

*File - DMAT - 1000 1000 1000 1000***THE PORT AUTHORITY OF NY & NJ****MEMORANDUM**

TO: Robert E. Catlin, Director, World Trade Department
FROM: Nelson J. Chanfrau
DATE: August 20, 1997
SUBJECT: FIRE DEPARTMENT RESPONSE POLICY - WORLD
TRADE CENTER COMPLEX
REF: Letter, Chanfrau to Chief Cunningham, 7/25/97, same subject
Letter, Chief Cunningham to Chanfrau, 8/5/97, same subject
COPY: B. Bohlen, G. Cummiskey, D. Feeley, C. McClafferty, A. Reiss

At the request of Alan Reiss, Risk Management has been successful in negotiating a modified FDNY response to the World Trade Center Complex. As detailed in the attached FDNY Bureau of Fire Prevention correspondence, FDNY units will not be summoned for a single smoke detector activation at the WTC. This new policy will minimize unnecessary FDNY responses to the WTC by 61%, which equates to 400 false alarm responses annually.

This revised FDNY response stipulates the following FDNY/Risk Management conditions:

- * The current policy of immediate FDNY response to pull box stations, water flow alarms, multiple smoke detector activation and the activation of a single smoke detector in non-sprinklered areas will continue.
- * The receipt of a telephone call indicating smoke or fire in any area will continue to cause immediate FDNY response.
- * The WTC Fire Brigade will immediately respond to the activation of a single smoke detector in a WTC sprinklered area. FDNY will not be summoned on a single smoke detector activation.
- * The activation of a single smoke detector in an elevator lobby, which is cross zoned or equipped with alarm verification detectors, will be immediately responded to by the WTC Fire Brigade. Again, FDNY will not be summoned.

If you require additional information regarding this revised FDNY/WTC response, please call me at 11-2727.


Nelson J. Chanfrau
Assistant Director
Risk Management

Att.

THE PORT AUTHORITY OF NY & NJ



July 25, 1997

Edmund P. Cunningham, Chief of Fire Prevention
Bureau of Fire Prevention
Fire Department - City of New York
250 Livingston Street
Brooklyn, NY 11201

Dear Ed:

In order to minimize unnecessary FDNY response to the World Trade Center Complex (WTC) for unwarranted alarms, we propose a change to the WTC's Standard Operating Procedures, regarding FDNY, for single smoke detector alarm activation.

During the first six months of 1997, the WTC transmitted 327 alarms of fire to FDNY. According to our records, the vast majority of these alarms were unwarranted, in fact, 319 out of 327 alarms were classified as false alarms. Of the 327 total alarms of fire, 61% were directly attributed to single head smoke detector activation. Since the NYC Building Code/Rules of The City of New York do not require smoke detectors in class E sprinklered areas and references the cross zoning of elevator recall smoke detectors, we propose the following:

- o The WTC Fire Brigade will immediately respond to the activation of a single smoke detector in a WTC sprinklered area. FDNY will not be summoned on a single smoke detector activation.
- o The activation of a single smoke detector in an elevator lobby, which is cross zoned or equipped with alarm verification detectors, will be immediately responded to by the WTC Fire Brigade. Again, FDNY will not be summoned.
- o The current policy of immediate FDNY response to pull box stations, water flow alarms, multiple smoke detector activation and the activation of a single smoke detector in non-sprinklered areas will continue.
- o The receipt of a telephone call indicating smoke or fire in any area will continue to cause immediate FDNY response.

THE PORT AUTHORITY OF NY & NJ



PORT AUTHORITY TECHNICAL CENTER
241 ERIE STREET
JERSEY CITY, NJ 07310-1397

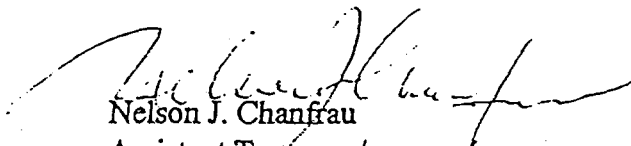
Chief Edmund Cunningham

-2-

July 25, 1997

Your review and concurrence of this revised WTC Standard Operating Procedure is appreciated. If you require additional information on this issue, please call me on (201)216-2727.

