



Preventive Maintenance Inspections, Inc.

318 East 70th Street
New York, NY 10021

(212)327-4500
fax No. (732)643-1057
cell #914-7726094

October 01, 2002

NYC Landmarks Preservation Commission
Municipal Building
One Centre Street- 9th Floor North
New York, New York 10007

Attention : John J. Graham
Special Projects Director
Preservation

Re: 93 Nassau Street,
135-139 Fulton Street,
28-34 Ann Street,
New York, New York

Dear Mr. Graham,

Just to follow up our meeting last Friday, September 27, 2002, enclosed please find a copy of the letter we wrote to Mr. Radhakrishnan at NYC DEP regarding the above property. We have been contracted by S.C.P.O.G. Inc. the owners of the property, to do a condition survey, of all the exterior facades and to make recommendations for its repair, window restoration, weather stripping and all other recommendations for the restoration of this historic structure. The intention of this survey is to secure a permit from New York City Landmark Preservation Commission for the restoration and also to file a Local Law 11 Report to NYC Dept. of Buildings.

The Owners of this property had planed to do an exterior restoration of the property but since the WTC disaster all original plans have now turned in a new direction due to the contaminants through out the building. We are hopeful that working together with you, the DEP and the Buildings Department that we might be able to convince FEMA to fund this property separately from the other clean up projects in the area, due to the intricacies of this facade.

The Owners had purchased the property after the current paint job was in place. Due to high vacancy rates in recent years the Owners were apprehensive about making a major capital improvement to the facade. Since the WTC the vacancy rate in the financial district have reached twenty to sixty percent in many buildings. In recent months, many tenants have not renewed their leases and

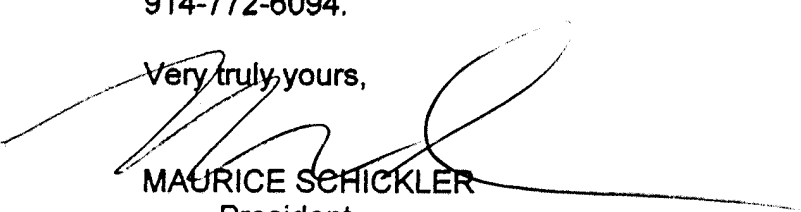
many others are planning to leave as soon as their leases expire. All of these factors have caused the Owners to reduce maintenance and capital projects. The age of the property which is now a hundred and thirty years, has been a major factor, just keeping the mechanical systems going has been very costly. Currently the Owners are updating the elevator systems, there are four elevators in this building and all the of the mechanical workings are being replaced. Under the circumstances the Owners are still trying their best to figure out the way to finance the exterior restoration project.

We realized that there has not been a great deal of maintenance of the exterior of the structure caused primarily by the high cost of scaffolding and rigging, if FEMA is agreeable to fund the clean up project, including a sidewalk shed and pipe scaffolding I am confident that the Owners would be eager to complete the restoration, after the contaminant clean up.

We are hopeful that we might be able to get a resolution in the coming weeks regarding funding, as there is a great deal of preliminary work which will include paint analysis, research, and all necessary documentation pursuant to a work permit from the NYC Landmarks Preservation Commission. Hopefully the restoration project could take off in the early spring. The Owners must consider the retail stores in the building which have been hard hit by the WTC and are hoping to have a good Christmas holiday season. If the building is completely scaffolded at this time it would only make matters worst for the retailers who are already in a marginal financial position.

Please feel free to call me at anytime during the working hours on my cellular telephone as I am out of my Office most of the week, my number is 914-772-6094.

Very truly yours,


MAURICE SCHICKLER
President

cc. Phenny Theodorellys

cc. Dinnes Antzoulatos

cc. Louis Galpin



AMBIENT GROUP, INC.

