

10 WEST STREET

Block: 16 Lot: 43

BIN: 1085789

BATTERY PARK CITY, 25 Battery Place, Ritz
Carlton Downtown



MILLENNIUM PARTNERS

1995 Broadway
New York, NY 10023
646.505.4200 Tel
917.441.2181 Fax

March 4, 2002

Mr. R. Radhakrishnan, PE
Asbestos Control Program
NYC Dept. of Environmental Protection
59-17 Junction Boulevard – 8th Floor
Corona, New York 11368-5107

**RE: THE RITZ-CARLTON HOTEL & RESIDENCES, DOWNTOWN NEW YORK
ENVIRONMENTAL HAZARD ASSESSMENTS**

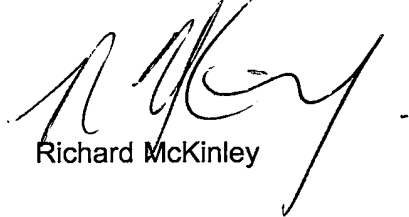
Dear Mr. Radhakrishnan:

Enclosed are copies of the environmental hazard assessments as requested by your office.

Please contact the undersigned should you have any further questions.

Sincerely,

MILLENNIUM PARTNERS



Richard McKinley

c:	A.S. Cottone (BLL)	J. Flocco (Accordia)
	J. Abadie (BLL)	M. Palumbo (MP)
	S. Ruggiero (BLL)	File: WTC

San Francisco

Boston

Washington, D.C.

Miami

J:\chronom\millennium partners\richardmckinley\rs-Environ'l Accessment 3-4-02



The City of New York
Department of Environmental Protection

59-17 Junction Boulevard
 Corona, New York
 11368-5107

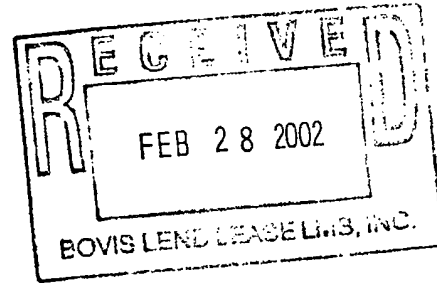
Joel A. Miele Sr., P.E.
Commissioner

Robert C. Avaltroni
Deputy Commissioner

Bureau of Environmental Compliance
 Tel (718) 595-4418
 Fax (718) 595-4422

BM Floor

February 21, 2002



Building Owner
 25 Battery Place
 New York, New York 10280

Subject: 25 Battery Place

Dear Sir/ Madam:

In September 2001, the New York City Department and Environmental Protection (NYC DEP) and the Department of Health (NYC DOH) advised building owners regarding building maintenance and re-occupancy issues following the collapse of the World Trade Center. The steps included the professional assessment of building contamination for possible hazardous components, including asbestos, and a retrospective filing, as required, if applicable.

The NYC DEP is hereby requesting copies of the environmental hazard assessments including bulk sample results and air monitoring results and a summary of clean-up activities at the above referenced site. Please forward the requested documents to our offices within FIVE BUSINESS DAYS. They may be faxed to (718) 595-3744 or sent to the NYC DEP Asbestos Control Program at 59-17 Junction Boulevard, 8th floor, Corona, New York 11373-5108.

Please be advised building owners are responsible for the cleaning of building exteriors, grounds, and common areas. Due to changing conditions and continued activity at Ground Zero, building owners should periodically assess the condition of building exteriors and air conditioning systems for cleanliness and may have to periodically re-clean areas. Adherence to proper cleaning methods is important for the protection of public health and the environment. DEP inspectors will be following up on this matter.

If you have any questions, you may reach the Department at (718) 595-3682 during office hours or the 24-hour Help Center at (718) DEP-HELP. DEP staff is available to provide guidance and technical assistance.

Sincerely,

R. Radhakrishnan, P.E.

Director

Asbestos Control Program



www.nyc.gov/dep

(718) DEP-HELP

ENVIRONMENTAL HEALTH INVESTIGATIONS, INC.