Sincerely,



Nelson J. Chanfrau
Assistant Treasurer/
General Manager, Risk Management

cc: Chief David Corcoran

bcc: B. Bohlen, R. Catlin, A. Reiss



FIRE DEPARTMENT

250 LIVINGSTON STREET BROOKLYN, N.Y. 11201-5884

THOMAS VON ESSEN
Fire Commissioner

August 5, 1997

Mr. Nelson J. Chanfrau
General Manager, Risk Management
Port Authority Technical Center
241 Erie Street
Jersey City, NJ 07310-1397

Re: Fire Department Response Policy
The Port Authority of NY & NJ
World Trade Center Complex
F.P. Index Number 9707087

Dear Mr. Chanfrau:

The Bureau of Fire Prevention is in receipt of your letter dated July 25, 1997 requesting approval to a proposed change to the World Trade Center's standard operating procedures regarding Fire Department response to single station smoke detector activation at the above referenced location.

The Technology Management Unit and Division 1 have examined the submitted plans and based upon their evaluation the Fire Department does not object to the new response procedures.

When responding to, and referencing the subject matter of this letter, kindly use the F.P. Index Number above and address all correspondence to the attention of Captain Ronald Werner, Technology Management Unit, Room 551.

Very truly yours,

A handwritten signature in cursive script, reading "Edmund P. Cunningham".

Edmund P. Cunningham
Chief of Fire Prevention

c: Division 1
Battalion 1
Ladder 19
Engine 10

**MEMORANDUM OF UNDERSTANDING BETWEEN THE FIRE DEPARTMENT
OF THE CITY OF NEW YORK AND THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
EXECUTED AS OF DECEMBER 30, 1993**

On April 15, 1993, the Port Authority, in order to maintain and enhance the safety of Port Authority facilities, adopted a policy providing for the implementation of fire safety recommendations made by local government fire departments after a fire safety inspection of a Port Authority facility and for the prior review by local fire safety agencies of fire safety systems to be introduced or added to a facility.

The purpose of this Memorandum of Understanding is to reiterate the Port Authority's commitment to this policy and to set forth certain procedures to facilitate the implementation of this policy for buildings at Port Authority facilities located in New York City.

Specifically, the Fire Department of the City of New York ("FDNY") and the Port Authority hereby agree as follows:

1. FDNY, acting through its Bureau of Fire Prevention ("BFP"), shall have the right to conduct fire safety inspections at any Port Authority facility located in the City of New York. These inspections will generally be coordinated with the Port Authority's General Manager of Risk Management operations, but the BFP, at its option, may conduct inspections without prior notice to the Port Authority.
2. BFP will issue a letterhead report of its fire safety findings and recommendations for corrective action with respect to any deficiencies forming a part of such findings addressed to the Port Authority's General Manager of Risk Management operations. The Port Authority will promptly undertake the implementation of such findings (including undertaking corrective action with respect to any deficiencies) and shall notify BFP of the actions taken to implement such findings. BFP may at any time conduct follow-up inspections with respect to any matters recommended to the Port Authority for corrective action.
3. Prior to the introduction of a new fire safety system or the introduction of modifications to an existing fire safety system at any building located at a Port Authority facility in the City of New York, the Port Authority shall provide BFP with copies of the drawings and specifications or other appropriate description of such system or modification for review and approval. The Port Authority policy is and will continue to be to assure that such new or modified fire safety systems are in compliance with local codes and regulations. When circumstances or conditions are unusual, the Port Authority shall have the right to petition the Bureau of Fire Prevention for a variance in specific cases.

4. The Port Authority and BFP will seek to expeditiously resolve any issues arising out of matters covered by this Memorandum of Understanding.
5. Nothing in this Memorandum of Understanding is intended to limit or modify in any way any arrangements which the Port Authority currently has with local fire companies in New York City regarding either facility inspections or joint training exercises or any other matters.
6. The Port Authority shall continue to be exempt from all inspection and permit fees for FDNY inspections at its facilities.
7. No Commissioner, officer, agent or employee of the Port Authority or FDNY shall be held personally liable under any provision of this Memorandum or because of its execution or attempted execution or because of any breach or alleged breach thereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed by duly authorized officers thereof.