10 Morris Avenue, Glen Cove, NY 11542
Phone: (516) 609-0009 - Fax: (516) 609-8271

Laboratory Report
AGL04033

Dust Characterization Laboratory Data Report

Client: Preventive Maintenance Inspection, Inc
Address: 318 East 70th Street
New York, NY 10021
Collected By: Client Submitted
Collected: 09/03/2002

Job Number: C/S-4033
Date Received: 09/04/2002
Date Analyzed: 09/05/2002
Job Location: 139 Fulton Street

Lab ID Field ID	Sample Location	Constituents	Percent of Sample **
0004033-001	Dust from World Trade Center	Carbon Particles	10
		Cellulose	20
		Cement Dust	30
		Chrysotile	1.5
		Fiber Glass	30
		Gravel Road Dust	8.5
			100
0004033-002	Large Paint Chip	Carbon Particles	10
		Cellulose	15
		Cement Dust	20
		Fiber Glass	40
		Gravel Road Dust	15
			100
0004033-003	Smaller Paint Chip, Blacken Side	Carbon Particles	20
		Cellulose	10
		Cement Dust	20
		Fiber Glass	5
		Gravel Road Dust	35
		Rust	10
			100

Tarek Fatah

SIGNED FOR AMBIENT GROUP, INC. BY:

Preventive Maintenance Inspections, Inc.

318 East 70th Street

New York, NY 10021

(732) 643-8905

212) 327-4500

cell (914) 772-6094

fax (732) 643-1057

September 20, 2002

NYC DEP

59-17 Junction Boulevard,
Flushing, New York, 11373-5108

Attention : R. Radhakrishnan, P.E.
Director
Asbestos Control Program

Re: 93 Nassau Street,
135-139 Fulton Street,
28-34 Ann Street
New York, New York

Dear Mr. Radhakrishnan,

My firm has been contracted by S.C.P. O. G. Inc. the owners of the above named property located in the immediate area of the World Trade Center, for the purpose of preparing a condition survey pursuant to the clean-up operations in addition the restoration of the facades of this property. We had a preliminary meeting yesterday at the owners office, those in attendance were the owners representative Louis Galpin, your field representative Dennis Antzoulatos, and myself Maurice Schickler.

The purpose of this meeting was to acquaint your field representative with some of the problems regarding the WTC clean up of this property. Since I have just come on board it was necessary to discuss this basic problems with the owners representative present. The owner representative Mr. Galpin had informed me that he had a prior meeting with your field representative and one of the contractors involved in the clean-up of this zone. Mr. Galpin at his very first meeting with your representative was little unsure as to whether the contractor was actually qualified to work on this Historic Building.

I would like to bring to your attention some of the historical facts about this historic building. The building is constructed of brick and has a cast iron facade with galvanized sheet metal ornamentation. The building is an eleven story building with an extension on the Ann Street side of twelve stories. The building

was constructed sometime shortly after the civil war in Eighteen Seventy two and known as" the Bennett Building" designed by Arthur D. Gilman. The owners informed us and also through my own personal knowledge that this building is a one of a kind building and possibly the tallest cast iron structure in New York City. The building originally was built as a seven story building and an additional four floors was added to the building in Eighteen Eighty Eight . Since this building is a Hundred Thirty years old it has many stylistic architectural elements not found on any twentieth century building.

Due to the age of the building there are certainly many maintenance question that have to be addressed. The first most important issue regarding the WTC cleanup is the fact that there is peeling paint on almost all of the entire building. In our preliminary work we took samples from a window sill of the WTC dust and also two paint samples and sent them to the Ambient Laboratories in Glencove, New York (includes please find copy of the report). The samples were tested and the WTC dust has found to have a 1.5 % of CHRYSTOTILE and 30 % Fiber Glass these two contaminants are the most important as they present the greatest amount of risk to public safety. Two paint chips were tested, the first chip was only tested on the paint side of the chip, it had no evidence of chrystotile but it had a 40% fiber glass. The second sample only the back side of the chip was tested, this also showed only 5% fiber glass and no chrystotile. At this point this is only preliminary examination and we did not go through extensive testing, but assuredly in this large structure the presence of contaminants can be found everywhere including cracks in the paint, window frames, bituminous coatings and possibly imbedded in some of the numerous patching systems that were used on this structure.

We did not even entertain the testing of the paint as we are sure that the paint is lead base due to the age of the building. The owner had tested the paint on the 4th of March 2002 by the Lead Investigations Inc. of Brooklyn, New York (please see inclosed report).