655 West Shore Trail Sparta, New Jersey 07871 • Phone/Fax 973-729-5649

October 23, 2001

Mr. Richard McKinley
Millennium Partners
1995 Broadway
New York, NY 10023

Re: Ritz Carlton Downtown

Dear Mr. McKinley:

On Friday, September 14, 2001, I inspected the Ritz Carlton Downtown property located at 2 and 10 West Street, New York, NY. At that time I collected bulk samples of particulate matter which had settled on the property as a result of the World Trade Center collapse. The samples were analyzed for content and found to be comprised of the following:

1. Non Fibrous Materials
2. Fibrous Glass
3. Cellulose

Traces of asbestos less than regulatory limits were also observed in some samples.

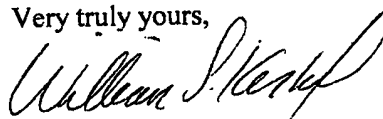
On September 21, 2001, EHI, Inc. returned to the site and collected air samples via Transmission Electron Microscopy. No asbestos structures were detected in any of the collected samples.

The US Environmental Protection Agency (EPA) and other Federal, State and Local agencies have collected extensive environmental monitoring data from the World Trade Center site and nearby areas in Manhattan and New Jersey. The data suggested that contamination has been restricted to the immediate areas around the World Trade Center site and were generally found directly in the smoke plume.

Based on the voluminous data generated by the EPA and on my own field observations, it is my opinion that further environmental testing of the Ritz Carlton site is not warranted.

The recommendations made in our report dated September 18, 2001 should be followed.

Very truly yours,



William S. Kerbel, CIH
President

cover2001.millennium-ritz

Environmental Health Investigations, Inc.

655 West Shore Trail, Sparta, NJ 07871

Phone/Fax: 973-729-5649

cc: MIKE CIPOLLO
BILL SHAUGHNESSY
TAM ARCHER

September 24, 2001

Mr. Richard McKinley
Millennium Partners
1995 Broadway
New York, NY 10023

Re: Airborne Asbestos Testing
Ritz Carlton

Dear Mr. McKinley:

Attached is our report of findings concerning the asbestos testing conducted at the Ritz Carlton site on Friday, September 21, 2001. No detectable levels of asbestos fibers were found.

An invoice for services rendered is also included.

Please let me know if you have any questions.

Very truly yours,

William S. Kerbel, CIH
President

NOTE: AIR SAMPLES REQUESTED BY DRESNER
BANK. NO ASBESTOS FOUND - REFER TO
CONCLUSIONS ON PG (1) OF REPORT.

Environmental Health Investigations, Inc.

655 West Shore Trail, Sparta, NJ 07871

Phone/Fax: 973-729-5649

REPORT OF FINDINGS

Airborne Asbestos Survey

Conducted At:

**Ritz Carlton
2 and 10 West Street
New York, New York**

On Behalf Of:

**Millennium Partners
1995 Broadway
New York, NY 10023**

**Survey Conducted: September 21, 2001
Report Dated: September 22, 2001**

EHI Project #: 0116-0513

**Ritz Carlton
2 and 10 West Street
New York, New York**

**Airborne Asbestos Survey
September 21, 2001
EHI Project #: 0116-0513**

1.0 Introduction

Air sampling to determine airborne asbestos fiber levels was conducted at the Ritz Carlton Hotel located at 2 and 10 West Street, New York, NY. The air samples were collected by Mr. Ricardo Vilachez a licensed New York State Asbestos Air Sampling Technician on September 21, 2001. The collected samples were analyzed by Transmission Electron Microscopy (TEM) by Scientific Laboratories, Inc., 117 East 30th Street, New York, NY. Sample locations were randomly chosen throughout the buildings.

2.0 Results

Samples were collected on the following floors:

1. Basement
2. 2nd Floor
3. 7th Floor
4. 14th Floor
5. 25th Floor
6. PH-3

No detectable levels of asbestos (<0.0044 structure/cc) was found at any of these sites.

The laboratory report can be found in Appendix One.

3.0 Conclusions

No airborne asbestos fibers concentrations were observed at the site.

No exposure potential currently exists.

