

Avaltroni, Robert

From: Resnick, Risa
Sent: Wednesday, March 20, 2002 8:51 AM
To: Erdfarb, Stuart; Avaltroni, Robert
Cc: Schiano, Frank
Subject: xx Declaration of Emergency for Exterior Remediation

Hi everyone. Here is my first draft of the Decl. Please review and advise.
Thanks.



WTCDEBRI.WPD

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THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
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DECLARATION OF EMERGENCY

WHEREAS, on September 11, 2001, an unforeseen terrorist attack resulted in the tragic destruction of the World Trade Center; and

WHEREAS, as a result of said catastrophe, buildings in surrounding areas were damaged, if not destroyed; and

WHEREAS, in the aftermath, to minimize further destruction and implications of the attack, various remediation activities were immediately instituted; and

WHEREAS, as a follow-up to such activities performed in October and November of 2001, the New York City Department of Environmental Protection (NYCDEP), in conjunction with the United States Environmental Protection Agency (USEPA) and the New York State Department of Labor (NYSDOL), performed site visits at buildings in the surrounding vicinity; and

WHEREAS, although many buildings are now free of debris, the assessments found some buildings containing debris with various dispersal patterns, including isolated debris areas at the perimeters of roofs, at the base of parapet walls and in gutters; and

WHEREAS, debris was also visible on horizontal surfaces on building facades; and

WHEREAS, the above-referenced debris, characteristic of the debris from the impact of September 11, 2001, seems to have reformed into a dense caked mass; and

WHEREAS, samples collected from the buildings visited indicated that asbestos-containing material may be present; and

WHEREAS, NYCDEP, in conjunction with USEPA, has determined that an expedited clean-up of approximately two hundred fifty (250) debris-containing buildings is necessary to protect the health and safety of the public and to ensure that the air quality of the affected area is as pure as possible; and

WHEREAS, such clean-up will require the services of asbestos-remediation firms and an air monitoring consultant; and

WHEREAS, the area earmarked for such clean-up shall be divided into three (3) sectors, each requiring a remediation contract; and

WHEREAS, one air monitoring Contract is anticipated to cover all three sectors; and

WHEREAS, funding for such clean-up shall be provided by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the immediate action required cannot be met through normal procurement methods; and

WHEREAS, the aforementioned circumstances affect the health and safety of the inhabitants of the City of New York.

NOW, THEREFORE, for the aforementioned reasons, pursuant to the authority conferred by Section 315 of the New York City Charter and Section 3-06 of the Procurement Policy Board Rules, I hereby determine that an emergency exists; and

I FURTHER DETERMINE that emergency contract(s) must be let in the most expeditious manner possible to ensure that necessary asbestos remediation in the affected area can occur, to monitor and ensure the air quality of the City of New York.

Dated: March 20, 2002

JOEL A. MIELE SR., P.E.
Commissioner