Now as we try to formulate a plan for a clean up of WTC contaminants, we find the lead paint to be another major factor, In general the rule for scrapping loose and peeling paint with lead content, is an example fire escapes, which have to be maintained by law, the DEP allows the scrapping of loose paint and collection of the chips by basically covering the work area and collecting the chips for disposal at a hazardous waste disposal facility. This work and other peeling paint from buildings can be carried out by swinging scaffolds with tarps lowered over the back of the scaffold and tarps on the platform to collect the chips. Also, sidewalk bridging to protect the public is also generally used. Here, on this particular project due to the Asbestos and Fiber glass contamination, it would require total encapsulation. The only way that this work could be possible, would be to scaffold the entire building with steel scaffolds frames and load bearing sidewalk bridging. Unlike most of the other buildings in the area, they are generally brick masonry, some with stone ornamentation but certainly

none in the condition of this building. There are so many areas where contaminants could be lodged that it will be too difficult to clean the way the other buildings in the area were cleaned. Therefore, we are asking you to approach the Federal Emergency Management Agency to discuss special funding for this building.

Some of the additional concerns are the window air-conditioners, this building does not have central air-conditioning. The contaminants assuredly are in most of the inside and mechanical parts of the air-conditions, more than likely all the airconditioner will have to be discarded as it is next to impossible to clean out all the contaminants. Another problem presented by the window airconditioners are the meeting rails of the windows they are kept half open with window air-conditioners in them. We have also found in our preliminary investigation that most of the more than four hundred windows do not function correctly and more than likely have contaminants that have blown under the windows at the window sills, also at the meeting rails. The windows are constructed with a wood frame and due to the difficulty in opening and closing and the age window washer hooks the windows have not been cleaned. The hydrocarbons coating the windows and glass assuredly is another place that contaminants have collected. The mere rinsing of these wood windows with deteriorated putty would again be impossible to affect a quality cleaning. We feel that the window frames have to be removed in most cases or made to function properly. In the process of making them function properly contamination procedures must be followed. Part of the owners plan would be to restore the windows make them all functional and install new weather stripping. These particular items, will have to be under the careful scrutiny of the New York Landmark Preservation Commission.

Another difficulty, would be the removal of contaminants from the many different patching system, there are small crevices which can not be seen with the naked eye. The use of a field microscope will be necessary to examine this areas after contaminants have been removed. Another problem with the contaminants are the pigeon droppings, there are a large number of pigeons that roost on this property, the pigeon droppings formed a glue type substance, that has glued the contaminants to the many water tables and ornamentation of this building. Pigeon droppings are not easily removed by soap and water they must be scrubbed to clean. There are many unanswered question and too many to enumerate at this time.

The owners have indicated they would like to repair and restore the facade and repaint it, but the additional cost inflicted by the WTC would make this out of the question for the owners financial resources. The owners realized that they would have to contribute to the cost of the repainting and restoration but this additional cost brought on by the WTC should be picked up by FEMA. The owners are already hurting as many tenants have not renewed their leases and many others are questioning about the contaminants on their window sills. This

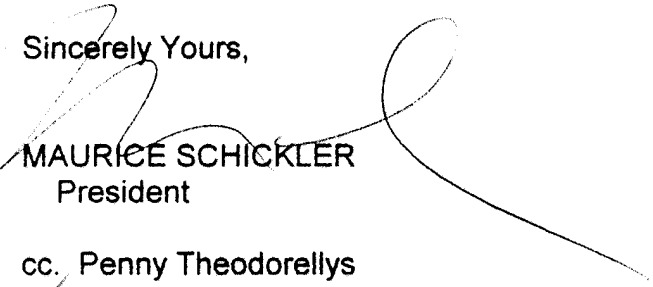
building also has retail stores on all sides, the erection of scaffolding would also possibly affect the financial ability of their tenants to pay their rent as there stores will be block for a great period of time, if this were only to be a scrape and paint job the work could be done from swinging scaffolds during nights and off hours as the law does not require sidewalk bridging for scrapping and painting. The Owners have been apprehensive about this entire project since the WTC and that is the reason why we were called in to help figure out a solution to the the many problems.

There is another problem involving the New York City Department of Buildings, that being the Local Law 11 Inspection. The building has not filed the Local Law 11 Report, as one of the new requirements is asbestos testing. Our Engineer has opted to stay out of this inspection until all the contaminants are cleared.