**Ritz Carlton
2 and 10 West Street
New York, New York**

**Airborne Asbestos Survey
September 21, 2001
EHI Project #: 0116-0513**

Sampling By:

Ricardo Vilachez

Report Prepared By:

William S. Kerbel, CIH

arp2001.millennium-ritz-0513

**Ritz Carlton
2 and 10 West Street
New York, New York**

**Airborne Asbestos Survey
September 21, 2001
EHI Project #: 0116-0513**

APPENDIX

One

Laboratory Report

09/24/2001 10:22 MILLENNIUM PARTNERS → 3490270
 Sunday, September 23, 2001 11:32 PM EHI Inc. 973-729-5849
 SEP-22-2001 03:48 SCIENTIFIC LABS

NO. 627 007

212 679 9392 P.02-04

SciLab Job #: 201092671
 Client Name: Environmental Health Investigations, Inc.

Table I

Summary of Transmission Electron Microscopy (TEM) Results for Asbestos (air)
 Bovis/Millennium; Ritz Carlton Hotel / 2 & 10 West Street, NY, NY

SciLab Sample #	Client Sample #	Dilution Factor	Air Filtered (liters)	Area Analyzed (sq. mm.)	Sensitivity (structures/cc air)	Asbestos Structures Detected (microns)		Structure Density (structures/sq. mm.)		Structure Concentration (structures/cc air)		Type of Asbestos
						0.5-5.0	>5.0	>5.0	Total	>5.0	Total	
01	RC-01 @ Basement by Freight Elevator		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
02	RC-02 Main Bank Elevator, 2nd Floor		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
03	RC-03 Main Bank Elevator, 7th Floor		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
04	RC-04 Main Bank Elevator, 14th Floor		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
05	RC-05 Main Bank Elevator, 15th Floor		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
06	RC-06 Main Bank Elevator, PH-3		1250	.07	0.0044	0.0	0.0	<14.3	<14.3	<0.0044	<0.0044	NSD
07**	Field Blank											
08**	Field Blank											

* concentration represented by the detection of 1 structure

** not analyzed

NSD - No Asbestos Structures Detected

NYCLAP: 100546-0

Reviewed By:

Analyzed By:

Brian Keith

Date: 9/21/01

EHl Inc. 973-729-5649

p. 58

SCIENTIFIC LABS

212 679 9392

F.04/04

Q01092671

RC-07 → FIELD BLANK
RC-08 → FIELD BLANK

TOTAL P.04

09/24/2001 10:22 MILLENNIUM PARTNERS → 3490270
 Sunday, September 23, 2001 11:32 PM EHI Inc. 973-729-5649
 SEP-22-2001 03:49 SCIENTIFIC LABS

NO. 627 009
 p.09

212 679 9092 P.03/04

ANALYSIS REQUEST FORM

Samples Sent From:

RICARDO VILCHEZ

Environmental Health Investigations, Inc.
 655 West Shore Trail
 Sparta, 07871
 Phone/Fax: 973-729-5649

201092671

Samples Sent To:

SCILAB

117 E 30TH ST.

NY, NY 10016

EHI Proj. #: VERBAL

Date Sent: 9-21-01

Page 1 of 1

Courier: HAND DELIVERED

ITEM	FIELD #	SAMPLE MEDIA	SAMPLE VOL.	ANALYSIS REQUESTD	RESULTS
RC - 01		TEM	1250	TEM	
RC - 02		TEM	1250	TEM	
RC - 03		TEM	1250	TEM	
RC - 04		TEM	1250	TEM	
RC - 05		TEM	1250	TEM	
RC - 06		TEM	1250	TEM	
RC - 07	FIELD	BLANK			
RC - 08	FIELD	BLANK			

TURNAROUND TIME: ☐ Standard

☐ Rush

☒ Other 24 HOURS

Comments: _____

Date Received: 9/21/2001

Analyzed By: 1614

Invoice To:

EHI, Inc.
 655 West Shore Trail
 Sparta, NJ 07871
 Att: Tracy

Send Results To: ☒

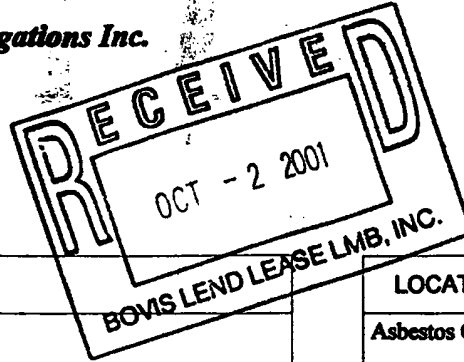
Fax To: ☒

William S. Kerbel
 655 West Shore Trail
 Sparta, N.J. 07871

Phone/Fax: 973-729-5649

Environmental Health Investigations Inc.