THE PORT AUTHORITY OF NEW YORK AND
NEW JERSEY

By: Stanley Breznoff
Stanley Breznoff
Executive Director

FIRE DEPARTMENT - CITY OF NEW YORK

By: William M. Feehan
William M. Feehan
Fire Commissioner
City of New York

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE FIRE
DEPARTMENT OF THE CITY OF NEW YORK AND THE PORT AUTHORITY OF
NEW YORK AND NEW JERSEY EXECUTED AS OF DECEMBER 30, 1993

On December 30, 1993, the Port Authority of New York and New Jersey (the "Port Authority") and the Fire Department of the City of New York ("FDNY") entered into a Memorandum of Understanding ("MOU") with respect to certain matters relating to the implementation of the policy adopted by the Port Authority on April 15, 1993 regarding the maintenance and enhancement of fire safety at Port Authority facilities.

Under paragraph 3 of the MOU, the FDNY, acting through its Bureau of Fire Prevention ("BFP") was to receive copies of the drawings and specifications of proposed new or modified fire safety systems for BFP's review and approval. FDNY has requested, and the Port Authority is agreeable, to the following changes to paragraph 3 of the MOU. Accordingly, effective January 1, 1995, FDNY and the Port Authority agree that paragraph 3 of the MOU shall be amended to read as follows:

3. The Port Authority shall notify the BFP in writing prior to the introduction of a new fire safety system or the introduction of modifications to an existing fire safety system at any building located at a Port Authority facility in the City of New York.

a. Port Authority Review: To assure conformance with the standards set forth in local codes and regulations at the time of the design and construction of any new or modified fire safety system, the Port Authority shall, in the case of each system, thoroughly review and examine all plans in connection with such system for conformance with the standards set forth in all applicable local codes and regulations. Plans prepared for new or modified systems to be undertaken by Port Authority tenants shall be prepared and sealed by a New York State licensed professional engineer or architect retained or employed by tenant; plans prepared for new or modified systems to be undertaken by the Port Authority shall be prepared by a New York State licensed professional engineer or architect employed or retained by the Port Authority. The Port Authority's examination of plans shall be conducted by New York State licensed architects and engineers retained or employed by the Port Authority. The Port Authority engineer or architect approving the plans for any new or modified system from the standpoint of Code conformance shall be a New York State licensed architect or engineer who shall not have assisted in the actual preparation of such plans.

b. New and/or Modified Fire Safety System File: The Port Authority shall maintain a file for each new or modified system which file shall at all times contain the most recently prepared drawings, plans and any other documents required in connection with the review of the systems from the standpoint of Code conformance. In the case of any new or modified system being effectuated by a tenant of the Port Authority, such file shall also include the Tenant Alteration Application prepared by the tenant. In the case of any new or modified system administered by a line department of the Port Authority, such file shall include any application prepared in connection with such new or modified system. The Line Departments of the Port Authority are currently its World Trade, Aviation, Interstate Transportation, Port and Regional Development Departments.

c. Fire Safety System Certification: For each Tenant System, the Port Authority shall require the Tenant to obtain the certification of a New York State licensed architect or engineer that such system was constructed in accordance with the approved plans and specifications. For any system effectuated by the Port Authority, Risk Management shall certify that the system was constructed in accordance with the approved plans and specifications. Certifications for each System shall be maintained in the New and/or Modified Fire Safety System File.

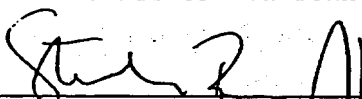
d. Copies of New and/or Modified Fire Safety System File: The BFP may at any time request the Port Authority to provide it with a copy of any Fire Safety System File and the Port Authority shall promptly provide a copy of the File as requested. The BFP reserves the right to audit any new or modified fire safety system to assure conformance with the standards set forth in local codes and regulations.

e. Variance: The Port Authority policy is and will continue to be to assure that such new or modified fire safety systems are in conformance with the local codes and regulations. When circumstances or conditions are unusual, the Port Authority shall have the right to petition the BFP for a variance in specific cases.

