

American Federation of State, County & Municipal Employees, AFL-CIO
125 Barclay Street New York, N.Y. 10007-2179

DISTRICT COUNCIL

37

212-815-1441

FAX

DATE MARCH 4, 2002

Fax To: R. RADHAKRISHMAN P.E.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Fax No: 718- 595-3744

From: RALPH N. PEPE

DISTRICT COUNCIL 37

Pages to Follow: 9

Remarks: RE: 115 CHAMBERS STREET NEW YORK, NY

RESULTS OF ASBESTOS TESTING.

If there are any questions of difficulties, please contact:

RALPH N. PEPE

At: 815-1445

MAR-04-2002 MON 01:01 PM REAL ESTATE DEPT

FAX NO. 212 815 1441

P. 02

American Federation of State, County & Municipal Employees, AFL-CIO
125 BARCLAY STREET • NEW YORK, NY 10007-2179

Real Estate Department
Telephone: 212-815-1445
Fax: 212-815-1441

District Council
Lee Saunders, Administrator

37

March 4, 2002

VIA FAX- 718-595-3744

Mr. R. Radhakrishnan P.E.- Director
Asbestos Control Program
City of New York
Department of Environmental Protection
59-17 Junction Blvd.
Corona, NY 11368-5107

Re: 115-17 Chambers Street
New York, NY

Dear Mr. Radhakrishnan:

In connection with your request, we are enclosing herewith, a copy of a report dated October 22, 2001, done by H.A. Bader, Consultants, setting forth the results, of asbestos testing, that was performed on October 19, 2001.

As you can see from the report, the building does not have an asbestos problem.

Sincerely yours,


Ralph N. Pepe
Real Estate Manager

RNP/jr
Enclosure
c.c. Bernedette Orange

**Department of
Environmental
Protection**

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

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

Robert G. Avaltroni
Deputy Commissioner
Bureau of
Environmental Compliance
Tel (718) 595-4418
Fax (718) 595-4422

February 12, 2002

District Counsel 37B
140 Park Place
New York, NY 10007-2149

Subject: 115 CHAMBERS STREET
117 Chambers St

Dear Sir/ Madam:

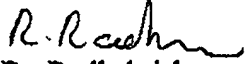
In September 2001, the New York City Department and Environmental Protection (NYC DEP) and the Department of Health (NYC DOH) advised building owners regarding building maintenance and re-occupancy issues following the collapse of the World Trade Center. The steps included the professional assessment 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



(718) DEP-HELP



H.A. BADER
CONSULTANTS, INC.

**ENVIRONMENTAL
CONSULTING ENGINEERS**
88 Bleecker Street, Suite 4E
New York, NY 10012
Tel: 212-475-4122
Fax: 212-477-8941

HOWARD A. BADER, P.E.
President

October 22, 2001

Bernadette Orange
D.C. 37 Health Center
115 Chambers Street
New York, New York 10007

Re: Environmental Testing

Dear Ms. Orange,

H. A. Bader Consultants, Inc. performed asbestos testing in representative areas throughout 115 Chambers Street on October 19, 2001. The sampling was performed by Howard Bader, P.E. and Richard Massari of H. A. Bader Consultants.

H. A. Bader Consultants is licensed by the New York State Department of Labor (DOL) as an Asbestos Consultant. Mr. Bader and Massari are New York City Department of Environmental Protection (DEP) Certified Asbestos Investigators. In addition, Mr. Bader and Massari are Certified by the DOL and United States Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA) Program as Asbestos Air Sampling Technicians, Inspectors, Management Planners and Project Monitors.

Several buildings at and adjacent to the World Trade Center Complex in lower Manhattan were destroyed or severely damaged on or around September 11, 2001. It is common knowledge that some of these buildings contained asbestos containing materials (ACM). It is suspected that debris from the damaged buildings became airborne and potentially contaminated areas in lower Manhattan with asbestos fibers.

H. A. Bader Consultants scope of work was to determine if there is a potential asbestos related health concern in the building. The primary pathway for asbestos and lead to enter the building is through the ventilation systems, the main building entrances and operable windows. There are two air handling units (AHU) that have outdoor air capability. H. A. Bader Consultants performed asbestos testing at the outdoor air intake of each AHU.

Re: Environmental Testing

Page 2 of 3

If asbestos fibers enter a building they may remain airborne or settle onto fixed surfaces (primarily horizontal surfaces). Asbestos air and surface dust samples were taken on each floor of the building, including the second floor interior sill where visible dust was observed by occupants after the disaster. Dust samples were also taken from filters in two portable air cleaners used since the space was re-occupied.

Asbestos Air Sampling

Six air samples were taken and analyzed by an accredited asbestos laboratory using transmission electron microscopy (TEM). TEM analysis is very accurate for finding even trace amounts of asbestos fibers present in the air.