**655 West Shore Trail
Sparta, NJ 07871
(973) 729-5649**



Invoice

DATE	INVOICE #
9/19/2001	00461

CLIENT	LOCATION/PROJECT
Bovis Lend Lease LMB, Inc. 1775 Broadway - Fourth Floor New York, NY 10023 Att: Mr. William Shaunessey	Asbestos Contamination Investigation Ritz Carlton Residence Hotel 2 and 10 West Street New York, NY

PO #:	TERMS:	EH I PROJECT #:
	Upon Receipt	0224-0511
DESCRIPTION	DATE	AMOUNT
Services of Environmental Health Investigations, Inc. to conduct an asbestos contamination survey at the Ritz Carlton Hotel, 2 and 10 West Street, New York, NY on behalf of Bovis Lend Lease LMB, Inc., as requested by Mr. William Shaunessey:		
Services of William S. Kerbel, CIH for investigation preparation, on site investigation, sample collection, data compilation, report writing: 12 hours @ \$85/hour	9/14/2001	1,020.00
Laboratory Analysis: 6 samples via Polarized Light Microscopy @ \$15/sample		90.00
Travel: 1 trip @ \$50/trip		50.00
EH I APPRECIATES YOUR BUSINESS!!		TOTAL: \$1,160.00

Environmental Health Investigations Inc.

**655 West Shore Trail
Sparta, NJ 07871
(973) 729-5649**

Invoice

DATE	INVOICE #
9/19/2001	00461

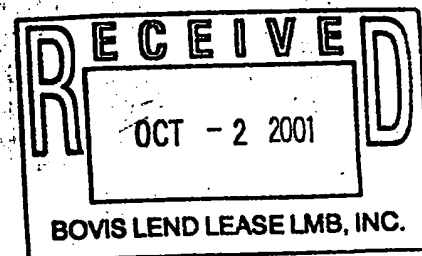
CLIENT
Bovis Lend Lease LMB, Inc. 1775 Broadway - Fourth Floor New York, NY 10023 Att: Mr. William Shaunessey

LOCATION/PROJECT
Asbestos Contamination Investigation Ritz Carlton Residence Hotel 2 and 10 West Street New York, NY

PO #:	TERMS:	EHl PROJECT #:
	Upon Receipt	0224-0511
DESCRIPTION	DATE	AMOUNT
Services of Environmental Health Investigations, Inc. to conduct an asbestos contamination survey at the Ritz Carlton Hotel, 2 and 10 West Street, New York, NY on behalf of Bovis Lend Lease LMB, Inc., as requested by Mr. William Shaunessey:		
Services of William S. Kerbel, CIH for investigation preparation, on site investigation, sample collection, data compilation, report writing: 12 hours @ \$85/hour	9/14/2001	1,020.00
Laboratory Analysis: 6 samples via Polarized Light Microscopy @ \$15/sample		90.00
Travel: 1 trip @ \$50/trip		50.00
EHl APPRECIATES YOUR BUSINESS!!		TOTAL: \$1,160.00

ENVIRONMENTAL HEALTH INVESTIGATIONS, INC.

655 West Shore Trail Sparta, New Jersey 07871 • Phone/Fax 973-729-5649



September 20, 2001

Mr. William Shaunessey
Bovis Lend Lease LMB, Inc.
1775 Broadway - Fourth Floor
New York, NY 10023

Re: 2 and 10 West Street
Contamination Investigation

Dear Mr. Shaunessey:

Enclosed is our report of findings concerning the investigation of settled dust in and around 2 and 10 West Street.

An invoice for services rendered is also enclosed.

Please let me know if you have any questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read "William S. Kerbel".

William S. Kerbel, CIH
President

cc: Richard McKinley - Millennium Partners

ENVIRONMENTAL HEALTH INVESTIGATIONS, INC.