I hope that you will be able to organize a meeting with FEMA and all interested parties which would include the Landmarks Preservation Commission, New York City Department of Buildings, the owners representative, and myself. It is not likely that this project could be completed before the winter, due to the magnitude of these problems. Yet, we must act fast in trying to resolve the financial aspect of this project along with the logistical problems. We have been informed by your field representative that the program will be coming to an end by October of this year, therefore, we are asking you for an extension so that FEMA Funds will not be lost. If funds are not available, it would be impossible for the owners to pay for the clean up. They have collected money from their insurance company but here again the owners were not aware of the magnitude of the project and were pressured to make a settlement with the insurance company. The owners realized that the insurance money would have to be turned over to FEMA.

Enclosed please find a sampling of photographs that indicate some of the conditions. Feel free to call me on my cell phone 914-772-6094 to discuss this matter.

Sincerely Yours,



MAURICE SCHICKLER
President

cc. Penny Theodorellys
cc. Dennis Antzoulatos
cc. Louis Galpin

03/04/02 MON 16:43 FAX 718 377 8577

CONSULTING

002

RoseAnn

**LEAD INVESTIGATION INC.**

1373 CONEY ISLAND AVENUE, BROOKLYN, NEW YORK 11230

March 4th, 2002

S.C.P.O.G. Management
139 Fulton Street
NY NY 10038
Attn: Peter

Re: 30 Ann Street- New York, New York
Room: #501

LAB#
744353- Outside Window-Green Paint Chips
744354- Outside Window-Pink Paint Chips

To: Peter

Please be advised that Lead Investigation, Inc. collected paint chip samples from the above location on 2/21/02 Health Code reg. samples were analyzed by EMSL Analytical, Inc. NYS DOH-ELAP #11657 for lead in paint chip samples content.

The above listed area(s) was found to contain more than the permissible level
established by the New York City Department of Health threshold of 1.0
micrograms of lead per square centimeter.

If there are any questions, please contact our office.

Thank You,

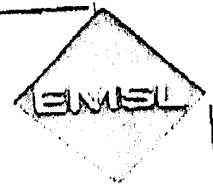
Jack Jaffa
Lead Investigation, Inc

PHONE: 718-377-5052 ♦ FAX: 718-377-8577

03/04/02 MON 16:43 FAX 718 377 8577

CONSULTING

003



March 4, 2001

S.C.P.O.G Mgmt
139 Fulton Street
NY NY 10038
Suite 310A
Contact:

PETER

Project:

30 ANN STREET NY NY ROOM 501

Policy Number:

Not Supplied

EMSL Reference: LI02-3493

Date Sampled: 2/21/2002
Date Received: 2/28/2002
Date Analyzed: 3/1/2002
Number of Pages: 1/1

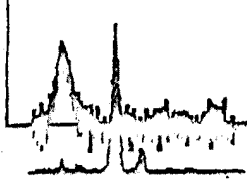
Lead in Paint EPA Method SW846-7420

Lab #	Client Designation	Location	Results mg/cm ²
744353	30-1	OUTSIDE WINDOW-GREEN PAINT CHIPS	91.2
744354	30-2	OUTSIDE WINDOW-PINK PAINT CHIPS	4.9

Analyst
Approved Signatory* RL is 0.02 mg/cm²

**Sample weights less than 0.2 grams adversely affect the Analytical Sensitivity.
Sample concentrations above are based on a 2" by 2" sample area at client's request.
*RL = Reporting Limit. Samples below the RL are reported with a (<) less than sign

Analysis performed by EMSL LI, NYS ELAP Certificate: 11469, AIHA #102344





AMBIENT GROUP, INC.

10 Morris Avenue, Glen Cove, NY 11542
Phone: (516) 609-0009 - Fax: (516) 609-8271

Laboratory Report
AGL04033

Dust Characterization Laboratory Data Report

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Collected: 09/03/2002

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		Cellulose	10
		Cement Dust	20
		Fiber Glass	5
		Gravel Road Dust	35
		Rust	10
			100

Tarik Fata

SIGNED FOR AMBIENT GROUP, INC. BY:

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Attn: Peter

93 Nassau St.

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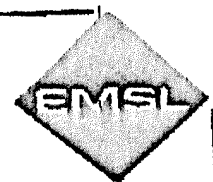
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March 4, 2001

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S.C.P.O.G Mgmt
139 Fulton Street
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Date Sampled: 2/21/2002
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Project: 30 ANN STREET NY NY ROOM 501

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