IN WITNESS WHEREOF, the Port Authority and FDNY have caused this First Amendment to the MOU to be signed by duly authorized officers thereof.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

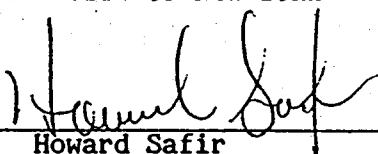
Dated: 2/2/95

By: 
Stanley Brezenoff
Executive Director

Approved for Term 1/95

FIRE DEPARTMENT - CITY OF NEW YORK

Dated: 1/27/95

By: 
Howard Safir
Fire Commissioner
City of New York

Approved for Term 1/95

1/11
File - Blue -
Fire Safety
copy cancelled
Nelson
P. Chanfrau
Paper

THE PORT AUTHORITY OF NY & NJ

MEMORANDUM

TO: All Directors and Facility Managers
FROM: Nelson J. Chanfrau
DATE: January 7, 1994
SUBJECT: MEMORANDUM OF UNDERSTANDING WITH THE FIRE DEPARTMENT, CITY OF NEW YORK

COPY: S. Brezenoff, J. Collura, J. Davison, L. Diaz, W. Frank,
W. Goldstein, J. Hauptert, A. Herman, R.J. Kelly, F. Lombardi,
P. Maynard, S. Samperi, A. Shorris, B. Weintrob

Attached, for your information, is a copy of the executed Memorandum of Understanding (M.O.U.) between the Fire Department, City of New York (FDNY) and the Port Authority.

This M.O.U. formalizes the Port Authority's commitment to comply with local codes and regulations as they pertain to fire protection systems and FDNY inspections. This commitment was communicated by the Chairman and Executive Director in their letter to all municipalities in which Port Authority facilities are located and through subsequent resolution by our Board of Commissioners. While negotiating this M.O.U. with the FDNY, we attempted to address all of the concerns expressed by the Department Directors and/or their senior staff at the meetings held to discuss this matter.

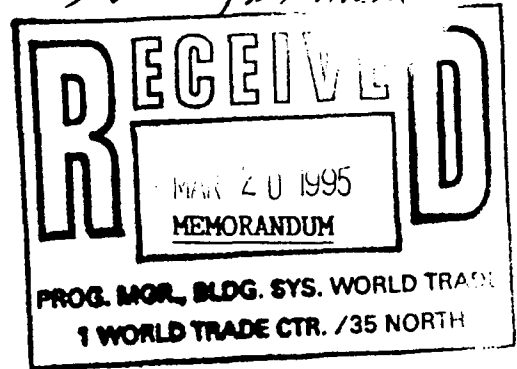
With the execution of this M.O.U. with the FDNY, we will now proceed to negotiate similar agreements with the fire departments of the City of Yonkers and those of several New Jersey municipalities. Your continued cooperation on this important issue is appreciated; I will continue to consult with the Department Directors as we proceed with future agreements.


Nelson J. Chanfrau
General Manager
Risk Management

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THE PORT AUTHORITY OF NY & NJ



TO: All Directors and Facility Managers
FROM: Nelson J. Chanfrau
DATE: March 16, 1995
SUBJECT: MEMORANDUMS OF UNDERSTANDING WITH THE CITY OF NEW YORK, THE CITY OF YONKERS AND THE TOWNSHIP OF WEEHAWKEN

COPY: J. Beitzer, F. Caggiano, D. Censullo, J. Collura, J. Davison, T. Farrell, E. Fasullo, W. Fleming, W. Frank, W. Goldstein, J. Green, J. Hauptert, F. Kirschhoch, F. Lombardi, K. MacKay, G.J. Marlin, J. Matthews, P. Maynard, J. Nachstein, S. Samperi, R. Sarles, M. Scott, A. Shorris, K. Stanwick, B. Weintrob

Attached for your information are copies of the executed Memorandums of Understanding between the Fire Departments of the City of Yonkers, the Township of Weehawken and the Port Authority.

These Memorandums of Understanding formalize the Port Authority's commitment to comply with local codes and regulations as they pertain to fire protection systems and Fire Department inspections of our facilities.

Also included is an Amendment to the existing Memorandum of Understanding between the New York City Fire Department (FDNY) and a Memorandum of Understanding between the Township of Weehawken Buildings Department and the Port Authority.

The Amendment to the FDNY Memorandum of Understanding marks a major departure from the previous agreement with FDNY. Given this major change, I would like to meet with the directors of the four line departments and the Engineering Department, along with their respective senior staff, to discuss the impact of these changes on the Port Authority. I will be contacting each department shortly to arrange these meetings.

If you have any questions, please call me on (201)216-2727.

Nelson J. Chanfrau
Nelson J. Chanfrau
General Manager
Risk Management

Attachment