655 West Shore Trail Sparta, New Jersey 07871 • Phone/Fax 973-729-5649

REPORT OF FINDINGS

Asbestos Contamination Survey

Conducted At:

**Ritz Carlton Residence Hotel
2 and 10 West Street
New York, New York**

On Behalf Of:

**Bovis Lend Lease LMB, Inc.
200 Park Avenue
New York, NY 10166**

Survey Conducted: September 14, 2001

Report Dated: September 20, 2001

EHI Project #: 0224-0511

**Ritz Carlton Residence Hotel
2 and 10 West Street
New York, New York**

**Asbestos Contamination Survey
September 14, 2001
EHI Project #: 0224-0511**

1.0 Introduction

An asbestos contamination survey was conducted at the Ritz Carlton Residence Hotel located at 2 and 10 West Street, New York, NY. The survey was conducted on September 14, 2001, two days after the collapse of the World Trade Center Towers. The tower collapse resulted in the deposition of settled dust throughout lower Manhattan. This dust also penetrated the interior of the Ritz Carlton Residence Hotel. The purpose of the investigation was to determine whether the dust contained asbestos and to develop a procedure for decontamination.

Survey was conducted by William S. Kerbel, CIH of Environmental Health Investigations, Inc. Mr. Kerbel is a New York City licensed Asbestos Investigator, a New York State licensed Asbestos Inspector, Asbestos Management Planner, Asbestos Project Monitor and Asbestos Project Designer.

2.0 Observations

The inspection involved observations on each floor with random inspection of accessible rooms and suites. The dust covers all surfaces in varying degrees depending on whether windows were left open or not.

On the 2nd floor mezzanine area, accessible interior portions of the HVAC equipment were found to be coated with the dust. The deposition was greater before the filter beds.

Samples of the dust were collected from random locations and submitted to Scientific Laboratories, Inc. for analysis by Polarized Light Microscopy (PLM) for asbestos content.

3.0 Results

Bulk samples of settled dust were collected at the following random locations:

1. Bovis Trailer - Office Area
2. Interior of Ductwork - 2nd Floor Mechanical Room

**Ritz Carlton Residence Hotel
2 and 10 West Street
New York, New York**

**Asbestos Contamination Survey
September 14, 2001
EHI Project #: 0224-0511**

3. 15th Floor - Window Ledge - 15C
4. 15th Floor - Window Ledge - 15A
5. 39th Floor - Window Ledge - North Side
6. 12th Floor - Room 1202 - Off Table

The samples were analyzed by Scientific Laboratories, Inc., 117 East 30th Street, New York, NY by Polarized Light Microscopy. None of the samples were found to contain greater than 1% asbestos.

The United States Environmental Protection Agency (EPA), the Occupational Health Administration (OSHA), the New York State Department of Labor (NYS DOL), and the New York City Department of Environmental Protection (NYC DEP), define asbestos containing materials as those materials containing greater than 1% asbestos by volume.

Based on the definitions employed by these agencies the dusts are not regulated as asbestos containing materials.

The Scientific Laboratories, Inc. report can be found in the Appendix.

4.0 Discussion/Recommendation

Although the dust found throughout 2 and 10 West Street, New York, NY are not regulated as asbestos containing materials, trace amounts of asbestos fibers do exist.

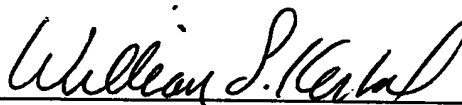
It is our opinion that these trace amounts of asbestos do not pose a hazard to workers or current building occupants.

It will be necessary to conduct a cleanup of the dust throughout the building. This cleanup should be done by a professional cleanup company. Vacuuming of surfaces, carpets, and upholsteries should be done using HEPA filtered vacuum cleaners to prevent re-entrainment of the dust.

**Ritz Carlton Residence Hotel
2 and 10 West Street
New York, New York**

**Asbestos Contamination Survey
September 14, 2001
EHI Project #: 0224-0511**

**Survey Conducted &
Report Prepared By:**


**William S. Kerbel, CIH
President**

abv-2001.bovis-0511

**Ritz Carlton Residence Hotel
2 and 10 West Street
New York, New York**

**Asbestos Contamination Survey
September 14, 2001
EHI Project #: 0224-0511**

APPENDIX

Scientific Laboratories, Inc.