The United States Environmental Protection Agency (EPA) has established a protocol for determining whether school areas are safe for re-occupancy after completion of asbestos abatement projects. This procedure is covered by EPA 40 CFR Part 763, Asbestos-Containing Materials in Schools. The procedures state that the average asbestos airborne fiber level in the abated work area must be less than 70 asbestos structures per square millimeter (AS/mm²).

The laboratory results from the testing on October 19, found no asbestos structures present in 5 of the samples. One sample had one asbestos structure (fiber) present and the total level was well below the allowable 70 AS/mm². Reference the attached laboratory results from EMSL Analytical. Very low levels of asbestos exist in the New York City urban environment. One sample with a single asbestos structure present in a total sampling of 6 is considered statistically insignificant.

Asbestos Surface Sampling

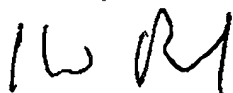
Asbestos settled dust sampling was performed in 16 locations inside the building, and at both air handling unit outdoor air intakes. The samples were analyzed by the accredited asbestos laboratory using polarized light microscopy (PLM). All 18 samples had no asbestos detected.

Re: Environmental Testing

Page 3 of 3

Based on the results of the air and surface dust testing, H. A. Bader Consultants did not find any evidence to suggest a potential asbestos related health concern is present at the property. If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'H A Bader', written in a cursive style.

Howard A. Bader, P.E.
President

cc Ralph Pepe (with invoice)

PROJECT NAME: DC 37
PROJECT ADDRESS: 115
TAKEN BY: RM + HB

ASBESTOS AIR SAMPLING

[illegible]

A = Air Sampling
M = Micro-Vacuum Sampling
I = Inside Work Area
O = Outside Work Area
P = Pre Air Sampling
B = Baseline / Ambient
S = Preparation
R = During Removal
C = Cleanup
F = Final Air Test
E = Pumps Calibrated at Start/Finish

Page 01 of 01

New York Lab

307 West 38th Street, New York, NY 10018

Phone: 212-290-0051 Fax: 212-290-0058 Email:

EMSL

Attn: Howard Bader
H.A. Bader Consultants
88 Bleecker St
Suite 4E
New York, NY 10012

Fax: (212) 477-8941

Phone: 212-475-4122

Project: DC37 / 113 Chambers Street, NY, NY

Customer ID: HAB50

Customer PO:

Received: 10/19/01 4:30 PM

EMSL Order: 030106594

EMSL Project ID:

Analysis Date: 10/20/01

**Asbestos Fiber Analysis by Transmission Electron Microscopy (TEM) Performed by
EPA 40 CFR Part 763 Final Rule (AHERA)**

Sample	Volume	Area Analyzed	Non Ash	Asbestos Type(s)	# Structure 0.5µ - 5µ	Analytical Sensitivity (S/cc)	Asbestos Concentration (S/mm ²) (S/cc)	Notes
D1 030106594-0001	1350.00	0.0625	0	None Detected		0.0046	<16.00 <0.0046	
D2 030106594-0002	1350.00	0.0625	0	None Detected		0.0046	<16.00 <0.0046	
D3 030106594-0003	1550.00	0.0625	0	None Detected		0.0040	<16.00 <0.0040	
D4 030106594-0004	1510.00	0.0625	0	None Detected		0.0041	<16.00 <0.0041	
D5 030106594-0005	1460.00	0.0625	0	None Detected		0.0042	<16.00 <0.0042	
D6 030106594-0006	1400.00	0.0625	0	Chrysotile	1	0.0044	16 0.0044	

Roman Peysskhob

Analyst



Laboratory Manager
or other approved signatory

Disclaimers: The laboratory is not responsible for data reported in structures/cc, which is dependent on volume collected by nonlaboratory personnel. This lab is only responsible for data reported in structures/mm². This report may not be reproduced, except in full, without written approval by EMSL. This report must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government. This report relates only to the samples reported above. Quality control data (including 95% confidence limits and laboratory and analysts' accuracy and precision) is available upon request.

