

SEP-18-2002 10:46 AM GENGLER BALDWIN

908 753 6264

P.01



DAVID M. BALDWIN REALTY CO., INC.

113-117 CEDAR STREET • SUITE 3A

NEW YORK, N.Y. 10006

TEL. (212) 349-0015 • (212) 349-0650 • FAX (212) 349-1673

temp. 908 753 6264

September 18, 2002

R. Radhakrishnan, P.E., Director
Asbestos Control Program
The City of New York
Dept. of Environmental Protection
59-17 Junction Blvd.
Flushing, NY 11373-5108

37 John Street
72 Nassau Street

Dear Mr. Radhakrishnan:

In response to your FINAL NOTICE dated September 3, 2002 regarding the cleaning of the exterior surfaces of our building, please be advised that we have entered into an independent contract with S.R.C. Industries, Inc., 340 Stagg Street, Brooklyn, New York to REMOVE and REPLACE all windows and façade above store level on both street fronts.

Our scope of work clearly exceeds the DEP's Cleaning Program. We are utilizing funds received from our insurance carrier that were designated for "clean-up" and applying them to the larger overall scope of work, which obviously rectifies the debris removal. Had we elected to join your program, we would have been bound to remit our "clean-up" insurance proceeds as reimbursement only to see the new newly cleaned surface demolished in the new program.

Very truly yours,
DAVID M. BALDWIN REALTY CO., INC.

Charles J. Gengler
Charles J. Gengler
President



**Department of
Environmental
Protection**

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

September 3, 2002

TO: Galb-Realty Associates c/o David Baldwin Realty
113 Cedar Street
New York, NY 10006-1061

RE: 37 JOHN STREET
72-78 Nassau Street
FINAL NOTICE

**Christopher O. Ward
Commissioner**

**Robert C. Avaltroni
Deputy Commissioner**

**Bureau of
Environmental
Compliance**

**Tel (718) 605-4418
Fax (718) 595-4422**

Dear Galb-Realty Associates c/o David Baldwin Realty:

I am writing with regard to 37 JOHN STREET which was inspected by DEP on 02/15/02. During this inspection, debris from the collapse of the World Trade Center towers was observed on the exterior surfaces of the building.

You have been previously contacted with regard to participating in DEP's Lower Manhattan Building Cleaning Program. Under this program, contractors retained by DEP will clean all exterior building surfaces affected by World Trade Center debris at no cost to the building owner.

The Building Cleaning Program is now drawing to a close, and we have yet to receive a response from you regarding your participation. If you do not participate in the Program, the building will be scheduled for another DEP inspection in the near future. If that inspection shows that there is still visible debris from the World Trade Center on the exterior of the building, samples will be collected. If laboratory analysis of these samples shows that the debris is asbestos-containing material, you will then be issued a Commissioner's Order directing you to retain a contractor to clean the exterior of the building. Such cleaning would be at your expense, and failure to comply with the Commissioner's Order could result in the issuance of notices of violation carrying penalties of up to \$10,000 per day.

You are strongly urged to take advantage of the Building Cleaning Program. A blank License Agreement has been attached for your convenience. Please fill in the appropriate information and sign and return the form as soon as possible.

If you have any questions, please call 718-595-3682 during office hours, or the 24-hour Help Center at 718-DEP-HELP. Your cooperation is greatly appreciated.

Sincerely,

R. Radhakrishnan, P.E.

Director

Asbestos Control Program



(718) DEP-HELP

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Very truly yours,
DAVID M. BALDWIN REALTY CO., INC.


Charles J. Gengler
President

SEP-20-2002 09:44 AM GENGLER BALDWIN

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P.02

SEP-22-2002 09:59

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ONLY
TYPEWRITTEN
FORMS WILL
BE ACCEPTED

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
Asbestos Control Program
52-17 Junction Boulevard, 6th Floor, Corona, NY 11368-5107

NOT AN ASBESTOS PROJECT

FOR OFFICIAL USE ONLY

1. NYC Building Dept. Application # _____
ACP Fee \$ _____

When submitting this form at the NYC Department of Buildings, the original form and three (3) copies with original signatures and seal are required. Submit at the NYCDEP requires one copy of the form with original signature and seal.

2. Facility Address 72 Nassau Street Borough Manhattan Zip 10038
3. Block 78 4. Lot 35
AKA _____ Tel. # 212-349-0015
5. Building Owner Galb Realty State N.Y. Zip 10007
6. Address 113 Cedar Street 6. Tel. # 212-349-0015
7. Contact Person Charles Gengler
8. Description of the Entire Scope of Work Window replacement.

10. Est. Start Date _____ ☒ As soon as permit approved Est. Completion Date _____ of the Entire Scope of Work.

11. I, Anthony Nowicki, have conducted an asbestos investigation on 9-5-02 in accordance with
Date

Name of Certified Asbestos Investigator

Sections 1-16 and 1-27 of the NYC DEP Asbestos Control Program Rules and declare that at said facility address, the

- ☐ a. premise to be demolished is free of any asbestos containing material (ACM).
☐ b. premise to be demolished contains 10 square feet or less or 25 linear feet or less of ACM.
☒ c. cumulative surfaces of structure(s) affected by the work are free of ACM.
☐ d. cumulative surfaces of structure(s) affected by the work contain 10 square feet or less or 25 linear feet or less of ACM
☐ e. normally non-friable ACM shall be disturbed/removed. Specify amount: _____ square feet
☐ f. ACM will not be disturbed during the scope of work. Specify amount of ACM present: _____ square feet _____ linear feet

All ACM specified in "b", "d", or "e" must be removed in accordance with the DEP Asbestos Rules or NYS DOL ICRRS.*

12. RESULTS OF BUILDING SURVEY AND HAZARD ASSESSMENT:

FLOOR (including attic and basement)	DESCRIBE SECTION OF FLOOR (e.g. entire, sec. wing, room #, boiler room, lobby, etc.)	ALL MATERIALS ASSUMED TO CONTAIN ACM AND/OR SAMPLED	NUMBER OF SAMPLES ANALYZED	ASBESTOS PRESENT YES NO	ASSUMED ACM
2nd Fl.	Partial- Windows	None-Concrete, wood	0		XX
3rd Fl.	" "	" " "	0		XX

13. Analytical Laboratory _____

14. ELAP # _____ 15. Date(s) Samples Analyzed _____

16. I hereby declare the information provided herein is true and complete.

Anthony Nowicki
NYC DEP Certified Asbestos Investigator's Signature

8531-271602

Date

9-5-02

Telephone Number

Any modification or deviation from information provided on this form must be reported immediately in writing directly to the NYCDEP. The requirements of the Asbestos Control Program Rules may not be lawfully avoided or lessened through the performance of work in incremental or piecemeal fashion.

* Impaired operations, as defined in §26-6.1 of ICRRS, are not permitted in New York City.

SEAL
OF THE
NYC DEP
CERTIFIED
ASBESTOS
INVESTIGATOR



TOTAL P.01