Report

FROM : EHI INC.

PHONE NO. : 973 729 5649

Sep. 19 2001 08:16AM P7

SEP-14-2001 17:14

SCIENTIFIC LABS

212 679 9392 P.02/04

**SCIENTIFIC LABORATORIES, INC.**117 EAST 30TH STREET
NEW YORK, NY 10016

TEL: (212) 679-8800 - FAX: (212) 679-8882

PLM Bulk Asbestos Report

Environmental Health Investigations, Inc.
Attn: William Kerbel
655 West Shore Trail
Sparta, NJ 07871

Date Received 09/14/2001
Date Examined 09/14/2001
ELAP Number 11480
RE:

SciLab Job No. 201091808
P.O. # Kerbel
Page 1 of 2

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
RCW-091401-01	201091808-01	Yes	<1.0%
Location: Bovis Trailer Office			
Description: Grey, Homogeneous, Bulk Material Asbestos Types: Chrysotile <1.0% Other Materials: Cellulose 10.0%, Fibrous glass 30.0%, Non-fibrous >59.0%			
RCW-091401-02	201091808-02	Yes	<1.0%
Location: 2nd Floor Mechanical Room			
Description: Grey, Homogeneous, Bulk Material Asbestos Types: Chrysotile <1.0% Other Materials: Cellulose 10.0%, Fibrous glass 35.0%, Non-fibrous >54.0%			
RCW-091401-03	201091808-03	No	NAD
Location: 15th Floor Window 15C			
Description: Grey, Homogeneous, Bulk Material Asbestos Types: Other Materials: Cellulose 7.0%, Fibrous glass 3.0%, Non-fibrous 90.0%			
RCW-091401-04	201091808-04	Yes	<1.0%
Location: 15th Floor Window			
Description: Grey, Homogeneous, Bulk Material Asbestos Types: Chrysotile Trace Other Materials: Cellulose 7.0%, Fibrous glass 35.0%, Non-fibrous 58.0%			
RCW-091401-05	201091808-05	Yes	<1.0%
Location: 39th Floor Windowledge North			
Description: Grey, Homogeneous, Bulk Material Asbestos Types: Chrysotile Trace Other Materials: Cellulose 10.0%, Fibrous glass 3.0%, Non-fibrous 87.0%			

FROM : EHI INC.

PHONE NO. : 973 729 5649
SCIENTIFIC LABSSep. 19 2001 08:17AM PB
212 679 9392 P.03/04**SCIENTIFIC LABORATORIES, INC.**117 EAST 30TH STREET
NEW YORK, NY 10016

TEL: (212) 679-9900 • FAX: (212) 679-9392

PLM Bulk Asbestos ReportEnvironmental Health Investigations,
Inc.
Attn: William Kerbel
655 West Shore Trail
Sparta, NJ 07871Date Received 09/14/2001 SciLab Job No. 201091808
Date Examined 09/14/2001 P.O. # Kerbel
ELAP Number 11480 Page 2 of 2
RE:

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
RCW-091401-06	201091808-06	Yes	<1.0

Location: Room 1202-12th Floor Table

Description: Grey, Homogeneous, Bulk Material
Asbestos Types: Chrysotile Trace

Other Materials: Cellulose 15. %, Fibrous glass 25. %, Non-fibrous 60. %

Reporting Notes:

Analyzed by: John Koubek

*NAD/NSD = no asbestos detected; NA = not analyzed; NA/PS = not analyzed / positive stop; PLM Bulk Asbestos Analysis by EPA 600/4-92-020 per 40 CFR 763 (NYLAP Lab #200345-0) and ELAP PLM Analysis Protocol 198.1 for New York samples (NYSDOH ELAP Lab # 11480); Note: PLM is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. TEM is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos-containing in New York State (also see EPA Advisory for floor tile, FR 59, 146, 36970, 8/19/94). National Institute of Standards and Technology Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the laboratory. This PLM report relates ONLY to the items tested. AIRAS 102843: VT Cert# AL016053

Reviewed By: _____