

Theodorellys, Penny

From: Fernandez [lerdos@optonline.net]
Sent: Monday, April 14, 2003 8:20 PM
To: Theodorellys, Penny
Subject: Re: 114 Liberty Street

Thank you Penny for your reply.

By the way, my last sentence in my 4/13/03 e mail meant to state, "we have NOT heard officially otherwise."

Therefore, to date, we have not re-entered the building for inspection.

Also, when you write that the building should receive written statements, are you referring to The Board or The Management Agent?, (so that we know to whom we direct our request for information).

I will await these written clearance statements assuming that the written letters are grounded on dust sampling results and successful environmental clearance monitoring.

Laura Erdos Fernandez
 114 Liberty Street
 The 8th Floor

Fernandez
 264 Henry St.
 Brooklyn, NY 11201
 (718) 222-0744 home

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

From: "Theodorellys, Penny" <ptheodorellys@dep.nyc.gov>
To: "Fernandez" <lerdos@optonline.net>
Cc: "Radhakrishnan, Krish" <kradhakrishnan@dep.nyc.gov>; "Gilsenan, Michael" <mgilsenan@dep.nyc.gov>
Sent: Monday, April 14, 2003 9:31 AM
Subject: RE: 114 Liberty Street

The building should receive written clearance letters from the USEPA and DEP during this week.

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

From: Fernandez [mailto:lerdos@optonline.net]
Sent: Sunday, April 13, 2003 11:01 PM

To: Theodorellys, Penny
Subject: Re: 114 Liberty Street

A report reviewing your findings at 114 Liberty Street would be most appreciated.

In particular, the DEP's technicians sampling results on asbestos, lead, dioxin, PAH in settled dust and fibrous glass and crystalline silica for all floors including #8. Has each floor and other space within 114 Liberty Street met the clearance criteria?.

What is your advise as to when we can re-enter the building for inspection?
We have heard officially otherwise.

Thank you for your reply.

Laura Erdos Fernandez
The 8th Floor

Fernandez
264 Henry St.
Brooklyn, NY 11201
(718) 222-0744 home

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

From: "Theodorellys, Penny" <ptheodorellys@dep.nyc.gov>
To: <cwarnick@cwarchitecture.com>; <steven@12east.com>;
<mark@114liberty.com>; <lerdos@optonline.net>;
<sabramson@cmdny.com>;
<mgordon@bumbleandbumble.com>; <DRSCC@topnotchinsp.com>;
<wsaya@dberdon.com>; <WCharron@pryorcashman.com>;
<KERRTIARA@aol.com>;
<davestanke@cs.com>; <mgordon@bumbleandbumble.com>;
<danielk@bumbleandbumble.com>; <denisesweeny@hotmail.com>;
<lsplotnicki@aol.com>; <jspringston@ambientgroup.com>;
<kgreenspan@rcn.com>;
<rwoo@deloitte.com>; "Fernandez" <jafern@optonline.net>;

<agasparro@jlcenvironmental.com>; <rmiddleton@etsets.net>

Cc: "Gilsenan, Michael" <mgilsenan@dep.nyc.gov>;

"Radhakrishnan, Krish"

<kradhakrishnan@dep.nyc.gov>

Sent: Monday, April 07, 2003 10:26 AM

Subject: 114 Liberty Street

This is in response to your request to leave the polyethylene sheeting over

the windows in place at the completion of the Department's unoccupied building clean up of debris from the collapse of the WTC.

It is my understanding that building representatives and the Department retained contractor, ETS, were in discussions regarding this matter prior to

addressing the request with the Department. I received the first call and

inquiry while at home on Friday evening (April 4, 2003) while the breakdown

was directed to begin at 7:00 a.m. Saturday (April 5, 2003). The two major

issues are the late request to the Department for the change in project

planning and the direct communication with the contractor rather than the

Department. Also, please note the written request was received on Saturday,

April 5, 2003 at 9:42 A.M. The request included two original messages dated

Friday, April 4, 2003 at 8:35 P.M. and at 9:21 P.M. that were not received.

Also, the project monitor, JLC Consultants, did not receive the information

regarding the request.

Despite the notice, the Department reviewed your request and agreed to

permit the polyethylene sheeting to remain over the windows. The

polyethylene sheeting installed over existing damaged in place asbestos

-containing material in the residential spaces was left in place.

Further,

the 1st floor commercial space (Pizzeria) was isolated from the remainder of

the building. The demolition of the dropped ceiling in the Pizzeria

disclosed the presence of delaminated and damaged asbestos-containing

material (ACM). This material had lost its cohesion properties and was

falling off in large sections. Further, the substrate was also found to

be

asbestos-containing material. The area was cleaned and passed a visual

inspection by the Department prior to its isolation, however, clearance

testing was not performed. Also, in the basement above the oil tank there

is a partial layer of white block. The blocks were in good condition and

therefore were not sampled nor covered.

As you are aware, statement made to the Department prior to the initiation

of the cleaning activities indicated that the building did not have in place

ACM. Please note, an asbestos survey and assessment must be performed

prior

to construction/renovation activities, notification to the Department must

be made prior to handling ACM, and all work must be performed in

accordance

with the asbestos rules.

The contractor and monitor have demobilized equipment based on the preliminary review of clearance data by the USEPA and the Department.