnership.

P.S. – Mark,

Brad asked if we had the indemnification letter issue resolved. I told him we had and he would be receiving it early next week. Please get it to Chris or myself so we may satisfy that aspect. Point of entry resolution to follow. We are getting there.