Accredited for NVLAP PLM/TEM #101048-9, NY State ELAP #11506

TEM AHERA-1

New York Lab

307 West 30th Street, New York, NY 10018

Phone: 212-290-0061 Fax: 212-290-0058 Email:

EMSL

Attn: Howard Bader
H.A. Bader Consultants
88 Bleecker St
Suite 4E
New York, NY 10012

Fax: (212) 477-8941

Phone: 212-475-4122

Project: DC37 / 115 Chambers Street, NY, NY

Customer ID: HAB50

Customer PO:

Received: 10/19/01 4:30 PM

EMSL Order: 030106593

EMSL Project ID:

Analysis Date: 10/20/2001

Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Location	Appearance	Treatment	Non-Asbestos		Asbestos % Type
				% Fibrous	% Non-Fibrous	
D101 030106593-0001	4th Floor Window Ledge	Gray Fibrous Heterogeneous	Teased Dissolved	10.00% Synthetic 5.00% Cellulose	85.00% Non-fibrous (other)	None Detected
D102 030106593-0002	4th Floor Carpet	Gray Non-Fibrous Heterogeneous	Teased Dissolved	5.00% Cellulose	95.00% Non-fibrous (other)	None Detected
D103 030106593-0003	3rd Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 5.00% Cellulose	90.00% Non-fibrous (other)	None Detected
D104 030106593-0004	3rd Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 10.00% Cellulose	85.00% Non-fibrous (other)	None Detected
D105 030106593-0005	2nd Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 10.00% Cellulose	85.00% Non-fibrous (other)	None Detected
D106 030106593-0006	2nd Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 5.00% Cellulose	90.00% Non-fibrous (other)	None Detected
D107 030106593-0007	1st Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 15.00% Cellulose	80.00% Non-fibrous (other)	None Detected
D108 030106593-0008	1st Floor Carpet	Gray Fibrous Heterogeneous	Teased Dissolved	10.00% Cellulose	90.00% Non-fibrous (other)	None Detected
D109 030106593-0009	Basement Lounge Floor	Gray Fibrous Heterogeneous	Teased Dissolved	80.00% Cellulose	20.00% Non-fibrous (other)	None Detected
D110 030106593-0010	Basement Office Floor	Gray Fibrous Heterogeneous	Teased Dissolved	80.00% Cellulose	20.00% Non-fibrous (other)	None Detected

Dan Osborne

Analyst



Laboratory Manager
or other approved signatory

PLM has been known to miss asbestos in a small percentage of samples which contain asbestos. Negative PLM results cannot be guaranteed. Samples reported as <1% or none detected should be tested with TEM. The above test report relates only to the items tested. This report may not be reproduced, except in full, without written approval by EMSL Analytical, Inc. The above test must not be used by the client to claim product endorsement by NVLAP nor any agency of the United States Government.
Analysis performed by EMSL Manhattan (NVLAP #101048-9), NY ELAP 11505

PLM Print Count: 1

New York Lab

307 West 38th Street, New York, NY 10018

Phone: 212-290-0051 Fax: 212-290-0058 Email:

EMSL

Attn: Howard Bader
H.A. Bader Consultants
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Suite 4E
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Project: DC37 / 115 Chambers Street, NY, NY

Customer ID: HAB50

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Received: 10/19/01 4:30 PM

EMSL Order: 030106593

EMSL Project ID:

Analysis Date: 10/20/2001

Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Location	Appearance	Treatment	Non-Asbestos		Asbestos	
				% Fibrous	% Non-Fibrous	% Type	
D111 030106593-0011	Basement File Room Desk	Gray Fibrous Heterogeneous	Teased Dissolved	20.00% Synthetic 50.00% Cellulose	30.00% Non-fibrous (other)	None Detected	
D112 030106593-0012	Basement Cabinet by Elevator	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 75.00% Cellulose	20.00% Non-fibrous (other)	None Detected	
D113 030106593-0013	Field Blank	White Non-Fibrous Heterogeneous	Teased Dissolved		00.00% Non-fibrous (other)	None Detected	
D114 030106593-0014	Roof top Air Wandler East	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Min. Wool 5.00% Cellulose	90.00% Non-fibrous (other)	None Detected	
D115 030106593-0015	Roof top Air Wandler West	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Synthetic 3.00% Min. Wool 10.00% Cellulose	82.00% Non-fibrous (other)	None Detected	
D116 030106593-0016	2nd Floor Front window Ledge	Gray Fibrous Heterogeneous	Teased Dissolved	10.00% Min. Wool 15.00% Cellulose	75.00% Non-fibrous (other)	None Detected	
D117 030106593-0017	2nd Floor Front window Ledge	Gray Fibrous Heterogeneous	Teased Dissolved	5.00% Min. Wool 5.00% Cellulose	90.00% Non-fibrous (other)	None Detected	
D118 030106593-0018	2nd Floor Hepa Unit	Gray Fibrous Heterogeneous	Teased Dissolved	30.00% Synthetic 30.00% Cellulose	40.00% Non-fibrous (other)	None Detected	
D119 030106593-0019	1st Floor Hepa Unit	Gray Non-Fibrous Heterogeneous	Teased Dissolved	3.00% Cellulose	97.00% Non-fibrous (other)	None Detected	

Dan Osborne

Analyst



Laboratory Manager
or other approved signatory

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Analysis performed by EMSL Manhattan (NVLAP #101048-9), NY ELAP 11506

PLM Print Count: 1

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