

Gilsenan, Michael

From: Prero, Judah
Sent: Wednesday, January 30, 2002 4:29 PM
To: Gilsenan, Michael; Gilsenan, Michael
Subject: FW: Cars at Fresh Kills

-----Original Message-----

From: Prero, Judah
 Sent: Wednesday, January 30, 2002 3:50 PM
 To: Hoffer, Mark
 Cc: Gilsenan, Michael
 Subject: FW: Cars at Fresh Kills

FYI

-----Original Message-----

From: Taussig, Gabriel [mailto:gtaussig@law.nyc.gov]
 Sent: Wednesday, January 30, 2002 3:46 PM
 To: 'Prero, Judah'
 Cc: Wilfredo Lopez (E-mail); Martha Robinson (E-mail)
 Subject: RE: Cars at Fresh Kills

It was my understanding based upon statements made in the conference call I had with Mark Hoffer and your technical people that DEP's only comment involved the requirement that tarps be placed on vehicles being removed. DOH agreed and incorporated that into its protocol. DOH sent the final version of the protocol to Sanitation today so that it can be implemented. We need to have the entire protocol in place for our court appearance on Monday. The question of cleaning the vehicles while still at Fresh Kills was considered at several multi-agency meetings chaired by OEM. It was determined that it was neither feasible nor necessary. There are no facilities for doing this at Fresh Kills and DOH concluded that it was not necessary. As for the insurance industry, a representative of an umbrella group for the insurance industry attended one of the inter-agency meetings and the indication was that the insurance companies would cooperate. To the extent that there might be a problem, it would involve privately owned vehicles which did not have collision insurance. In those instances we will have to deal with the vehicles owners directly.

-----Original Message-----

From: Prero, Judah [mailto:judahp@dep.nyc.gov]
 Sent: Tuesday, January 29, 2002 10:25 AM
 To: 'gtaussig@law.nyc.gov'
 Subject: Cars at Fresh Kills

Mark Hoffer forwarded me the following:

"The Commissioner strongly suggests that some decon. be done on the interior of these vehicles while they are still at Fresh Kills (he suggested washing the interior) and he also thinks that we should invite representatives of the insurance industry to meet with us and hopefully agree with the protocol we are instituting."

My guess is that you believe that part 2 of the suggestion is neither feasible nor practicable (nor perhaps necessary) considering the time constraints of your litigation. However, we here have to report back to the Commissioner on this, so please let me know if there is any possibility of DEP meeting with the requisite parties as the Commissioner suggested, or if

it is not possible/practicable/needed.

Thanks.

Judah Prero, Esq.
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